

**DATE:** MARCH 27, 2014

**KIND OF MEETING:** TOWN BOARD/  
WORKSHOP

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DONNA L. CONLIN

**PRESIDING OFFICER:** DENNIS E. DOWDS

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

**MEMBERS ABSENT:**

**ATTORNEY:** DAVID GRUENBERG  
**COMPTROLLER:** JENNIFER MULLIGAN  
**OTHERS PRESENT:** NICOLE ALLEN, LABERGE  
DAVID JUKINS, CDTC  
NADINE FUDA, STEERING COMMITTEE  
BRUCE GOODALL, DIRECTOR OR TRANSFER STATION  
PAUL PUCCIO & ROBERT HORAN, SCHODACK CENTRAL SCHOOL DISTRICT

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Supervisor Dowds called the March 27, 2014 Meeting to order at 7:03 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

### **Presentations**

**Schodack Central School District:** Paul Puccio and Robert Horan, Superintendent of the Schodack Central School District, updated the Board on some activity they have been involved in regarding library services. Mr. Horan said due to declining student population (32% occupancy in the middle school), they have useful space in the school district that could be repurposed into a public space. He specifically focused on Schodack Central's state-of-the-art libraries which might be able to be used to benefit the entire community. They have been engaged in preliminary discussions with different municipalities regarding library services as a whole and how they might work together to improve services. During the past few months they have learned a lot about libraries and their jurisdictions. They have spoken with the Village, the NYS Library Association, the East Greenbush Library Board, City of Rensselaer and Sand Lake and all expressed interest in the evolving this concept. The focus of the study has changed from their original thought to engage just the Village of Castleton Library to more regional type of library district, incorporating existing libraries as satellites. They realize that this is a very complex issue, as it crosses and involves different municipal entities. Due to the complexity and they felt the next step to take would be to do a study and asked the Board if they would be willing to participate in a collaborative study involving the school district, the village and the town. Mr. Puccio said there are grants available through Efficiency Grants administered by the Department of

State. The school district has engaged the services of the Laberge Engineering firm to assist in this matter. They also approached the Department of State and were told on two different levels that it is a very good project and if the district can get multiple jurisdictions involved, each one is eligible for up to \$200,000.00 to implement the project. During their discussion with Michael Poost, President of the East Greenbush Library Board, they learned a great deal about the different types of libraries and their projected fiscal status. They learned that the most financially secure libraries are those that have their own taxing jurisdiction. Mr. Puccio said they realize this would be another form of government, but interestingly, the efficiency grants do not mandate that you must save money; you can provide enriched services at a lower cost than what otherwise would have been the case. Currently, they know that the City of Rensselaer, Town of Sand Lake, Village of Castleton and the Schodack Central school district are interested in exploring the idea. They feel that they have to have a strategy that is incremental, building momentum among the jurisdictions that would eventually have to collaborate in some form of restructuring. They feel they should begin with the two biggest stakeholders which are the Town of Schodack, which pays a significant amount of money for library services through multiple contracts and the East Greenbush Public Library. Then they could bring in the other collaborators that might be interested. Board members asked several questions regarding the cost to do the study, if a regional library might have a negative impact on the citizens of the community and costs to the residents for a restructured library district. Mr. Puccio said a regional library should not have a negative impact. With respect to study costs, he said Laberge gave them an estimated cost of \$65,000.00 but he volunteered to offer his time so they took \$15,000.00 off the contract for that contribution. Mr. Horan said the Department of State is coming out with another round of efficiency grants, which are a 50/50 match. If a grant was awarded, the \$25,000.000 could be split 3 ways between the town, the village and the school district if all were interested. The Supervisor said a cost benefit analysis should support whether a regional library would be better for the residents. Mr. Puccio said the opportunity to expand services to the people of this community also needs to be evaluated. The Board thanked them for coming and said they would digest the information that was presented this evening.

**CDTC Town Center Plan:** Nicole Allen, Laberge Engineering and David Jukins, CDTC (Capital District Transportation Committee), addressed the Board relative to the Town Center Plan. Using a Power Point presentation Ms. Allen explained that the Town was awarded a grant through CDTC to develop a plan for the town center area. The study looked at the principles to guide the plan, existing conditions, comparison communities and town center concepts. Additionally, they looked at “road diet” overviews (reduction of pavement or highway lanes) and project actions to the next steps. The guiding principles addressed: the fact that transportation facilities are part of the community, identifying the town center area (between Exits 10 – 11), developing a good solid design, having land uses that could sustain the community for a town center area, good communication and finding creative solutions. She continued that as part of the process there was a well-attended charrette that resulted in some dynamic ideas that were incorporated into the planning process. She noted that the plan is meant to be a fluid document and it should be recognized that actual results could be different than what was designed as part of the charrette.

With respect to the transportation facilities (Rt. 9 & 20) Mr. Jukins emphasized that it is part of the Schodack community even though it is owned by the State. The idea is to involve the community in the discussion relative to what they would like the road and surrounding land to look like. As we progress, he believed that the State would be willing to do what the plan is suggesting, but there is responsibility on the town's part. The plan needs to be reasonable and implementable so it looks and functions the way you want and works for everyone.

Ms. Allen added that there were town residents, business owners and state agencies involved in the plan so it was a collaborative process. One of the ideas that came out of it was a need for a walkable infrastructure as part of this town center plan. A lot of focus was given to the area around the town hall and the plaza across the street. Using the same footprint, they compared those areas with other communities to get ideas on how it could be developed moving forward. The town center concepts forwarded in the plan had:

- 1) Nodes of Development - different nodes of development should have different characters throughout Schodack.
- 2) Mix of Uses – create a 16-hour environment by targeting senior, children's and young adult interests and needs (working, living playing).
- 3) Manage Route 9 & 20 – lower speeds, create a sense of place, being able to have a walkable environment.
- 4) Keeping it Schodack – keep the town rural while adding uses within the nodes of development.

Mr. Jukins said as part of the charrette, and all the workshops, a plan was developed that incorporated the grid network for connectivity behind current buildings, paralleling Rt. 9 & 20. Referring to the Power Point presentation, Ms. Allen showed the existing conditions and how this could be accomplished, looking in the future, with parks, green space and pedestrian friendly and whether or not a road diet is justified.

Mr. Jukins explained that when the study began they were charged with determining what would have to be done to create the environment that would encourage and foster a town center. For the area designated, there is the opportunity for some tight development which is vital to successful town centers. Additionally, the volume of traffic on Rt. 9 & 20 is relatively low vs. the higher volume traffic south of Exit 11. He said the idea behind a town center is to have it located in an area that is more pedestrian friendly. He explained that it was realized that some roads have been overbuilt in many capital district communities. It is not just about the initial cost of about \$1.5 million/lane mile, it is also replacement and repair costs. So with that thought, they looked to see how they could eliminate some of the unnecessary pavement or reallocate it for something else (sidewalks, bicycle lanes, etc.). In order to do that NYSDOT has specific criteria that have to be met. They had to look at traffic flow and it is relatively low. Generally speaking if you have anything under 12,000 – 13,000 cars a day on a 4-lane facility, it can safely be road dieted without much worry about creating any congestion or negative consequences; it must be reviewed more thoroughly if it is between 13,000 – 15,000 cars a day to make sure you are not creating a problem. It can still be done for anything above that, around 19,000 – 20,000 cars a day, but it would have to be a unique case, such as an area that has very few driveways so there would be limited interruptions. He gave several examples where the state has road dieted that work very well. It is essentially about volume of traffic, number of driveways, controlled intersections and managed left turns. They applied all those tests to the study area, reviewed them thoroughly and concluded that, under current conditions, anticipated growth

due to the town center plan, and even given some additional speculative growth related to the area south of Exit 11, a road diet can be maintained in the study area. Mr. Jukins said the town has the opportunity through the NYSDOT's resurfacing project, slated to begin this spring, to reallocate pavement (not reconstruct). They agreed to restripe the road to two lanes with a center turn lane and he anticipates that will work very well. He emphasized that the State is not removing any pavement with this project. He said it may take a while for people to adjust, but they are confident that this is the right decision, especially for the intended town center goal. He said a town center with 4-lanes of traffic going 40 – 50 MPH will not function well. Ms. Allen referred to the power point presentation which showed different road diet designs (bike lanes, side parking, etc.). NYSDOT is not ready to make the commitment at this time to do actual reconstruction with reduction of pavement.

C. Kenney asked how long it takes for people to get used to the lane reduction. Mr. Jukins said usually between 6 – 12 months. He asked if NYSDOT would restripe it back to 4 lanes if the people don't like it and wondered who ultimately had the authority to make that decision. Mr. Jukins said they (NYSDOT and CDTC) will monitor it and make a collaborative decision. NYSDOT, as the owner of the road, has a vested interest and would want to make sure that it is not a failing system. While he can't commit them to anything, they are not going to operate an unsafe road if it resulted in being a crash issue. CDTC has no operational authority on Rt. 9 & 20, but NYSDOT is part of CDTC so together with the town, they will keep a close eye on it.

C. Bult recognized that a lot of hard work went into this plan but board members had some concerns that the road diet plan has already gone to the implementation stage prior to having any Board discussion on it. Frankly, the Board wasn't even aware that it was at the point of implementation until they recently received the official study. Personally, he would have liked to have a public presentation and received feedback from members of the community before we reached the stage that we are at now regarding the road diet. Nadine Fuda, member of the Steering Committee, stated that the planning charrette was very successful and culminated in a lot of good information, which was subsequently reviewed by Laberge, CDTC and NYSDOT. She said she was impressed by the way the people embraced the town center concept. C. Bult said they may be embracing the town center concept but concerns have been raised to him and other board members regarding the road diet. People want more information and discussion prior to implementation. It seems to him that the road diet is going to happen without having any input from the Board and community. Ms. Fuda said the restriping was presented to the committee when they went to a February meeting to see the draft plan and believed the striping plan was devised based on the study. C. Bult said time will prove whether some of the concerns raised are valid, but from a board member's perspective it is not right when you tell people that nothing has been done prior to the public presentation and then find out differently. Ms. Allen said that even with increased density, it is still a very safe and operable plan. Mr. Jukins said this was not a permanent action like reconstruction. He said it was not that long ago when they learned that NYSDOT was resurfacing Rt. 9 & 20 so they pulled the information together and were driven by NYSDOT's schedule on this. He agreed that it would have been preferable to have more time for input and while this is not a permanent solution, he thinks it will work. C. Curtis said the concept of a town center is great, but agreed that the main concern relayed to several board members from residents, school districts, and some businesses was about the road diet. C. Curtis asked if the decision has already been made to restripe the road to a 2-lane road and a center turn lane. Mr. Jukins said it is his understanding the NYSDOT is

going to restripe it for a road diet. Road dieting is the direction that the Governor and NYSDOT are going in. It was his opinion that it is necessary to have a functioning town center.

C. Curtis said he also had a concern about the responsibilities and costs that come with maintaining sidewalks and asked who would be responsible for constructing the sidewalks. Mr. Jukins said the State only does that if it is highway reconstruction project, not a resurfacing project. C. Curtis objected to the State making that decision without any input from the Town Board or residents. Mr. Jukins said if the Board is strongly opposed to the plan, they should express their sentiment to NYSDOT. C. Curtis said it was the road diet plan that board members had an issue with. Mr. Jukins said it was their collective opinion that you can't have a town center without a road that is manageable. Ms. Allen added that NYSDOT was going to restripe in conjunction with the paving program so if it is something that the Board feels very strongly about they should talk to them now to make sure that whatever plan they are going with is the plan that is desired by the Town Board. C. Curtis said he feels the lane reduction in that area will create a bottleneck since it will be lanes on either end of the town center area. Additionally, he was concerned that residents will stay on I-90 and bypass the area which could have a negative impact on commercial development. Ms. Fuda stated that this was Step 1 of a two-step process. The next step will be to look at zoning and design. With regard to sidewalks, she explained that they could make that part of the site plan review for anyone wishing to make improvements to the property.

Ms. Allen continued with her outline of the plan. She said achieving this vision will be a gradual process and highlighted the project actions, which included timeframes and potential grant opportunities to help them reach their goals. They included zoning revisions, design guidelines, signage, main street improvement programs- grants available to help businesses with their facades to help meet the town center guidelines, community greens, pedestrian improvements, streetscape improvements (flowers, benches, trees, etc.), bicycle facility improvements, a wetland feature - there is a very large wetland area that limits the type of development that may occur; perhaps having a boardwalk, some trails, connecting to the neighbors, street grid and connections, sewer improvements, east-side connector road (Kraft/Miller Rd.), west-side connector road to Sunset Rd., park and ride modifications, and a roundabout for Miller Rd./Rt. 9 & 20 area.

Ms. Allen said the next steps in this process are to hold a more detailed public meeting which is scheduled for April 10<sup>th</sup>, adoption of the plan, implementation and review further grant application opportunities. C. Curtis expressed concern that the Town Hall might not be large enough for the April 10<sup>th</sup> meeting and asked if any thought had been given to holding it someplace else, if necessary. Ms. Fuda said no. Ms. Allen said if it was going to be shifted, it should happen soon.

Mr. Jukins said he was encouraged by the number of people who were willing to spend their time during the charrette process and offer their opinions. While everyone didn't always agree with everything that was suggested by them or others, the conversation was always civil and everyone listened. He felt the process was very well received and reflects on the community. Supervisor thanked them for the detailed presentation.

## **Briefing of the Agenda**

- 1) **Penflex/CVAS Award Program** - S. Dowds said the workers' list has been completed, posted and will be on considered at the April 10<sup>th</sup> Board meeting.
- 2) **Swim Program** - At the next meeting, it is anticipated that the Board will be considering authorizing the contract for use of the pool facilities at the Jewish Community Center related to the summer camp program.
- 3) **Transfer Station** – The Supervisor said the spring clean-up days are slated for May 15, 16 and 17. The Director of the Transfer Station addressed the Board and outlined the process for the Hazardous Waste Day Program which is scheduled for September 20<sup>th</sup>. He said it begins with obtaining a contractor and then applying for the State Grant. The grant covers 50% of the material that is collected, advertising, safety materials and equipment needed. He noted that latex paint, batteries and electronics are not included for reimbursement in this program. C. Bult suggested that prohibited items should be noted in the advertisements. Resolutions pertaining to this issue will appear on future agendas.
- 4) **Highway Bids – State contract** – The Supervisor said the Highway Superintendent told him that NYS has gotten more lenient in terms of local municipalities being able to piggy-back on the contracts of other government entities. We will be able to piggy-back on the 5-year contract that Onondaga County has for trucks.
- 5) **Sewer District 6** – Atty. Gruenberg addressed the Board regarding a concern raised regarding the sewer connection fees for commercial users in Sewer District 6. He believes the issue is with the language in the contract with East Greenbush for the sewer service. The contract states that the connection is called a “hook-up”; however, there is language in statute that says if it is “hook-up” the costs have to be reasonably related. It was his belief that we will probably have to talk with the people in East Greenbush as we go forward because this formula for Schodack is problematic. C. Curtis said the problem is that there is not a fixed price. Atty. Gruenberg said, initially, we charged the commercial users a flat hook-up fee which they paid and then there was another additional fee that was determined at a future date by East Greenbush. It is characterized as a hook-up fee but it is based on the usage over a period of time after you are hooked-up. East Greenbush feels that their residents are paying a capital charge so they believe it is fair to offset those capital charges. If the town had put in their own sewer treatment plant, there would have been capital charges assessed and given the small area, they probably would have been significant. The central issue is how this can be assessed so East Greenbush feels they are getting appropriate fees and the business has a clearer picture of what the costs for sewer use will be. It also needs to be realistic. Board members asked if there was a limitation on what could be charged. The Comptroller said there has to be some kind of cost justification. The problem is we are buying the service from them through an intermunicipal agreement but we don't have any control over their fee. The Comptroller said we need to do our due diligence to make sure there is a reasonable cost basis. There might be nothing wrong with it. Board members said depending on the result they might have to begin dialogue with the Town of East Greenbush regarding the contract.

The Supervisor said when the Board first proposed this type of workshop, it was explained that occasionally there may be a time-sensitive resolution that they will have to consider. The insurance invoice was recently received and is due April 1. If it is not paid until after the due date, there is a risk that the insurance could temporarily lapse.

### **Adoption of Resolution**

C. Curtis 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:**

**2014-103)** Authorize Supervisor Dowds to execute renewal application with St. Paul Travelers for crime, employee faithful performance and computer fraud bond at the annual cost of \$1,177.00.

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

### **Executive Session**

C. Bult made a motion to enter into Executive Session at 9:04 p.m. to discuss two personnel matters – one in the police department and the other in the highway department and pending litigation. Seconded by C. Kenney.

5 ayes 0 noes. Ayes - F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0. **Motion carried.**

C. Swartz made a motion at 10:24 p.m. to adjourn the Executive Session, seconded by C. Curtis.

5 ayes 0 noes. Ayes - F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0. **Motion carried.**

### **ADJOURNMENT**

As there was no further business before the Board, C. Swartz made a motion to adjourn the 03/27/14 Town Board meeting at 10:24 p.m., seconded by C. Curtis. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin  
Schodack Town Clerk/RMC/CMC

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