

**DATE:** NOVEMBER 5, 2015

**KIND OF MEETING:** TOWN BOARD

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DONNA L. CONLIN

**PRESIDING OFFICER:** DENNIS E. DOWDS

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

**MEMBERS ABSENT:** FRANCIS CURTIS

**ATTORNEY:** DAVID GRUENBERG

**COMPTROLLER:** PAUL HARTER

**OTHERS PRESENT:** LAURA PALMER, ASSISTANT COMPTROLLER  
WILLIAM RYAN, SPECIAL DISTRICTS COUNSEL

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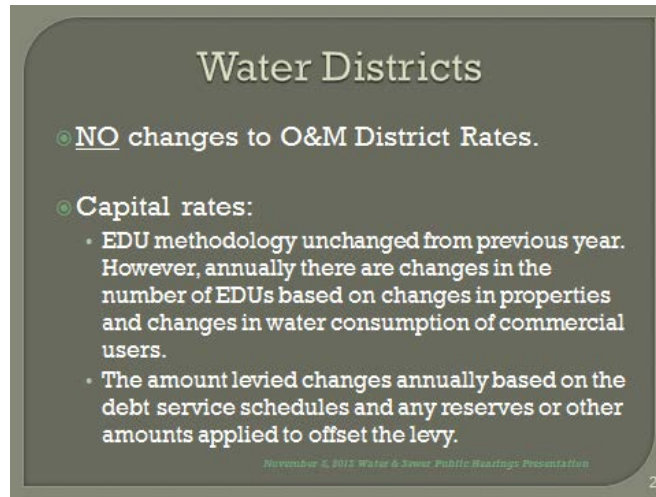
Supervisor Dowds called the November 5, 2015 meeting to order at 7:08 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

### **Public Hearings-Capital Assessment Rolls & Operation and Maintenance Rates for Water Districts**

At 7:10 p.m., the Supervisor called the public hearings to order for the water districts. The Town Clerk read the Affidavit of Publication regarding the public hearings for the capital assessment rolls for Water District No. 1 - Clearview; Water District 2a - Inglewood, Water District 3 - Maplecrest; Water District 5 - Exit 10/Miller Rd.; Water District 8 - Schodack Center; Water District 9 – Route 20 area and Consolidated Water District 101 which were noticed in the 10/20/2015 edition of the Record and posted on the Town Clerk's signboard on 10/20/2015. The Operation and Maintenance hearings were held at the same time for water districts Water District No. 1 - Clearview; Water District 3 – Maplecrest and Consolidated Water District 101 and were noticed as indicated above. As the notices for the water district public hearings were similar, the only notice read was for Water District No. 1.

The Assistant Comptroller, Laura Palmer, led the public hearings for the water hearings. She stated that she was going to deviate from the normal sequential hearing process and group the districts by category. With respect to Operation and Maintenance Rates (O & M) she stated that no rate changes were recommended.

She explained that the Capital rates are driven by the EDU methodology, which remains the same as last year (*see October 8<sup>th</sup> minutes*), and the debt service (amount owed for the capital project). Even though the EDU methodology did not change, annual changes in the number of EDUs, based on changes in properties and water consumption of commercial users occurred. Also the amount levied fluctuates annually, based on the debt service schedules, reserves or other amounts applied to offset the levy. See following slide.



With respect to the sale of water, she explained that it pertains to:

- 1) Commercial Water Sales – this remains at \$.01/gallon
- 2) Sale of water from Clearview to Maplecrest (SW3) – the 2015 rate of \$2.40/1000 gals. will increase to \$2.75/1000 gals. for 2016. There is a cost associated with providing water from the Clearview supply to Maplecrest. They calculated that Maplecrest uses 22% of the water so therefore they should pay 22% of the cost; however, this increase will not affect the Maplecrest O & M rates.
- 3) Sale of water from Consolidated Water District 101. This is called the EW supply and that will remain at \$2.75/1000 gals.

#### **Public Comment**

K. Stokem asked why the rate was so low for commercial water sales. Ms. Palmer said when you compare that cost to what district residents are charged for overage, which is \$4.00/1000 gals., it is 2 ½ times greater than that, equating to \$10.00/1000 gals. When you consider those factors, it is not as inexpensive as it appears. Also, it is important to remain competitive or commercial users will go elsewhere.

#### **Clearview, Water District #1**

The public hearing for the Capital Assessment Rolls and Operation and Maintenance costs for Water District #1, Clearview, opened at 7:17 p.m.

**Operation and Maintenance/Capital Roll** – This district has 167 users. With regard to the O & M, the current rate is \$50.00/quarterly for the 1<sup>st</sup> 18,000 gallons with an overage charge of \$4.00 per 1,000 gallons in excess of the 1<sup>st</sup> 18,000 gallons. No changes were recommended for this district. This district has a healthy fund balance which aids them in keeping the rate flat. With respect to the Capital Roll there are 244.00 capital units which is an increase of 2 units from 2015. There are no reserves left from the project that was done in 2009 so the capital rate will increase by \$26.83 or 23% for a unit rate (EDU) of \$142.01. This rate should stabilize and remain at, or around that level, barring no further capital expenditures.

**Public Comment** – None

As there was no public comment, the Supervisor closed the public hearing at 7:19 p.m.

### **Maplecrest/Water District #3**

The public hearing for the Capital Assessment Rolls and Operation and Maintenance costs for Water District #3, Maplecrest, opened at 7:19 p.m.

**Operation and Maintenance/Capital Roll** - The current rate is \$85.00/quarterly for the 1<sup>st</sup> 18,000 gallons with an overage charge of \$4.00 per 1,000 gallons in excess of that and will remain the same for 2016. In terms of the Capital Roll, there is a 36% increase. This is because the excess capital funds from the project that were being applied to the debt service have been depleted. This district has a total of 44.5 units (same as 2015). The rate will increase by \$196.65 for a total of \$566.81/EDU for 2016.

**Public Comment** - None

As there was no public comment, the Supervisor closed the public hearing at 7:22 p.m.

### **Consolidated Water District #101, et.al/Enterprise Town-Wide Water Supply**

The public hearings for the Capital Assessment Rolls and Operation and Maintenance costs for the Enterprise Town-Wide Water Supply Fund, Consolidated Water District #101, Water District 2a, Water District 2b, Water District 4, Water District 5, Water District 8 and Water District 9 opened at 7:22 p.m. Ms. Palmer said most of the districts increases were due to the loss of units and having exhausted their individual fund reserves.

**Operation & Maintenance** – The current rate is \$60.00/quarterly for Consolidated Water District 101 (CSW101) for the 1<sup>st</sup> 18,000 gallons with an overage charge of \$4.00 per 1,000 gallons in excess of that and will remain the same for 2016. In terms of the Capital Roll, there is a 6% increase. This district has a total of 873.25 units, which is a decrease of 13 units. The rate will increase by \$21.53/EDU for a total of \$375.00/EDU for 2016. Ms. Palmer explained that this could have been higher, but they applied \$23,000.00 from the sale of commercial water. This is a very important component for the debt service in this district. Without that benefit, the rate would have increased by \$47.53/EDU. She noted that this capital charge also applies to Water Districts 2A, 5, 8 and 9, so they will all pay the \$375.00/EDU plus their own capital rate for the existing debt they had prior to consolidation.

**Out-of-District Users** - The Town tries not to have any out of district users; however, on occasion someone may be in need of hooking up and is just outside the district boundaries so they join as an Out-of-District user. Last year a rate was established to those people. The 2015 rate was \$150.00/qtr. for the 1<sup>st</sup> 18,000 gallons with an overage charge of \$4.00 per 1,000 gallons in excess of that. The recommendation is to increase that to \$155.00/qtr. for 2016. She explained that this rate includes a component for both O & M (\$60.00) and Capital Costs (\$95.00).

**Public Comment** - None

As there was no public comment, the Supervisor closed the public hearing at 7:25 p.m.

### **Inglewood, Water District 2a**

The public hearing for the Capital Assessment Roll for Water District #2a, Inglewood, opened at 7:25 p.m.

**Capital Roll/costs: Inglewood -Water District #2a** – The district has 33.50 units, which is an increase of 1.50 units from 2015. This district will see a rate increase of 33% in their individual district of \$69.62 to \$240.69/EDU. When you combine the CSW101 rate of \$375.00 with the increase in the capital charge for SW2A, it culminates in a total increase of \$91.15/EDU for 2016 or **\$615.69/EDU**.

**Public Comment** - None

As there was no public comment, the Supervisor closed the public hearing at 7:28 p.m.

#### **Miller Rd.-Exit 10, Water District 5**

The public hearing for the Capital Assessment Roll for Water District #5, Miller Rd./Exit 10, opened at 7:28 p.m.

**Capital Rolls/Costs: Miller Rd./Exit 10 - Water District 5:** This district had 1,423 units in 2015 and that remains the same for 2016. This district will see a rate decrease of 4% in their individual district (\$.57) to \$18.30/EDU. When you combine the CSW101 rate of \$375.00 with the decrease in the capital charge for the individual district (18.30), the overall capital charge for 2016 will be **\$393.30/EDU**.

**Public Comment** - None

As there was no public comment, the Supervisor closed the public hearing at 7:29 p.m.

#### **Schodack Center, Water District 8**

The public hearing for the Capital Assessment Roll for Water District #8, Schodack Center, opened at 7:29 p.m.

**Capital Roll/Costs: Schodack Center - Water District 8:** This district has 249.75 units which is a decrease of 13 units. This district will see a rate increase of 7% in their individual district (\$13.98) to \$245.85/EDU. When you combine the CSW101 rate of \$375.00 with the increase in the capital charge for the individual district, the overall capital charge for 2016 will be **\$620.85/EDU**.

**Public Comment** - None

As there was no public comment, the Supervisor closed the public hearing at 7:30 p.m.

#### **Route 20, Water District 9**

The public hearing for the Capital Assessment Rolls for Water District #9, Route 20, opened at 7:30 p.m.

**Capital Rolls/Costs: Route 20 - Water District 9:** This district has 179.75 units which is a decrease of 9.50 units from 2015. This district will see a rate increase of 7% in their individual district (\$15.92) to \$224.43/EDU. When you combine the CSW101 rate of \$375.00 with the increase in the capital charge for the individual district, the overall capital charge for 2016 will be **\$599.43/EDU**.

**Public Comment** - None

As there was no public comment, the Supervisor closed the public hearing at 7:30 p.m.

### **Public Hearings - Capital Assessment Rolls & Operation and Maintenance Rates for Sewer Districts**

At 7:30 p.m., the Supervisor called the public hearings to order for the sewer districts. The Town Clerk read the Affidavit of Publication to receive input on the Operation and Maintenance rents for Sewer District No. 1 – Castleton, Town Outside Village; Sewer District 2 - Castleridge, Sewer District 4 – Brickyard; Sewer District 5 – East Schodack; Sewer District 6 – Exit 10/Miller Rd., Sewer District 7 – Hamilton Printing and Sewer District 8 – Schodack Landing. The hearings to receive input on the capital rolls were held at the same time for Sewer District No. 5 – East Schodack and Sewer District 8 – Schodack Landing. The Affidavits appeared in the 10/20/2015 edition of the Record and posted on the Town Clerk's signboard on 10/20/2015.

The Assistant Comptroller led the public hearings for the sewer districts. She explained that the only district with a recommended O & M rate increase is Sewer District #5. Giving a brief overview, she explained that Sewer District #6 purchases their service from the Town of East Greenbush; sewer districts #1, #2, #4 and #7 are served by the Village of Castleton. The only districts with their own treatment sites are Sewer District 5 (East Schodack) and Sewer District 8 (Schodack Landing).

#### **East Schodack - Sewer District #5**

The public hearing for the Capital Roll and rents for Sewer District #5, East Schodack opened at 7:31 p.m.

**Operation & Maintenance** - The proposed semi-annual rate will increase from \$385.00 to \$425.00 semi-annually for 2016. She said this is a difficult district because there are only 27 users which makes it hard to lower rates. Besides the limited number of users, it is a labor intensive system. Our Sewer Operator spends about 10.5% of his time at that district which has to be divided among the 27 users. She added that, in reality, the actual charge should be \$457.22 but there is a small fund balance which allowed them to recommend the lower charge. Unfortunately, after 2016 any fund reserves will be utilized so they will not have that to offset any increases so next year the rate will probably be equal to the actual cost.

**Capital Rolls/costs** - This district has two areas that are called the Old and the New. One is the original debt (old) and the other is the debt for the upgraded improvements. The New includes all of those people in the Old debt plus 2 more parcels. The units in both portions remain unchanged at 30 and 32 respectively. Regardless of whether you are on the old roll or the new, since the users are essentially the same, **the capital charge for 2016 will be \$423.72/EDU semi-annually, which represents a combined rate increase of \$24.08 or 6%.** S. Dowds said everyone feels very badly about the rate for this district and they are currently trying to review any options that could lessen the burden for them. Unfortunately, with only 27 users and a system that requires frequent maintenance, it makes it extremely difficult. He noted that their costs for the mandated licensed sewer operator is about \$1200/yr. and DEC required testing costs them about \$1700.00/yr. The Town is hoping to have their own sewer personnel become licensed sewer operators. This

should reduce those fees, but it would not eliminate the operator costs.

**Public Comment**

One person said he is new to the area and has two units on one piece of property. He said he bought the house because it had an in-law apartment. In addition to the high costs they are charged, it was his understanding that the system does not function well. He assumes that costs will spiral upward in the future. He added that his property is across the street from the system and does not drain into the system. He asked if there was anything that would legally prevent him from opting out of the district if he installs his own septic system. Atty. Ryan said there is a process that must be followed under Article 12 of Town Law. In essence, it allows the Town Board to consider it; however, a resident cannot simply opt out of the system by submitting a request.

As everyone wishing to speak was heard, the Supervisor closed the public hearing at 7:41 p.m.

**Schodack Landing – Sewer District #8**

The public hearing for the sewer rents and Capital Roll for Sewer District #8, Schodack Landing, opened at 7:41 p.m.

**Operation & Maintenance** – This district has no change in the number of units (68). The proposed semi-annual rate will remain the same at **\$180.00/EDU**. They are accumulating a nice fund balance which will assist them in paying pump-out charges.

**Capital Rolls/costs** – This district has no change in the number of capital units (75.25). The capital rate will decrease by \$9.46 from last year (2%) due to the debt service schedule. The Capital Rate for 2016 will be **\$418.43/EDU**.

**Public Comment - None**

As there was no public comment, the Supervisor closed the public hearing at 7:43 p.m.

The following districts do not have any debt service (Capital charges). They are serviced by other entities.

**Exit 10 - Sewer District #6**

The public hearing for the sewer rents for Sewer District #6, Exit 10, opened at 7:43 p.m.

**Operation & Maintenance** – This district, which is the only district billed quarterly, is serviced by the Town of East Greenbush and has 54 users. Their sewer rate is determined by water consumption. The current rate is \$7.30/1,000 gallons and will remain the same for 2016.

**Public Comment - None**

As there was no public comment, the Supervisor closed the public hearing at 7:44 p.m.

The following sewer districts are serviced by the Village of Castleton.

**Castleton (Town outside Village) – Sewer District #1**

The public hearing for the sewer rents for Sewer District #1, Castleton, opened at 7:44 p.m.

**Operation & Maintenance** – This district has 95 users. The proposed semi-annual rate for 2016 will remain at **\$145.00/EDU**.

**Public Comment - None**

As there was no public comment, the Supervisor closed the public hearing at 7:45 p.m.

**Castleridge – Sewer District #2**

The public hearing for the sewer rents for Sewer District #2, Castleridge, opened at 7:45 p.m.

**Operation & Maintenance** – This district has 54 users. The proposed semi-annual rate for 2016 will remain at **\$210/EDU**.

**Public Comment - None**

As there was no public comment, the Supervisor closed the public hearing at 7:46 p.m.

**Brickyard – Sewer District #4**

The public hearing for the sewer rents for Sewer District #4, Brickyard, opened at 7:46 p.m.

**Operation & Maintenance** – This district has 2 users. The proposed semi-annual rate for 2016 will remain at **\$340.00/EDU**.

**Public Comment - None**

As there was no public comment, the Supervisor closed the public hearing at 7:47 p.m.

**Hamilton Printing – Sewer District #7**

The public hearing for the sewer rents for Sewer District #7, Hamilton Printing, opened at 7:47 p.m.

**Operation & Maintenance** – This district has 1 user with 12 units. The proposed semi-annual rate for 2016 will remain at **\$155.00/EDU**.

The Supervisor stated that he is cautiously optimistic that there could be a new business in that building. He said no one has actually come from the Planning Board so he did not have any details but he knows that someone has expressed interest in the building.

**Public Comment – None.**

As there was no public comment, the Supervisor closed the public hearing at 7:48 p.m.

## Public Hearing

### ESTABLISHMENT OF STEWART'S SHOPS EXTENSION TO SCHODACK CONSOLIDATED WATER DISTRICT NO. 101

The Supervisor called the Public Hearing on the Extension to Consolidated Water District No. 101 to order at 7:48 p.m.

The Town Clerk read the notice of public hearing for the establishment of Stewart's Shops extension to Schodack Consolidated Water District No. 101 (CSW101) which is done pursuant to Article 12 of the Town Law of the State of New York. The public hearing is to solicit public comment on the petition requesting the extension and the Map, Plan, and Report. It is noted for the record that the legal notice was duly noticed in the October 19, 2015 edition of the Record and posted on October 19, 2015.

Attorney Ryan stated that the Map, Plan and Report was duly filed in the Office of the Town Clerk. He explained that Stewart's is building a store on a 2.491 acre parcel in the Town of Schodack. The source of supply for the water will come from the Village of Nassau. The Town of Schodack and Village of Nassau will have to enter into an agreement for the sale of water for this property and he is working with the Village Attorney to formulate the agreement. The Map, Plan and Report sets forth the improvements that will be made and related costs. In summary, the maximum cost for this extension is \$94,775 and for the first year, the capital charge for the debt service will be \$2,396. and the estimated water usage (O & M) cost will be \$1,580.00.

#### Public Comment - None

As there was no public comment, the Supervisor closed the public hearing at 7:52 p.m.

#### Adoption of Resolutions (Voted Out of Sequence)

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:**

**2015-238) WHEREAS**, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of the Stewart's Shop Water District Extension to Schodack Consolidated Water District No. 101 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 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 Stewart's Shop Water District Extension to Schodack Consolidated Water District No. 101, in the Town of Schodack, County of Rensselaer, State of New York; and

**WHEREAS**, such map, plan and report was prepared by Brewer Engineering Associates, P.C., competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Extension, general plan of the Extension, the improvements to be made to the Extension, and a report showing the costs thereof; and

**WHEREAS**, said project will require 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 established that the Town Board act as lead agency for the review of plans and environmental impact, if any, of the proposed establishment of Stewart's Shop Water District Extension to Schodack Consolidated Water District No. 101.

**NOW, THEREFORE**, The Town Board of the Town of Schodack as lead agency has determined that the establishment of the Stewart's Shop Water District Extension to Schodack Consolidated Water District No. 101 as described in the map, plan and report prepared by Brewer Engineering Associates, P.C. is an unlisted action and that establishment of the proposed Stewart's Shop Water District Extension to Schodack Consolidated Water District No. 101 will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of Schodack be authorized to execute any documentation with respect to the determination that the establishment of the Stewart's Shop Water District Extension to Schodack Consolidated Water District No. 101 is an unlisted action and that the establishment of the Stewart's Shop Water District Extension to Schodack Consolidated Water District No. 101 will not result in any significant adverse environmental impacts.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-239) WHEREAS**, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of the Stewart's Shop Water District Extension to Consolidated Water District No. 101 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 Stewart's Shop Water District Extension to Consolidated Water District No. 101 prepared by Brewer Engineering Associates, P.C., 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 October 8, 2015, 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 November 5, 2015 at 7:15 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York 12033 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 5th day of November, 2015, beginning at 7:15 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 5<sup>h</sup> day of November, 2015 at the Schodack Town Hall; and

**WHEREAS**, the Town Board on November 5, 2015 approved the creation of the Stewart's Shop Water District Extension to Consolidated Water District No. 101; and

**NOW THEREFORE, IT IS RESOLVED AND DETERMINED:**

- (a) 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 notice of hearing was published and posted as required by law, and it is otherwise sufficient;
- (b) That all property and property owners within the proposed water district extension are benefited thereby;
- (c) That all the property and property owners benefited are included within the limits of the proposed water district extension;
- (d) That it is in the public interest to establish the Stewart's Shop Water District Extension to Consolidated Water District No. 101;

(e) The maximum amount to be expended for said improvements and/or acquisition of necessary lands is the sum of Ninety-Five Thousand (\$95,000.00) Dollars;

(f) That the first year cost of debt payment is \$2,396.50 and \$1,580.00 for water usage. Hook up fees to the property line is not included in the estimated maximum cost; and it is further,

**RESOLVED AND DETERMINED**, that the establishment of the Stewart's Shop Water District Extension to Consolidated Water District No. 101, 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 the Stewart's Shop Water District Extension to Consolidated Water District No. 101 in the Town of Schodack, and shall be bounded and described as set forth on Schedule "A" attached hereto; and it is further

**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 New York State Department of Audit and Control, at Albany, New York.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

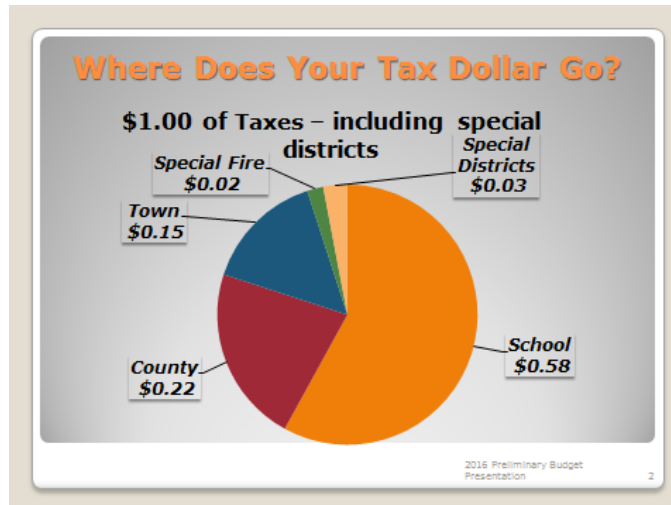
## **Public Hearing**

### **2016 Preliminary Budget**

The Supervisor called the Public Hearing on the 2016 Preliminary Budget to order at 8:10 p.m.

The Town Clerk read the notice of public hearing for the preliminary budget. It is noted for the record that the legal notice to receive public comment on the Preliminary Budget was duly noticed in the October 26, 2015 edition of the Record and posted on October 22, 2015.

Referring to a Power Point Presentation, Comptroller Paul Harter, gave an overview on the 2016 Preliminary Budget. He began by showing how much of the tax dollar goes to support the town, county, and school budgets. On average, the town receives only 15 cents of the dollar in comparison to the county (22 cents) and school (58 cents). It is the level of government closest to the residents, yet it costs less than school and county services. He noted that this does not include the special districts such as lighting, fire, water and sewer (slide below).



Mr. Harter explained that the Property Tax Cap essentially limits the growth in the real property tax levy that a jurisdiction can collect from one fiscal year to the next to 2%; however, 2% is not necessarily 2% in New York State. Using the slide below, he clarified that the cap is on the tax levy not the tax rate. The tax levy is the amount to be collected via property taxes.

### REAL PROPERTY TAX LEVY CAP

- What is the NYS Real Property Tax Levy Cap?
  - It limits the growth in the real property tax levy a jurisdiction can collect from one fiscal year to the next.
  - It is a cap on the tax **LEVY** not the tax **RATE**.
  - For the 2016 budget, the levy cannot grow by more than 0.73% of the Town's 2015 levy with certain adjustments allowed for assessment growth, NYS Retirement exclusions, transfer of gov't function, tort orders/judgments and available carryover.
  - The levy cap is not on an individual fund, it is on **all** of the funds, added together, that the Town Board has taxing authority over.
- The Town of Schodack's tax levy limit for 2016 is \$6,019,495. The 2016 Preliminary Budget's actual levy is \$5,948,364, which is **\$71,131** or **1.18% less than the tax levy limit**.
- The Town is in compliance with the NYS Real Property Tax Cap for the 2016 Budget and certain residents will be eligible for year 2 of the NYS Property Tax Freeze Credit.**

2016 Preliminary Budget Presentation 3

Using the following slides Mr. Harter explained the formulas used to arrive at the tax levy cap and the levy limits from 2015 – 2016.

## REAL PROPERTY TAX LEVY CAP

Is 2% really 2%?

	2015 Levy	2016 Levy	\$ Change	% Change
Tax Levy Limit	\$6,049,288	\$6,019,495	(\$29,794)	(0.49%)
Actual Tax Levy	\$5,851,161	\$5,948,364	\$97,203	1.66%

2016 Preliminary Budget  
Presentation

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## BELOW THE CAP FOR FIFTH STRAIGHT YEAR

2016 TAX CAP	
Tax Levy – 2015	\$5,851,161
Tax Base Growth Factor (.57%)	\$33,352
PILOTs Receivable – 2015	\$80,200
Subtotal	\$5,964,713
Allowable Levy Growth Factor (.73%)	\$43,542
PILOTs Receivable – 2016	(\$79,500)
Subtotal	\$5,928,755
Allowable Carry Over from 2014	\$90,739
Transfer of Function – Justice Court	\$-0-
Pension Exclusion	\$-0-
Allowable Tax Levy per Tax Cap	\$6,019,495
2016 Proposed Tax Levy	\$5,948,364
Tax Levy Over (Under) Tax Cap – 2016	(\$71,131)

2016 Preliminary Budget  
Presentation

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Further, the Town has been below the tax cap levy for the fifth year in a row. We are under the tax levy cap by \$71,131.00 for 2016. Further, since the inception of the tax cap we have been below the cap by \$817,999.

## BELOW THE CAP FOR FIFTH STRAIGHT YEAR

Tax Levy Over (Under) Tax Cap – 2016	(\$ 71,131)
Tax Levy Over (Under) Tax Cap – 2015	(\$198,127)
Tax Levy Over (Under) Tax Cap – 2014	(\$143,776)
Tax Levy Over (Under) Tax Cap – 2013	(\$285,393)
Tax Levy Over (Under) Tax Cap – 2012	(\$119,572)

**The Town has been below the tax cap by  
\$817,999 since enactment.**

2013 Preliminary Budget  
Presentation

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He gave a summary of revenues/expenditures that make up the major components of the budget. The A fund relates to administrative offices.

<b>BUDGET SUMMARY</b>				
<b>GENERAL FUND - TOWNWIDE (A)</b>				
	<b>2015 Adopted Budget</b>	<b>2016 Preliminary Budget</b>	<b>\$ Change</b>	<b>% Change</b>
Revenue (excl. PILOTs)	\$980,334	\$1,062,502	\$82,168	8.38%
PILOT Revenue	\$56,700	\$54,500	(\$2,200)	(3.88%)
Unexpended Balance	\$392,000	\$434,368	\$42,368	10.81%
Appropriations	\$4,969,034	\$5,180,570	\$211,536	4.26%
Amount to be raised by Taxes	\$3,540,000	\$3,579,200	\$39,200	1.11%

Note: Amounts are rounded to the nearest \$1,000

2016 Preliminary Budget Presentation 7

Our tax base increased .5% from 2015. Taking everything into account, the A Fund increased only \$.02/\$1,000.00 from 2015.

<b>TAX RATE</b>				
<b>GENERAL FUND - TOWNWIDE (A)</b>				
	<b>2015 Budget 2014 Tax Base</b>	<b>2016 Budget 2015 Tax Base</b>	<b>\$ Increase (Decrease)</b>	<b>% Increase (Decrease)</b>
Tax Base	\$1,089,361,778	\$1,095,499,247	\$6,137,469	.56%
Tax rate per \$1,000	\$3.25	\$3.27	\$0.02	.54%

2016 Preliminary Budget Presentation 8

The B Fund is called the Town Outside Village. It covers those services for town residents who live outside the Village of Castleton, such as highway, planning and the building department. The main source of revenue for this fund is sales tax. He noted that the B fund is a financing mechanism for the DB fund (highway) and will be transferring \$1,005,000.00 to the DB fund (see slide below).

<b>BUDGET SUMMARY</b>				
<b>GENERAL FUND – TOWN OUTSIDE VILLAGE (B)</b>				
	<b>2015 Adopted Budget</b>	<b>2016 Preliminary Budget</b>	<b>\$ Change</b>	<b>% Change</b>
Revenue	\$1,187,000	\$1,222,000	\$35,000	2.95%
Unexpended Balance	\$425,000	\$366,000	(\$59,000)	(13.88%)
Appropriations	\$605,000	\$583,000	(\$22,000)	(3.64%)
Transfer Out to Highway Fund	\$1,007,000	\$1,005,000	(\$2,000)	(0.20%)
Note : Amounts are rounded to the nearest \$1,000				
2016 Preliminary Budget Presentation 9				

The end result is the amount to be raised by taxes increased by \$17,000.00 over last year or 1.24%.

<b>BUDGET SUMMARY</b>				
<b>HIGHWAY FUND – TOWN OUTSIDE VILLAGE (DB)</b>				
	<b>2015 Adopted Budget</b>	<b>2016 Preliminary Budget</b>	<b>\$ Change</b>	<b>% Change</b>
Revenue (excl. PILOT)	\$236,000	\$229,000	(\$7,000)	(2.97%)
Transfer In from B	\$1,007,000	\$1,005,000	(\$2,000)	(0.20%)
PILOT Revenue	\$24,000	\$25,000	\$1,000	4.17%
Unexpended Balance	\$0	\$0	\$0	0%
Approp. Capital Reserve	\$127,000	\$264,000	(\$137,000)	107.87%
Appropriations	\$2,767,000	\$2,913,000	(\$146,000)	5.28%
Amount to be raised by Taxes	\$1,373,000	\$1,390,000	\$17,000	1.24%
Note : Amounts are rounded to the nearest \$1,000				
2016 Preliminary Budget Presentation 10				

However, the tax rate for the DB fund will remain at \$1.37/\$1,000 so there is no tax increase in that fund.

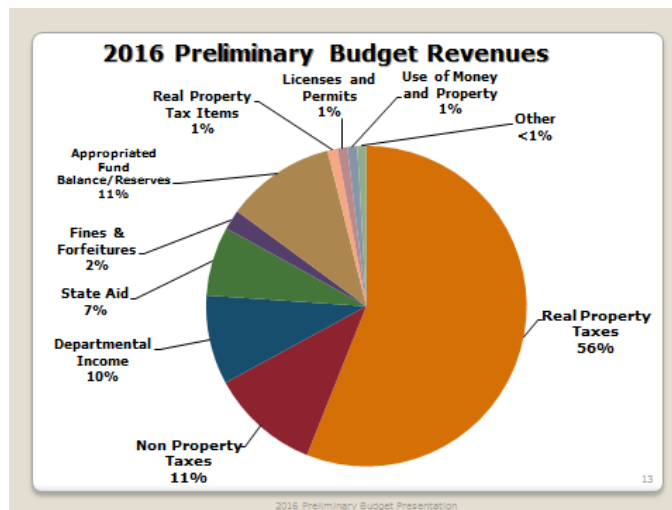
TAX RATE				
HIGHWAY FUND – TOWN OUTSIDE VILLAGE (DB)				
	2015 Budget 2014 Tax Base	2016 Budget 2015 Tax Base	\$ Increase (Decrease)	% Increase (Decrease)
Tax Base	\$1,005,937,344	\$1,012,072,546	\$6,135,202	0.61%
Tax rate per \$1,000	\$1.37	\$1.37	\$-0-	0.00%

Finally, when you combine the A fund and DB fund the overall net effect, is an increase of less than .5%. In the following example, if your house is assessed at \$200,000.00 your town tax will go up \$4.00. (see below).

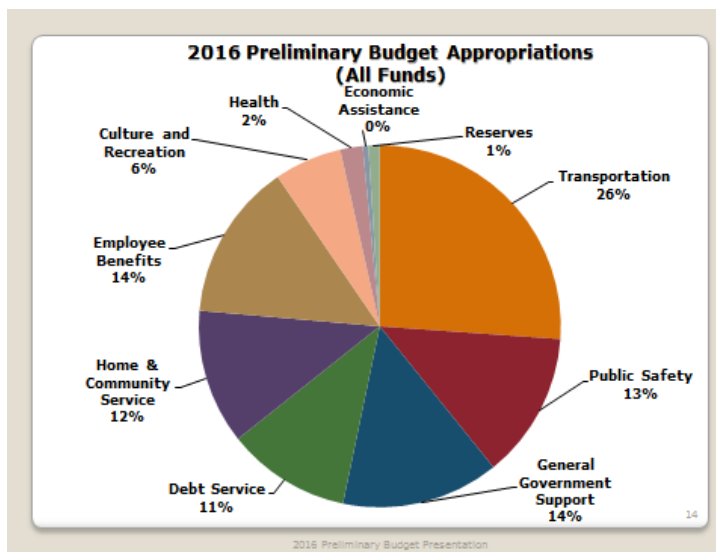
TAX RATE				
TAXES PER \$200,000 OF ASSESSED VALUE				
	2015	2016	\$ Change	% Change
General Fund (A)	\$650.00	\$654.00	\$4.00	0.62%
Highway Fund (DB)	\$274.00	\$274.00	\$-0-	0.00%
Total Town Tax	\$924.00	\$928.00	\$4.00	0.43%

The following chart shows where the revenues come from to support the services offered, the majority being real property taxes.





The slide below summarizes how the money is spent in the Town, the majority of which provides services to the town residents, i.e. – snowplowing, paving and other highway services, police protection, library services, home & community (Transfer Station) and general government support (administration of the town).



**Public Comment** – None.

As there was no public comment, the Supervisor closed the public hearing at 8:02 p.m.

### **Adoption of Resolutions**

The resolution voted upon reflects 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:**

**2015-225)** NOW, THEREFORE, BE IT RESOLVED, that the water rate for the sale of excess water supply through the metered hydrants located at Empire Boulevard and US 9 in the vicinity of the Lill property, pursuant to the Permitted Water Sales Rules and Regulations adopted on March 25, 2010 (Resolution No. 2010-152), for the period of January 1, 2016 through December 31, 2016 to be charged by the Town-Wide Water Supply Enterprise Fund and Schodack Water District No. 1 is \$0.01 per gallon of water dispensed.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

**2015-226)** NOW, THEREFORE, BE IT RESOLVED, that the water rate for sale of excess water supply for operation and maintenance pursuant to Sale of Water Service Contract dated June 24, 2010 (Resolution 2010-230), for the period of January 1, 2016 through December 31, 2016 to be charged by Schodack Water District No. 1 to Schodack Water District No 3 is \$2.75 per 1,000 gallons or portion thereof.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-227)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Water District No. 1 (Clearview), 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 5<sup>th</sup> day of November 2015, 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 2016 billing period for water rates for Water District No. 1 (Clearview) for 167 users shall be \$50.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

**2015-228)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 1 (Clearview), and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 5, 2015 at 7:10 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 5<sup>th</sup> of November 2015, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 244 units and adopted on November 5<sup>th</sup> 2015 and filed in the office of the Town Clerk of the Town of Schodack.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-229)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Water District No. 3 (Maplecrest), 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 5<sup>th</sup> day of November 2015, 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 2016 billing period for water rates for Water District No. 3 (Maplecrest) for 44 users shall be \$85.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

**2015-230)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 3 (Maplecrest) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 5, 2015 at 7:10 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 5<sup>th</sup> of November 2015, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 44.5 units and adopted on November 5<sup>th</sup> 2015 and filed in the office of the Town Clerk of the Town of Schodack.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-231)** NOW, THEREFORE, BE IT RESOLVED, that the water rate for the sale of excess water supply for operations and maintenance pursuant to Sale of Water Service Contract dated June 24, 2010 (Resolution No. 2010-229), for the period of January 1, 2016 through December 31, 2016 to be charged by the Town-Wide Water Supply Enterprise Fund to Schodack Consolidated Water District No. 101 is \$2.75 per 1,000 gallons or portion thereof.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-232)** 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 5<sup>th</sup> day of November 2015, 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 2016 billing period for water rates for Water District No. 101 for 354 existing users shall be \$60.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof,

FURTHER RESOLVE that commencing with the first quarter 2016 billing period water rates for residential out of district users for Water District No.

101 shall be \$155 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-233)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll for Consolidated Water District No. 101 (formerly Water Districts Nos. 2a, 2b, 4, 5, 8 and 9) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 5, 2015 at 7:10 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 5<sup>th</sup> of November 2015, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED, that the said assessment roll be and the same is hereby affirmed for 873.25 units and adopted on November 5<sup>th</sup>, 2015 and filed in the office of the Town Clerk of the Town of Schodack.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

S. Dowds 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:**

**2015-234)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 2A (Inglewood) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 5, 2015 at 7:10 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 5<sup>th</sup> of November, 2015, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 33.5 units and adopted on November 5<sup>th</sup> 2015 and filed in the office of the Town Clerk of the Town of Schodack.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-235)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 5 (Exit 10), and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 5, 2015 at 7:10 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 5<sup>th</sup> of November, 2015, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 1,423 units and adopted on November 5<sup>th</sup>, 2015 and filed in the office of the Town Clerk of the Town of Schodack.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

**2015-236)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 8 (Schodack Center), and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 5, 2015 at 7:10 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 5<sup>th</sup> of November 2015, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 249.75 units and adopted on November 5<sup>th</sup>, 2015 and filed in the office of the Town Clerk of the Town of Schodack.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.



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

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

**2015-237)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 9 (Highway Garage/Route 20) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 5, 2015 at 7:10 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 5<sup>th</sup> of November 2015, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 179.75 units and adopted on November 5<sup>th</sup>, 2015 and filed in the office of the Town Clerk of the Town of Schodack.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

**2015-238) PREVIOUSLY VOTED. SEE PAGE 183.**

**2015-239) PREVIOUSLY VOTED. SEE PAGE 184 .**

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

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

2015-240)

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 5, 2015 to consider proposed sewer rents for Sewer District No. 1 (Castleton) 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 5<sup>th</sup> day of November 2015, 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 semi-annual billing period (January 1, 2016 to June 30, 2016) the sewer rents for Sewer District No. 1 (Castleton) for 97 users shall be \$145.00 semi-annual rate per unit.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

2015-241)

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 5, 2015 to consider proposed sewer rents for Sewer District No. 2 (Castleridge) 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 5<sup>th</sup> day of November 2015, 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 semi-annual billing period (January 1, 2016 to June 30, 2016) the sewer rents for Sewer District No. 2 (Castleridge) for 54 users shall be \$210.00 semi-annual rate per unit.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

**2015-242)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 5, 2015 to consider proposed sewer rents for Sewer District No. 4 (Brickyard) 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 5<sup>th</sup> day of November 2015, 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 semi-annual billing period (January 1, 2016 to June 30, 2016) the sewer rents for Sewer District No. 4 (Brickyard) for 2 users shall be \$340.00 semi-annual rate per unit.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

**2015-243)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 5, 2015 to consider proposed sewer rents for Sewer District No. 5 (East Schodack) 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 5<sup>th</sup> day of November 2015, 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 semi-annual billing period (January 1, 2016 to June 30, 2016) the sewer rents for Sewer District No. 5 (East Schodack) for 27 users shall be \$425.00 semi-annual rate per unit.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-244)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of Sewer District No. 5, Extension 1 (East Schodack) Capital Costs of the collection system and that portion of non-reimbursed Capital Costs of the East Schodack Sewage collection system and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to receive and consider any comments regarding said assessment roll to be held on November 5, 2015 at 7:20 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 5<sup>th</sup> of November, 2015, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Sewer District No. 5, Extension 1,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for Extension 1 as 30 units and filed in the office of the Town Clerk of the Town of Schodack.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-245)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of Sewer District No. 5, Extensions 1 and 2 (East Schodack) Capital Costs of the collection system and that portion of non-reimbursed Capital Costs of the East Schodack Sewage collection system and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to receive and consider any comments regarding said assessment roll to be held on November 5, 2015 at 7:20 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 5<sup>th</sup> of November, 2015, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Sewer District No. 5, Extensions 1 and 2,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for Extensions 1 and 2 as 32 units and filed in the office of the Town Clerk of the Town of Schodack.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

2015-246)

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 5, 2015 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 5<sup>th</sup> day of November 2015, 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 2016 billing period for the sewer rents for Sewer District No. 6 (Exit 10) for 53 users shall be \$7.30 per thousand based on water meter.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

Amended by [2015-267] on 12/10/15

**2015-247)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 5, 2015 to consider proposed sewer rents for Sewer District No. 7 (Hamilton Printing) 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 5<sup>th</sup> day of November 2015, 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 semi-annual billing period (January 1, 2016 to June 30, 2016) the sewer rents for Sewer District No. 7 (Hamilton Printing) for 12 units shall be \$155.00 semi-annual rate per unit.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-248)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 5, 2015 to consider proposed sewer rents for Sewer District No. 8 (Schodack Landing) 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 5<sup>th</sup> day of November 2015, 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 semi-annual billing period (January 1, 2016 to June 30, 2016) the sewer rents for Sewer District No. 8 (Schodack Landing) for 68 units shall be \$180.00 semi-

annual rate per unit.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-249)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of Sewer District No. 8 (Schodack Landing) Capital Costs of the collection system and that portion of non-reimbursed Capital Costs of the Schodack Landing Sewage collection system and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to receive and consider any comments regarding said assessment roll to be held on November 5, 2015 at 7:20 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 5<sup>th</sup> of November, 2015, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and is the same is hereby affirmed for 75.25 units and filed in the office of the Town Clerk of the Town of Schodack.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2015-250)** WHEREAS, the Town Board met on Thursday, November 5, 2015 at the Schodack Town Hall, as specified in the Notice of Public Hearing for the 2016 Preliminary Budget, with said notice appearing in the October 26, 2015 edition of The Record, and was posted on October 22, 2015, and

WHEREAS, said public hearing was held on November 5, 2015 at 7:30 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said Preliminary Budget or any part thereof,

NOW, THEREFORE, BE IT RESOLVED that the 2016 Preliminary Budget, and as hereinafter set forth, is hereby adopted.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

### **Executive Session**

C. Kenney made a motion at 8:07 p.m. to enter into Executive Session to discuss a potential litigation relating to sewer charges. Seconded by C. Bult.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

C. Kenney made a motion at 8:54 p.m. to adjourn the Executive Session, seconded by C. Bult.

As there was no further business before the Board, C. Swartz made a motion to adjourn the 11/05/15 Town Board meeting at 8:54 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin  
Schodack Town Clerk/RMC/CMC



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