

**DATE:** FEBRUARY 22, 2024

**KIND OF MEETING:** TOWN BOARD

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DEBRA L. CURTIS

**PRESIDING OFFICER:** CHARLES J. PETER

**MEMBERS PRESENT:** MICHAEL KENNEY  
SCOTT SWARTZ  
SARAH RAE HALLER

**MEMBERS ABSENT:** JAMES E. BULT

**ATTORNEY:** CHRISTOPHER LANGLOIS, ESQ.

**COMPTROLLER:**

**OTHERS PRESENT:** DAWNE KELLY, CONFIDENTIAL SECRETARY TO THE SUPERVISOR

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Supervisor Peter called the February 22, 2024 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. Bult was absent.

### **Briefing of Agenda**

S. Peter summarized the two resolutions on the agenda. Both were self-explanatory.

**Board/Public Comment:** None.

### **Adoption of Resolution**

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 A WITHDRAWN resolution is so noted and italicized.**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. Swartz made a motion to adopt the following resolution, seconded by C. Haller:

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

**2024-111** Authorize Supervisor Peter to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub 284E copier in the Town Clerk's office, ID#731FL contract, for the period February 24, 2024 to February 23, 2025 for \$483.00 annually. The contract includes 25,000 copies annually with an overage charge of legal \$0.01932 per copy.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, S. Haller, C. Peter. Noes – 0.

### **Discussion Items**

**Viking Gym:** S. Peter said he met with K. Konig (Director of Building and Grounds), B. Brahm (Highway Superintendent) and R. Annis (Top Form) to finalize the site plan for the Viking Gym. They anticipated preparing the site with the help of a community member to dig post holes the first week of March with installation to follow by volunteers. Once the equipment was installed and set in concrete, the gym would be fully functional in approximately one month to allow the concrete to cure.

**Guardrail Replacement – Route 20:** S. Peter noted that the NYS DOT would be replacing guardrails along Route 20 and has asked to utilize the former town hall site to store equipment. He saw no issue with the use if the equipment was moved by July for the start of the farmer's market.

**Septic Tank – 1777 Columbia Tpke:** S. Peter said he would be checking with the Department of Health regarding the filling of the septic tank located at the site of the former town hall. If permitted, the tank would be pumped and filled to prevent any further concern.

### **Public Hearing PLL3-2024, Amending Town Code Ch. 197, Article 8**

C. Swartz made a motion to open the public hearing for Proposed Local Law 3-2024 at 7:05 p.m. The motion was seconded by S. Peter.

The Town Clerk summarized the Affidavit of Publication seeking public comment on Proposed Local Law No. 3 of 2024 Amending Chapter 197, Article 8 entitled Tax Exemption for Volunteer Firefighter and Volunteer Ambulance Workers in the Town of Schodack. The legal notice was posted on the Town Clerk's signboard and the Town's website on February 12, 2024 as well as was published in *The Record* on February 13, 2024.

Hearing no board or public comment, C. Kenney made a motion to close the public hearing at 7:06 p.m. The motion was seconded by C. Haller.

### **Adoption of Resolution**

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. 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:**

**2024-112**     **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on February 8, 2024 at 7:05 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 3 of 2024 Amending **Chapter 197, Article VIII entitled Volunteer Firefighter and Volunteer Ambulance Worker Exemption in the Town of Schodack, and**

**WHEREAS**, notice of said public hearing was duly posted on the Town Clerk's Sign Board on February 12, 2024 and advertised in the February 13, 2024 edition to THE RECORD, official newspaper of the Town, and

**WHEREAS**, said public hearing was held on February 22, 2024 at 7:05 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 proposed local law or any part thereof, it is hereby

**WHEREAS**, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 3 of 2024 (P3-2024) to be known as Local Law 3 of 2024 Volunteer Firefighter and Volunteer Ambulance Worker Exemption in the Town of Schodack, and

**BE IT FURTHER RESOLVED**, that the Town Clerk, be and is hereby directed to enter said local law into the Code of the Town of Schodack and to give due notice to said local law to the Secretary of State.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, S. Haller, C. Peter. Noes – 0.

### **Discussion Items Continued**

**Highway Operator I/II:** S. Peter noted that applications for Operator I/II would be accepted through Friday, February 23, 2024 with interviews to be conducted in the following week.

**Board of Assessment Review:** S. Peter mentioned that resolutions to fill the vacant Board of Assessment Review seats would be on the next agenda. He added that the seats must be filled before the May grievance.

**Town Code – Solar:** S. Peter said he had attended the Association of Towns Conference where he was reminded that if a solar project is proven to be necessary by an applicant, NYS could overturn a rejection of the municipality and move the project forward. He said whereas the town code was solid regarding solar and would stand up in court, the town could be put in a tough position by NYS. He noted that the board was considering whether to move forward with a local law regulating battery storage or wait to add it to the zoning code amendments. He felt it would be better to hold off and add amendments to the solar

code as well. This would mitigate any issues or concerns and allow the town to push back against a state ruling for a project.

**Zoning Code Update:** S. Peter advised the board that the zoning code amendments included changes to residential and commercial districts, based upon density. He recommended that N. Allen from Laberge be invited to the March workshop to review the changes. All board members agreed.

### **Executive Session**

C. Swartz made a motion at 7:16 p.m. to enter into an Executive Session of the Board pursuant to Public Officers Law, Article 7 §105(1)(f) to discuss a personnel matter. Seconded by C. Kenney.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, S. Haller, C. Peter. Noes – 0.

S. Peter said there would be no further business following the executive session.

C. Swartz made a motion to adjourn the Executive Session at 8:23 p.m., seconded by C. Kenney.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, S. Haller, C. Peter. Noes – 0.

### **ADJOURNMENT**

As there was no further business before the Board, C. Kenney made a motion to adjourn the 02/22/24 Town Board meeting at 8:23 p.m., seconded by C. Haller. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk