

DATE: DECEMBER 29, 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
SCOTT SWARTZ
TRACEY REX

MEMBERS ABSENT: MICHAEL KENNEY

ATTORNEY: CHRISTOPHER LANGLOIS, ESQ.

COMPTROLLER: PAUL HARTER

OTHERS PRESENT: DAWNE KELLY, ASSISTANT TO THE SUPERVISOR
BRUCE GOODALL, DIRECTOR OF TRANSFER STATION
OPERATIONS

Supervisor Peter called the December 29, 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. C. Kenney was absent.

Briefing of the Agenda

S. Peter gave a summary of all resolutions on the agenda. He noted that, upon review of the salary schedule (2022-344) which had been adopted at the previous meeting, a few errors had been noticed requiring corrections (2022-352). For resolution 2022-358, he explained that, per the Personnel Policy and Procedures Manual, an employee must use excess compensatory time over the allotted thirty-five hours, before December 31st; however, the busy season for the Director of Buildings and Grounds was generally later in the year. Therefore, an adjustment was needed to allow for the Director to use said compensatory time by April 30th instead. All other resolutions were self-explanatory.

Board Comment: C. Swartz questioned the abstract regarding the reimbursement of the Town Clerk for mileage. He said there were two different amounts listed with the same description. P. Harter clarified that the clerk had submitted one voucher, which was charged to two different appropriations codes, based upon the duties that she had performed. The total voucher was \$173.81 which included bank runs for the Town Clerk's Office (A1410.4) at \$98.31 and mileage for elections (A1450.4) at \$75.50.

Public Comment: M. Ruthman of The Spinney Group addressed the board regarding the proposed construction of a housing community off Route 9 by Richwood Drive. He explained that the project had been before the Planning Board for many months, with several concepts being created per recommendations from said board, including a reduction in density. He said he was not in favor of the reduction as the original concept was based upon the Comprehensive Plan, which identified a lack of multi-family housing.

Ultimately, he did concede, and the final concept included a reduction from 272 Units to 200 units, consisting of 192 apartments and 8 single-family homes with recreation areas. He noted that the eight single-family homes would allow for a smooth transition to the development located on Richwood Drive. The project had received a Negative Declaration under SEQR by the Planning Board and was now set to come before the Town Board for a zoning amendment to a Planned Development or PD-2 designation. He stated that the project would include an onsite wastewater system but hoped that it would eventually be connected to municipal sewer in the future. C. Swartz noticed that there was an area not included for development and asked if there were plans for the future. Mr. Ruthman said the public hearing for the PD-2 would set a maximum density and he would not be able to develop the property beyond that without Town Board approval. He added that the southern portion of the 49-acre property would be dedicated to walking trails. C. Bult asked if the eight single-family homes would be rentals. Mr. Ruthman said yes as it was the primary intention of the community to add rental opportunities for residents.

Atty. Langlois informed the board that he had been contacted by a land surveyor from Averill Park regarding property located in the Saddle Club Hill Development which had been deeded to the town. D. Kugler, the owner of the property located to the north of the town property, was interested in conveying a portion of said property to a neighbor; however, upon review of the 1991 subdivision, it was discovered that the property line was incorrect. Atty. Langlois had reviewed the proposed correction and stated that it would have no impact on the town. The next step would be to draft a quit claim deed for the 14,000 sq. ft. property, have the board review and add a resolution on to a future agenda for approval. C. Bult said the process seems straightforward and saw no issue with the matter.

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

Review of Abstracts of Claims and Budget Amendments: The Board reviewed claims #22-2064 to #22-2168 on Abstract No. 2022-13 in the amount of \$825,681.99, including the claims paid prior (\$694,565.40).

Adoption of Resolutions

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, as amended, seconded by C. Swartz:

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

2022-352) Amend resolution 2022-344 as adopted on December 8, 2022 as follows:
Adopt the following annual salary expense for the calendar year 2023:

Dog Control Officer	\$ 10,000.00
Police Chief Confidential Assistant	\$ 20.70/hour
Police Officer (Dean Thomas)	\$ 27.95/hour
Building Inspector	\$ 34.56/hour
Registrars of Vital Statistics	\$ 1,500.00
Summer Grounds	\$ 16.29/hour
Wingmen	\$ 15.50/hour
Town Clerk	\$ 67,097.00
Assistant Comptroller	\$ 38.46/hour

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

C. Rex 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:

2022-353) Designate Transfer Station holidays for year 2023 as follows:

<u>Date</u>	<u>Holiday</u>
May 30	Memorial Day Observance*
July 4	Independence Day
September 5	Labor Day Observance*
November 23	Thanksgiving Day
November 24	Day after Thanksgiving

*Transfer Station is closed on Mondays, therefore, pursuant to the Collective Bargaining Agreement, Monday holidays will be observed on Tuesday.

Floating Holidays consist of: New Year's Day, Employee Birthday (union Only), Martin Luther King's Day (non-union only), Presidents' Day, Columbus Day and Veteran's Day, Election Day (union only), Christmas, Day after Christmas (non-union only)

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

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

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

2022-354) Approve the Memorandum of Agreement by and between the Town of Schodack and CSEA, Inc., Local 1000 AFSCME, AFL-CIO (Town of Schodack Unit) and further authorize Supervisor Peter to execute and administer, on behalf of the Town, a collective bargaining agreement incorporating the terms of said Memorandum of Agreement in a form acceptable to counsel for the Town.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:**

2022-355) The Organizational Meeting of the Town Board will be held on January 12, 2023 at 7 p.m. at the Schodack Town Hall at 265 Schuurman Road.

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

C. Rex 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:**

2022-356) Authorize Supervisor Peter to execute and administer a letter of agreement by and between the Town of Schodack and Brian Brahm relative to Operator 2 union position and assuming duties of the Superintendent of Highways.

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

2022-357) Contingent upon approval of resolution #2022-356, appoint Brian Brahm as Superintendent of Highways, at the salary as set forth in resolution 2022-344. Term to run concurrent with the term of the Supervisor and expires December 31, 2023.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:**

2022-358) Amend Section 702 of the Town of Schodack Personnel Policy and Procedure Manual to add the following sentence at the end of the subsection titled "Accumulation": Notwithstanding the foregoing, the Director of Buildings and Grounds may accumulate up to thirty-five hours in compensatory time credits within the period beginning May 1 of the current calendar year and ending April 30 of the following calendar year. In the event that the Director of Buildings and Grounds accrues more than thirty-five hours compensatory time credits during that period, the Director of Buildings and Grounds must use the excess compensatory time credits by April 30, and may elect to carry thirty-five hours of compensatory time to the next period beginning on May 1.

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

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

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

2022-359) Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on the adoption of proposed Local Law No. 1 of 2023 amending the Town of Schodack Zoning Code and creating a new Planned Development District, PD-2, known as Van Hoesen Station, LLC, with respect to a portion of lands now or previously owned by Morgan Ruthman, on the tract or parcel of land located 1735 Richwood Drive, in the Town of Schodack, Tax Map No.189.-10-36. Said hearing to be held on Thursday, January 26, 2023 at 7:05 p.m. at the Schodack Town Hall.

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

2022-360) Authorize Debra Curtis, Town Clerk, to execute and administer a contract with eBizDocs (formerly Image Data) and NYSID for document scanning services for oversized plans of associated building permits at a cost not to exceed \$3,277.00, as budgeted. Funds to be encumbered from 2022 Records Management budget to be utilized in 2023.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:**

- 2022-361)** Authorize selection of Cyber Security insurance policy with NYMIR, effective January 1, 2023 for the premium not to exceed \$5,338.00.
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, C. Peter. 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:**

- 2022-362)** Authorize Human Resources Manager to post internally and advertise publicly the full-time position of Assistant to the Assessor and further authorize advertising in the official Town newspaper as necessary.
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, C. Peter. Noes – 0.

C. Rex 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:**

- 2022-363)** Authorize Supervisor Peter to execute and administer a shelter agreement with Maggie Banker for the 2023 calendar year to satisfy the requirements of the New York State Department of Agriculture and Markets Law. It is the policy of the Town that owners, if located, shall be responsible for charges incurred at Maggie Banker when pets are claimed, as may be allowed by law. Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance.
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, C. Peter. 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:**

- 2022-364)** Authorize ESCO Heating and Cooling to remove a heat pump in the 2nd floor meeting space and install a new 19,000 BTU heat pump in an amount not to exceed \$10,500.00.
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, C. Peter. Noes – 0.

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

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

- 2022-365)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #22-2064 to 22-2168 on Abstract No. 2022-13, in the amount of \$825,681.99, including the claims paid \$694,565.40.
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, C. Peter. Noes – 0.

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

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

- 2022-366)** Authorize the December 2022 budget modifications, interfund loans and interfund transfers as provided in document dated December 2022 and recommended by the Comptroller. ***There were no modifications.**
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, C. Peter. Noes – 0.

Public Comment

G. Fiedler of 2333 Payne Road said he was in favor of the latest revisions which had been made to the Noise Ordinance.

Executive Session

C. Swartz made a motion at 7:29 p.m. to enter into an Executive Session of the board pursuant to Public Officers Law, Article 7, §105(f). Seconded by C. Rex.
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, C. Peter. Noes – 0.

S. Peter thanked the board for their support in his first year as Supervisor and noted that there would be no further business following the executive session.

C. Bult made a motion at 7:49 p.m. to adjourn the executive session. Seconded by C. Rex.
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, C. Peter. Noes – 0.

ADJOURNMENT

As there was no further business before the Board, C. Swartz made a motion to adjourn the 12/29/22 Town Board meeting at 7:49 p.m., seconded by C. Rex. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk

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