

**DATE:** SEPTEMBER 14, 2023

**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  
BRUCE GOODALL, DIRECTOR OF TRANSFER STATION  
OPERATIONS  
PERRY NATALE, POLICE CHIEF

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Supervisor Peter called the September 14, 2023 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. Swartz made a motion at 7:01 p.m. to enter into an Executive Session of the board pursuant to Public Officers Law, Article 7, §105(1-f). Seconded by C. Bult.

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

C. Kenney made a motion at 7:06 p.m. to adjourn the executive session. Seconded by C. Bult.

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

### **Briefing on Agenda**

The Supervisor summarized all resolutions on the agenda. He noted that additional quotes to include the replacement of the clutch for the transmission replacement in the Roll-Off at the Transfer Station had been requested by B. Goodall. Even with the added cost, W & W Truck Transmission Repair was still the lowest (2023-238). For resolution 2023-260, the Supervisor proposed an amendment to limit the number of tires allowed, due to past incidents of residents bringing in large quantities. He felt a limit of 10 tires would be acceptable. All board members agreed. With regard to resolution 2023-263, the Supervisor stated that the new salary for Mrs. Pratt would be \$21.00, effective September 18, 2023. All other resolutions were self-explanatory.

## **Board Comment**

There was no board comment.

## **Public Comment**

**Resolution 2023-262:** A. De Figlio thanked the board for their consideration to write a letter of support to open access to Riverfront Park. She noted that the Hudson River Valley was named as one of the top fifty best places to live by the NY Times in 2021; however, the Village of Castleton was the only municipality along the Hudson without Public access to the river. She expressed concern with the visible decline of Castleton and hoped that if the gate was opened for the park, it would provide the energy to revive the area. She added that the Village had invested in updating their Comprehensive Plan and a public hearing would take place shortly.

S. Peter said he fully understood the importance of the opening of the gate. He had attended several events requesting support for the access and he was willing to lend his support wherever it was needed. He commended everyone for their effort.

**Review of Abstracts of Claims and Budget Amendments:** The Board reviewed claims #23-1330 to #23-1514 on Abstract No. 2023-09 in the amount of \$1,896,680.54 including the claims paid prior (\$156,551.32).

**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. 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:**

**2023-238** Ratify and affirm replacement of transmission and clutch in the 2002 International Roll-off as per quote dated August 1, 2023 from W & W Truck Transmission Repair Service, Inc. in an amount not to exceed \$9,798.51.

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. Kenney:

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

**2023-239** Ratify and affirm amending resolution 2023-167 as adopted on May 11, 2023 to reflect Additional roads to be paved as follows: To approve the 2023 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on: **Edinburgh Drive, Scotland Lane, Hunters Road**, Morey Park Road, Morey Park Hill, Sailors Lane, Ferndale Road, Phillips Road, Briarwood Drive, Huckleberry Road, Simons Road and Old Coach Drive and portions of Burden Lake and Clove Road. Further, Crack Fill/Single Chip Seal treatments shall be applied on: Shufelt Road, Bame Road, Irish Hill Road and portion of Burden Lake Road (150 to No. Schodack Road). Crack Fill Only to be applied to: Sand Road.

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:**

**2023-240** Authorize Supervisor Peter to execute and administer a contract with PCI Utility Billing, a third-party payment vendor used by Catalis Tax & Cama, Inc. software to enable the Receiver of Taxes to accept credit and/or debit card payments for water and sewer payments. As per contract, there will be user charge of 2.75% added to the payment amount per credit card transaction and/or \$2.95 user charge added to each debit card transaction.

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:**

**2023-241** Authorize Chief Natale to purchase of 13 ft x 16 ft Hardtop Wood Gazebo Item No. A102008110 from Home Depot to be installed at the shooting range in an amount not to exceed \$2,449.99.

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 C. Rex:

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

**2023-242** Resolved that the 2023 Budget Presentation Meeting will be held Monday, October 2, 2023 at 5 p.m. Further, the following schedule was set to review the 2024 Tentative Budget:

Tuesday, October 17, 2023 6 p.m.

Wednesday, October 18, 2023 6 p.m.

Thursday, October 19, 2023 6 p.m.

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. Kenney:

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

**2023-243** Authorize Supervisor Peter to execute and administer 2023-2024 Snow and Ice Agreement with Rensselaer County Department of Engineering and Highways for reimbursement for snow and ice removal on Stony Point Road.

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:**

**2023-244** **WHEREAS**, it is the privilege and duty of the American people to commemorate the anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities, and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as *Constitution Week*,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Schodack does hereby proclaim the week of September 17 through 23 as *Constitution Week* and urges all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

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:**

**2023-245**     **WHEREAS**, Chapter 174 & 176 of the Town of Schodack Code (Sewer Regulations) provides for capital costs to be allocated to each parcel of property within the sewer district based on the assessed valuation, units or front footage of property along which sewer mains are constructed or a combination of these methods as approved by the Town Board, and

**WHEREAS**, The Town Board defined the basis, through the adoption of Resolution No. 2019-117 on March 14, 2019, on which capital costs are to be allocated that is in accordance with the districts' legal formation and/or method by which the capital costs were approved, and

**NOW THEREFORE BE RESOLVED** that the Town Board of the Town of Schodack updates the definitions of an equivalent dwelling unit (EDU), for all Town Sewer Districts, as follows:

Town of Schodack/Village of Castleton

Sewer District Property Class Codes

Sewer Equivalent Dwelling Unit (EDU) Schedule

Property Class Code per Assessor's Manual and Property Description			Capital-O&M EDU
200	Residential Dwellings		1 EDU per dwelling unit-additional units may be assigned for incidental commercial usage <b>Residential parcels</b> - 1 EDU per buildable lot or lots greater than 10,000 sq. ft. where connection is feasible.
300	Vacant Land-no O&M EDU for Vacant Properties	*	<b>Commercial parcels</b> - For large parcels, EDU's may be assigned to vacant Properties based upon the assessed value per acre at the discretion of the Board.
400	Commercial Properties	**	1 EDU
410	Living Accommodations		
411	Apartments	**	1 EDU per dwelling unit (VOC)
416	Mobile Home Park	**	1 EDU per dwelling unit
480	Multi-Use Structures		
482	2-3 story structure with 1st Floor Commercial and upper floor apartments/offices	**	EDU(s) based upon main floor use of structure plus an additional EDU for each dwelling/office
484	1 Story multi-use	**	EDU(s) based upon commercial use of structure plus an additional EDU for each dwelling/office
600	Community Services		
612	Schools-day		1 EDU per 20 students/staff
633	Homes for the Aged-Nursing Home		.75 EDU per bed
682	Recreation Facilities-bike path, Nature Trail w/o sewer		Exempt
695	Cemetery		Exempt
800	Public Services		Exempt
900	Wild, Forested Conservation Land & Public Parks		Exempt

**Commercial Property Class Codes with public water connections (excluding Sewer District #6)** not specifically identified above, in general, will be assigned 1 EDU plus additional EDU's for every 40,000 gallons, or portion thereof, of water usage in excess of 40,000 gallons per year at the discretion of the Board. Entities using over 1 million gallons/year may be assigned units on a separate basis.

**Sewer Districts without public water connections** will be assigned EDU's based upon the above table or, if necessary, in accordance with the use of the property, excluding the component for water usage.

**Sewer District #6 properties** shall use EDU's calculated per annual Resolution for all Town Water Districts.

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 C. Rex:

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

**2023-246 WHEREAS,** Chapter 175 of the Town of Schodack Code (Water Regulations) provides for capital costs to be allocated to each parcel of property within the water district based on the assessed valuation, units or front footage of property along which water mains are constructed or a combination of these methods as approved by the Town Board, and

**WHEREAS,** the Town Board defined the basis, through the adoption of Resolution No. 2013-218 on October 24, 2013, on which capital costs are to be allocated that is in accordance with the districts' legal formation and/or method by which the capital costs were approved, and

**NOW THEREFORE BE RESOLVED** that the Town Board of the Town of Schodack updates the definitions of an equivalent dwelling unit (EDU), for all Town Water Districts, as follows:

<u>Property Type</u>	<u>Property Code</u>	<u>Equivalent Dwelling Unit (EDU) Assigned</u>
<i>A typical property is defined as a single family residence with estimated annual water usage of 72,000 gallons or less.</i>		
Exempt Properties	Varies, 315,822, 971	Cemetery without water use, underwater land, catch basins, access roads, water and/or sewer district owned parcels, water supply, wetlands and homeowner associations.
<b>Residential Properties</b>		
Vacant Land	311	0.75 EDU
Vacant Land - Rural 10 acres or less	314	0.50 EDU (less than .10 acres, then 0

		EDU)
Vacant Land - Rural over 10 acres	322	1.00 EDU
1 family w/ no water main on the road	210	0.0 EDU
1 family year round residence w/ curb stop, w/ easement or flag lot, dwelling > 600 feet from curb stop	210	0.50 EDU
1 family, with acreage	210	1.00 DU
1 family year round residence w/accessory apartment	215	1.50 EDU
2 family	220	2.00 EDU
3 family	230	3.00 EDU
With acreage, Multi-purpose	240,280,281	Based on property specifics using definitions contained herein, except water usage is not a component. (i.e. 1 family plus 1 apartment = 1.50 EDU)
With Incidental Commercial Use. Incidental Commercial use is defined as a residence which has been partially converted or adapted for commercial use with the primary use being residential.	283	2.00 EDU (1 EDU for Residential plus EDU for Commercial) The residential component may increase based on property specifics using definitions contained herein (i.e. 1 family plus 1 apartment = 1.50 EDU). Additional units will be added based upon actual water usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in Excess of 72,000 gallons for usage greater than the first 72,000 gallons. *
With small improvement	312	1.00 EDU

<u>Property Type</u>	<u>Property Code</u>	<u>Equivalent Dwelling Unit (EDU) Assigned</u>
<b>Commercial Vacant Land Properties</b>		

Vacant Land; Commercial Vacant with small improvement; Agricultural Vacant Land	330,331, <u>105</u>	An assessed value per acre of less than or equal to \$10,000 shall have an EDU value of .25, an assessed value per acre greater than \$10,000 and less than or equal to \$25,000 shall have an EDU value of .50, and an assessed value per acre greater than \$25,000 shall have an EDU value of .75; then dividing the total assessed value of the property by \$20,000 (2017-AAV) to determine the units of assessment and then multiplying the EDU value by the units of assessment, rounded up to the nearest quarter. AAV-Average Assessed Value is calculated annually based upon the average assessed value per acre of residential vacant property in property code no. 311 for all Town Water Districts. Should properties become water users, additional units will be added based upon actual usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
Parking Lots, Mining/Quarry	438, 720	1.0 EDU. Should properties become water users, additional units will be added based upon actual usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
<b>Commercial Residential Properties</b>		
Apartments, Mobile Home Parks	411, 416	1.0 EDU; plus 0.50 EDU per



		apartment/mobile home; plus 0.50 EDU for each excess 36,000 gallons or portion thereof in excess of the total of the EDUs per apartment/mobile home times 72,000 gallons.*
Hotel, Motel	414, 415	1.0 EDU; plus 1.00 EDU per 3 rooms Or portion thereof; plus 1/3 of 1.00 EDU for each excess 24,000 gallons used or portion thereof in excess of the total of the EDUs per 3 rooms times 72,000 gallons.*
<b>Commercial Properties</b>		
Commercial Properties as listed: Restaurants,Diner/Luncheonettes, Fast Food Franchises, Motor Vehicle Service, Auto Dealers – Sales & Service, Auto Body/ Tire/ Related Auto, Automatic Car Wash, Mini Warehouse (self storage), Lumber Yards, Trucking Terminals, Other Storage/ Warehouse/ Distribution Facilities, Retail Services, Neighborhood Shopping Centers, Drive-In Branch Bank, Office Building, Professional Building, Dog Kennel/ Veterinary Clinic, Multiple Use, Converted Residence, One Story Small Structure, One Story Small Structure – Multi Occupancy, Minimart, Schools, Other Educational Facilities, Religious, Benevolent & Moral Associations, All Other Health Facilities, Governmental Highway Garage, Governmental Office Building, Police & Fire Protection, Recreational Facility, Industrial, Electric & Gas	421, 422, 426, 430, 431, 433, 434, 442, 444, 447, 449, 450, 452, 462, 464, 465, 472, 480, 481, 483, 484, 485, 486, 612, 615, 620, 632, 642, 651, 652, 662, 682, 700, 870	1.0 EDU; plus 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
<p>* Based upon actual water consumption for the period July 1 – June 30 preceding the adoption of the assessment roll, or ^ Based upon estimated water consumption for non-connected properties per DEC design flow guidelines as follows: .01 gallon/square foot/day for Warehouse/Storage Facilities or .1 gallon/square foot/ day for</p>		

Office/Retail Facilities discounted  
by 50% of estimated water  
usage.

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. Bult:

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

**2023-247** Waive the requirement pursuant to Chapter 177§1 of the Code of the Town of Schodack to hold Water Rate hearings on or before October 20<sup>th</sup> each year, in order to schedule said hearings at a special meeting at a later date to be determined.

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. Swartz:

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

**2023-248** Waive the requirement pursuant to Chapter 176§4 of the Code of the Town of Schodack to hold Sewer Rent hearings on or before October 20<sup>th</sup> each year, in order to schedule said hearings at a special meeting at a later date to be determined.

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. Rex:

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

**2023-249** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 1. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

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 C. Kenney:

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

- 2023-250** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 3. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.  
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. Bult:

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

- 2023-251** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of the capital charges for Water District Number 101. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.  
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 C. Kenney:

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

- 2023-252** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 2a. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.  
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. Rex:

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

- 2023-253** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 8. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the

Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

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:**

**2023-254** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 9. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

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:**

**2023-255** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the Assessment rolls for Capital Charges for Consolidated Sewer District Number 1. Said hearing shall be held on Thursday, October 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

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:**

**2023-256** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 5. Said hearing shall be held on Thursday, October 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

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 S. Peter:

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

- 2023-257** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 6. Said hearing shall be held on Thursday, October 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.  
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 C. Rex:

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

- 2023-258** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 8. Said hearing shall be held on Thursday, October 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. Noes – 0.

S. Peter 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:**

- 2023-259** Authorize Town Clerk to publish legal notice of hearing to seek public input relative to the 2023 Preliminary Budget and proposed fees for 2023 to be held on Thursday, October 26, 2023 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road as soon thereafter as the above sewer district hearing is concluded.  
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, as amended, seconded by C. Rex:

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

- 2023-260** Adopt the fee schedule for Fall Clean-Up Days (October 19, 20 & 21) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16") <b>(limit of 10 items per household)</b>	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors <b>(limit of 2 items per household)</b>	FREE
Propane Tanks	FREE
Furniture <b>(limit of 3 items per household)</b>	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

\*\*\*\*\***Please note: all other pricing remains the same**\*\*\*\*\*

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 C. Bult:

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

**2023-261 WHEREAS,** the Town of Schodack was the recipient of a Community Development Block Grant (CDBG) award administered by the New York State Office of Community Renewal; and

**WHEREAS,** participation in this program requires two public hearings; the first being to seek direction and comments on the application for funding and the second to allow the public an opportunity to comment on its implementation; and

**WHEREAS,** the Town held the first of two required public hearings on the 2021 Public Infrastructure project on February 11, 2021, prior to submitting its application; and

**WHEREAS,** the Town has implemented much of the CDBG funded 2021 Public Infrastructure project activities, making it appropriate for holding the required second public hearing; and

**NOW, THEREFORE, BE IT RESOLVED,** by the Members of the Town Board of Schodack: That the Town Clerk is hereby authorized to publish a Notice of Public Hearing to be held on September 28, 2023 at 7:05 p.m. at the Town Offices to provide an opportunity for the Town to:

a. Provide the citizens of the Town with information about the performance and status of activities for the ongoing NYS CDBG project #1039PW29-21, Schodack Battisti Drinking Water Improvements.

b. Provide citizens adequate opportunity to participate in the review of the performance and status of activities for the ongoing project.

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. Rex:

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

**2023-262** Authorize Supervisor Peter to provide a letter of support to the Village of Castleton in regard to the dedicated River Access to the waterfront in the Village of Castleton.

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, as amended, seconded by S. Peter:

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

**2023-263** Amend resolution 2023-153 as adopted on April 13, 2023 as follows: Appoint Erika Pratt as Planning/Zoning Secretary on a full-time basis at the hourly rate of ~~\$20.00~~ \$21.00 effective ~~May 15, 2023~~ September 18, 2023. [This is a budgeted item. B-3620, B-8010 & B-8020]

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 C. Kenney:

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

**2023-264** Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 9 of 2023 to determine extending a moratorium for Battery energy storage systems in the Town of Schodack. Said hearing to be held on Thursday, September 28, 2023 at the Schodack Town Hall at 7:15 p.m.

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 S. Peter:

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

- 2023-265** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-1330 to 23-1514 on Abstract No. 2023-09, in the amount of \$1,896,680.54, including the claims paid \$156,551.32.  
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:**

- 2023-266** Authorize the August 2023 budget modifications, interfund loans and interfund transfers as provided in document dated September 2023 and recommended by the Comptroller.

**BUDGET MODIFICATIONS**

	Fund / Department #	Fund / Department Name	Increase	Decrease
<b>2023</b>				
<b>64</b>	A-960-3120.1012	Police Grant - PTS	593.23	
	A-509-4320.9999	Federal Aid Public Safety	593.23	
	To modify the budget for PTS grant awards			
<b>65</b>	A-960-7110.1001	Parks - Rensselaer County Work	200.70	
	A-960-7110.1000	Parks - Personal Services		200.70
	To modify the budget for Park Manager work at Rensselaer County Park			
<b>66</b>	A-960-7310.4000	Youth Recreation - Contractual	6,617.64	
	A-960-7310.1000	Youth Recreation - Personal Services		6,617.64
	To modify the budget for 2023 Youth Camp expenditures over budget			
<b>67</b>	B-960-8160.1100	Refuse & Garbage - Overtime	383.13	
	B-960-8160.4000	Refuse & Garbage - Contractual		383.13
	To modify the budget to cover 7/29 Hazardous Waste Collection Day Overtime			
<b>68</b>	DB-960-5112.1000	Road Construction - Personal Services	845.35	
	DB-960-5112.1100	Road Construction - Overtime	531.49	
	DB-960-5112.2000	Road Construction - Equipment	117,126.53	
	DB-599-9999.9999	Highway – Appropriated Fund Balance		118,503.37
	To modify the budget for additional Town road paving			
<b>69</b>	DB-960-5130.2000	Machinery - Equipment	2,051.85	
	DB-960-5130.4000	Machinery - Contractual	4,667.81	



	DB-960-5110..1000	Highway - Genl Road Personal Services	6,719.66	
	To modify the budget for purchase of parts for town vehicle repair			
70	DB-960-5140.1000	Brush & Weeds - Personal Services	2,516.09	
	DB-960-5140.4000	Brush & Weeds - Contractual		2516.09
	To modify the budget for additional employee expenditures in Feb & April			
71	EW-960-8340.2000	Enterprise Water - Trans & Distrib Equipment	11,207.30	
	EW-509-4089.9999	Enterprise Water - Federal Aid Other	11,207.30	
	To modify the budget for Purchase of new handheld water meter using ARPA funds			
72	SW3-960-9060.8000	Maple Crest Water Dist. - Employee Med Ins.	42.14	
	SW3-960-1990.4000	Maple Crest Water Dist. - Contingency		42.14
	To modify the budget for Employee medical insurance due to district allocation			
73	SWC1-960-8340.2000	Consolidated Water - Equipment	10,684.00	
	SWC1-599-9999.9999	Consolidated Water – Appropriated Fund Bal		10,684.00
	To modify the budget for Amazon Hydrant repair by Keller & Sons			
	5 Ayes 0 Noes. <b>MOTION CARRIED.</b> Ayes – J. Bult, S. Swartz, T. Rex, M. Kenney, C. Peter. Noes – 0.			

### **Open Discussion**

**Paving the Town Hall Parking Lot:** S. Peter said, as it appeared that the replacement of the heating/cooling tower would not occur in 2023, he asked B. Brahm, Highway Superintendent, to obtain quotes to pave the town hall parking lot. The lot was in serious disrepair and the funds dedicated to the tower would cover a large portion of the cost. Two quotes were received, with one considerable higher than the other. The higher quote included milling the lot, which he felt was unnecessary as the lot could be raised by a few inches to be level with the sidewalk transition. He recommended that the quote from HMA Paving be selected as they were the lowest and could complete the project on a weekend as to not disrupt daily activities. C. Bult agreed with the Supervisor and asked if he needed approval to move ahead. S. Peter said a consensus of the board would suffice. He would then contact HMA Paving to schedule a time for the paving to commence. He agreed to keep the board apprised of the progress.

**Second Floor Copier:** S. Peter explained that the copier on the second floor, which was primarily used by the Assessor's Office, was no longer serviceable and in need of replacement. He proposed moving the third-floor copier into the Town Clerk's Office, moving the copier from the Clerk's Office to the second floor and purchasing

a new machine for the third floor. The Town Clerk said she had checked the purchase dates for both machines, which had been made in 2016 and 2017. She said she appreciated the offer to move the third-floor copier into her office but was concerned that the machine would be too large. S. Peter said further research would be conducted.

**Taser and Body Camera Upgrades:** S. Peter noted that the tasers and body cameras used by the Police Department were quickly approaching their end of life. He had asked Chief Natale to review options for replacement. Chief Natale stated that he had contacted Axon and was given a quote to upgrade their current tasers to a model that would administer two shots (short and long range) and would activate the officer's body camera upon deployment. He had also requested a quote for four units rather than three that they currently have. As for the body cameras, he had requested a quote for fifteen units rather than nineteen as he felt it was excessive. The new cameras would have a clearer picture with the ability to adjust to adaptive night vision and software which would allow images to be frozen from video footage. The total cost for the tasers and body cameras, with all current equipment being traded in, was \$22,000.00 (tasers) and \$66,800.00 (body cameras) respectively. C. Swartz asked if there were funds available under A3120 for the purchases. P. Harter said there was money in A3120.4; however, funds would need to be taken from the fund balance to pay the remainder. He noted that there were no funds left in forfeiture that could be used. S. Peter asked if the total cost would be due upon purchase of the tasers and body cameras. Chief Natale said no. Axon would request forty percent upfront and the remaining balance would be paid over a five-year period.

**Schodack Farmer's Market:** R. Peter addressed the board regarding issues that she and K. Peter had encountered as organizers of the Schodack Farmers Market located at the old Town Hall site. She said the issues included being verbally abused by vendors, vendors stating that they were informed by a Town Official that proof of insurance was not required and a lack of assistance from the Town. K. Peter explained that the market was to mirror off the event which had been previously held at YMCA parking lot in East Greenbush. This included avoiding duplicate products being sold and favoring disabled vendors. S. Peter said he was contacted by a vendor who was asked to leave the market, which he felt was inappropriate. As the site was public property, no vendor or individual should be banned. K. Peter stated that the vendor was told the rules, including the non-duplication stipulation. Unfortunately, he ignored said rules and continued to bring identical goods. He was spoken to a few times, finally his fee was refunded and he was asked to stop coming, which he ignored. C. Swartz noted that any farmers' market that he had participated in allowed all goods that were grown by a vendor. No duplicates were disallowed. S. Peter reminded the Peters' that the town stepped in, following a Facebook post requesting a site for a farmer's market in Schodack.

The Town was not prepared budgetarily to assign an employee to run the market; however, the board did grant permission for a group to utilize the former town hall site. When the market was originally discussed, a list of vendors, standards and the structure of the market was to be supplied to the board prior to the first event. To date, nothing has been received by the board. He noted that a lease agreement had also been discussed, which may now be needed. K. Peter said he was amenable to the lease agreement and agreed that it had been challenging to run the market. Atty. Langlois said he would work with the Supervisor and the Peters' to create an agreement in the off season. Regarding the issue of vendors needing to provide proof of insurance, he recommended that the group establish a corporation, such as Schodack Farmers Market Inc. They would then obtain their own insurance for the event, rather than require individuals to supply their own.

### **Executive Session #2**

C. Swartz made a motion at 8:05 p.m. to enter into an Executive Session of the board pursuant to Public Officers Law, Article 7, §105(1-f) and §105(1-e). Seconded by C. Rex.

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

S. Peter informed the audience that no further business would be conducted following the executive session.

C. Rex made a motion at 9:12 p.m. to adjourn the executive session. Seconded by C. Bult.

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 09/14/23 Town Board meeting at 9:12 p.m., seconded by C. Swartz. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk

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