

DATE: MAY 12, 2022

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DEBRA L. CURTIS

PRESIDING OFFICER: CHARLES J. PETER

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

MEMBERS ABSENT:

ATTORNEY: CHRISTOPHER LANGLOIS, ESQ.

COMPTROLLER: PAUL HARTER

OTHERS PRESENT: DAWNE KELLY, ASSISTANT TO THE SUPERVISOR

Supervisor Peter called the May 12, 2022 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.

Executive Session #1

C. Bult made a motion at 7:00 p.m. to enter into an Executive Session of the board to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Seconded by C. Kenney.

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

C. Swartz made a motion at 7:17 p.m. to adjourn the executive session. Seconded by C. Rex.

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

Public Hearing Glenn Galkiewicz (171 Miller Road) Landfill Application

S. Peter called the continuation of the public hearing on a landfill application submitted by Glenn Galkiewicz to order at 7:17 p.m.

S. Peter asked if any public comment had been received. The Town Clerk said no. S. Peter noted that, as there were still documents and further engineering needed from the applicant, resolution 2022-192 would be withdrawn.

Hearing no comments, C. Bult made a motion to close the public hearing at 7:19 p.m., seconded by C. Kenney. 5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. Noes – 0.

Review of Resolutions

S. Peter summarized the resolutions on the agenda. He stated that the cost of the road program had come in at \$40,000.00 under budget, leaving room for other improvements with an option of the use of American Rescue Plan Act (ARPA) funds in addition. C. Bult asked that the end of Schuurman Road be considered for the remaining road budget. S. Peter agreed and said he had spoken to B. Brahm, Interim Highway Superintendent, regarding prices for the end of Schuurman Road as well as the Town Hall Parking Lot. S. Peter stated that it was the consensus of the board to appoint William Morgan as Sole Assessor, effective June 6, 2022 at a salary of \$52,000.00 (2022-194) and Carl Ashby as part-time Park Attendant (2022-195). For resolutions 2022-197 to 2022-199, S. Peter asked the Comptroller if there were any issues with the audits conducted. P. Harter said all internal controls for the departments were ideal; however, two departments had an issue with petty cash. One had inherited a fund that was short, and another had an overage. A transfer of funds would be conducted for the department with the shortage to make the fund whole. All other resolutions were self-explanatory.

Board Comment: C. Rex asked when the appointment would be effective for resolution 2022-193. S. Peter said May 16, 2022.

Public Comment: None.

Review of Abstracts of Claims and Budget Amendments: The Board reviewed claims #22-0661 to #22-0849 on Abstract No. 2022-05 in the amount of \$546,737.28 including the claims paid prior (\$209,003.21).

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

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. Rex:

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

2022-191) Approve the 2022 Road Program as proposed by the Interim Superintendent of Highways to resurface with hot-mix asphalt on Bellwood Lane, Clearview Boulevard, Park Place, Crescent Drive, Michael Road, Lakeside Drive, Champagne Drive, Hillcrest Avenue, Castleridge Road and Ridgeview Circle. Further, Crack Fill/Single Chip Seal treatments shall be applied on Boyce Road, East Hill Road, Garrison Hill Road, Hoags Corners Road, Old Post Road South, Rohloff Road, McClellan Road, Waterbury Road and Sultan Lane.

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

2022-192) **WITHDRAWN: WHEREAS,** *Glenn Galkiewicz. has applied for approval from the Town Board pursuant to Chapter 137 of the Town Code to import clean fill soil onto property consisting of 6.66 acres and located on 171 Miller Road, Castleton, NY (Tax Map No. 178.-4-55.2); and*

WHEREAS, *a public hearing in connection with said application was duly noticed and held on April 28, 2022; and*

WHEREAS, *the application and project has been reviewed by the Town's engineering firm, which by letter dated _____ recommended that the Town Board issue a negative declaration under the State Environmental Quality Review Act ("SEQRA") with respect to the project and recommended that the Town Board approve the project subject to the conditions set forth therein.*

NOW, THEREFORE, IT IS HEREBY RESOLVED, *that the Town Board finds and concludes that the proposed project is classified as an Unlisted Action under SEQRA; finds and concludes that the proposed project will not result in any significant adverse impacts to the environment; and therefore issues a negative declaration pursuant to SEQRA for the reasons set forth in Part 3 of the Short Environmental Assessment Form prepared with respect to the project; and it is further*

RESOLVED, *that the Town Board hereby determines pursuant to Town Code Section 137-5 that it is in the public interest to grant such application; and it is further*

RESOLVED, *that such application is hereby GRANTED, subject to the following conditions:*

- 1. The Applicant shall satisfy each of the conditions set forth as _____, and*
- 2. The Applicant shall comply with the regulations set forth in Town Code Section 137-6, except that the requirement of Section 137-6(H) that a bond be posted is hereby waived.*

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:**

2022-193) Pursuant to Article 7 Section 140 of the Highway Law, the Interim Highway Superintendent hereby appoints Charles Halvax and Joseph Cavanaugh, subject to final approval by the Rensselaer County Civil Service Commission, as an Operator 3, at an hourly rate as set forth in the Year 2022 adopted budget. Said appointment is effective as of May 16, 2022.

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

2022-194) Appoint William Morgan Sole Assessor effective ~~May~~ June 6, 2022 at a salary of \$52,000.00 to fill the remainder of the unexpired term until September 30, 2025, subject to Qualifications Review by the New York State Department of Taxation and Finance.

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

2022-195) Appoint Carl Ashby as part-time Park Attendant at an hourly rate as set forth in resolution 2021-290.

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

C. Rex 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:**

2022-196) Authorize Supervisor Peter to execute and administer agreement dated May 2, 2022 with Unifirst for uniform, rag and floor mat rentals as follows: Highway department laborers, Highway department mechanics, Transfer Station department laborers, Transfer Station Director, shop rags, and floor mats at the

Highway Garage which includes cleaning and exchange thereof on a monthly basis in the total annual amount of \$13,354.08.

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

2022-197) WHEREAS, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and

WHEREAS, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the audit report submitted for Justice Court for the fiscal year 2021.

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

C. Rex 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:

2022-198) WHEREAS, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and

WHEREAS, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the audit report submitted for Petty Cash Funds for the fiscal year 2021.

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

2022-199) WHEREAS, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and

WHEREAS, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the audit report submitted for Building Department Funds and Town Clerk Funds for the fiscal years 2021.

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

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

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

2022-200) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #22-0661 to 22-0849 on Abstract No. 2022-05, in the amount of \$546,737.28, including the claims paid \$209,003.21.

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

C. Rex 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:

2022-201) Authorize the April 2022 budget modifications, interfund loans and interfund transfers as provided in document dated May 2022 and recommended by the Comptroller.

BUDGET MODIFICATIONS

Fund/ Department #		Fund / Department Name	Increase	Decrease
2022				
16	A-960-1440.4000	Town Engineer - Contractual	1,456.26	
	A-960-1990.4000	Contingency - Contractual		1,456.26
To modify the budget for Town Engineering Services for Rt 9 GEIS and ARPA Administration				
17	A-960-3120.1012	Police Grant - PTS	449.55	
	A-509-4320.9999	Federal Aid Public Safety	449.55	
To modify the budget for PTS grant awards				

18	A-960-5010.1100	Supt of Highways - Overtime	15.02	
	A-960-5010.2000	Supt of Highways - Equipment	14,815.00	
	A-960-5010.1000	Supt of Highways - Personal Services		15.02
	A-509-4089-9999	Federal Aid - other		14,815.00
To modify the budget for Highway Secretary 4/02 Overtime & Truck purchase over budget due to inflation Town using ARPA funds to makeup difference				
19	A-960-7110.1000	Parks - Personal Services	30,000.00	
	A-509-2389.9999	Other Community Services - Other Govt's		30,000.00
To modify budget for Parks manager to full-time with reimbursement from Rensselaer County				
20	DB-960-5110.1100	Gen'l Road Repairs - Overtime	676.79	
	DB-960-5110.1351	Gen'l Road Repairs - DB W/S work OT	87.55	
	DB-960-5110.1000	Gen'l Road Repairs		764.34
To modify the budget for 4/19 Callout and Steven Rivers assist with 3/25 Rt 20 water break				
21	DB-960-5130.1400	Machinery - Police Work	164.58	
	DB-960-5130.2000	Machinery - Equipment	6,641.18	
	DB-960-5130.1000	Machinery - Personal Services		164.58
	DB-960-5130.4000	Machinery - Contractual		6,641.18
To modify the budget for work on Department vehicles and purchase of X580 tractor				
22	DB-960-5140.1600	Brush & Weeds - DB Town Hall Work	415.04	
	DB-960-5140.1000	Brush & Weeds - Personal Services		415.04
To modify the budget for Steve Larsen work at Town Hall repairing 3rd floor table				

BUDGET MODIFICATIONS

	Fund/ Department #	Fund / Department Name	Increase	Decrease
2022				
23	DB-960-5142.4000	Snow Removal - Contractual	14,562.70	
	DB-960-5142.1000	Snow Removal - Personal Services		14,562.70
To modify the budget for purchase of road salt for end of winter storm				
24	EW-960-8340.2000	Enterprise Water Dist. - Equipment	2,321.50	
	SS5-960-8130.2000	E Sch Sewer Dist. - Equipment	752.00	

SS6-960-8130.2000	Sch Ctr Sewer Dist. - Equipment	2,199.00
SS8-960-8130.2000	Sch Land Sewer Dist. - Equipment	880.00
SSC1-960-8130.2000	Castleton Sewer Dist. - Equipment	752.00
SW1-960-8320.2000	Clearview Water Dist. Supply - Equipment	1,038.00
SW1-960-8340.2000	Clearview Water Dist. Source - Equipment	193.00
SW3-960-8340.2000	Maple Crest Water Dist. - Equipment	163.00
SWC1-960-8340.2000	Sch Consolidated Water Dist. - Equipment	849.00
EW-509-4089.9999	Federal Aid - other	2,321.50
SS5-509-4089.9999	Federal Aid - other	752.00
SS6-509-4089.9999	Federal Aid - other	2,199.00
SS8-509-4089.9999	Federal Aid - other	880.00
SSC1-509-4089.9999	Federal Aid - other	752.00
SW1-509-4089.9999	Federal Aid - other	1,231.00
SW3-509-4089.9999	Federal Aid - other	163.00
SWC1-509-4089.9999	Federal Aid - other	849.00

To modify the budget for water/sewer truck purchase over budget caused by inflation. Town using ARPA funds to makeup difference

25	SS6-960-8130.1008	Sch Ctr Sewer - Dunkin Donuts Personal Svcs.	-
	SS6-960-8130.1108	Sch Ctr Sewer - Dunkin Donuts Overtime	-
	SS6-960-8130.4008	Sch Ctr Sewer - Dunkin Donuts Contractual	2,137.48
	SS6-960-9030.8008	Sch Ctr Sewer - Dunkin Donuts Social Security	-
	SS6-960-9060.8008	Sch Ctr Sewer - Dunkin Donuts Benefits	15.25
	SS6-509-5031.9999	Sch Ctr. Sewer - Transfers	2,152.73
	To modify the budget for reimbursement of Dunkin Donut expenditures		

26	SS8-960-8130.1100	Sch Land Sewer Dist. - Overtime	86.04
	SS8-960-8130.1000	Sch Land Sewer Dist. - Personal Services	86.04
	To Modify the Budget for Operator April overtime in district		

27	SW3-960-9710.6030	Maple Crest Water District - Principal	0.02
	SW3-960.9710.6020	Maple Crest Water District - Principal	0.02
	To modify budget for rounding difference on debt service payment		

INTERFUND LOANS

Fund/ Department #	Debit	Credit
<u>2022</u>		

L2	H050-200	Maple Hill Sewer to Rte. 9 - Cash	20,000.00	
	H050-630	Maple Hill Rd Sewer to Rte. 9 - Due to Other Funds		20,000.00
	A-391	Due From Other Funds	20,000.00	
	A-200	General Fund - Cash		20,000.00
	To Transfer Funds A to Capital Project H050-Maple Hill Sewer Preliminary Costs			
	5 Ayes 0 Noes. MOTION CARRIED. Ayes – J. Bult, S. Swartz, T. Rex, M. Kenney, C. Peter. Noes – 0.			

Open Discussion

Book Donation Bin - Transfer Station: S. Peter explained that B. Goodall, Director of Transfer Station Operations, received a request to set up a book donation bin at the entrance of the Transfer Station. Mr. Goodall expressed concern as the company was a for-profit rather than a not-for-profit as was customary to be allowed. By allowing this, he felt it would set a precedent to allow other companies to make similar requests and if they did not retrieve the books, he wondered if the town would be liable for disposal. C. Bult asked if there was a huge demand for depositing books. S. Peter said none that he was aware of. C. Bult agreed that by allowing the company would require the Transfer Station to allow others to come in. S. Peter felt it would be best to decline the request. All board members agreed.

Board of Assessment Review (BOAR) Member: S. Peter noted that a fifth member was needed for BOAR; however, as grievance day was May 24, 2022, there was not enough time to fill the position (training was required before serving on the board). He asked the board to submit names of candidates to fill the position for 2023.

Ethics Board: S. Peter said he had received names of candidates to serve on the Ethics Board and was ready to begin interviews. Per the recommendation of all town board members, the Ethics Board would consist of five members. Atty. Langlois noted that the terms of the members would need to be staggered.

Special Meeting - Town Park: S. Peter stated that the town board would be meeting at 6:00 pm on May 26, 2022 for a special meeting at the Schodack Town Park. The workshop would follow at the Town Hall at 7:00 pm.

Vehicle Quotes: S. Peter informed the board that two options had been received for a new Building Department vehicle. He asked all members to review the options and report back with any questions.

Executive Session #2

C. Swartz made a motion at 7:30 p.m. to enter into an Executive Session of the board to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Seconded by C. Rex.

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

C. Swartz made a motion at 8:46 p.m. to adjourn the executive session. Seconded by C. Rex.

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

ADJOURNMENT

As there was no further business before the Board, C. Kenney made a motion to adjourn the 05/12/22 Town Board meeting at 8:46 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk