

**DATE:** JULY 10, 2014

**KIND OF MEETING:** TOWN BOARD

**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:** KEN HOLMES, HIGHWAY SUPERINTENDENT  
DANIEL G. VINCELETTE, SPECIAL COUNSEL

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Supervisor Dowds called the July 10, 2014 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**

C. Curtis made a motion at 7:03 p.m. to enter into an Executive Session to discuss current litigation, Bove vs. Town of Schodack (tax certiorari). Seconded by C. Kenney.

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

At 7:24 p.m. C. Bult made a motion to adjourn the Executive Session, seconded by C. Curtis.

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

### **Adoption of Resolution**

The Board digressed from the agenda to discuss resolution [2014-177], which authorized the settlement of the above noted litigation. The Supervisor said two parcels are involved – one will be assessed at approximately 2.5 million and the other at \$140,000.00 for a combined assessment of \$2,640,000.00. It was noted that the resolution will be amended to include the tax map number of the second parcel, 189.-15-4 and to add the year 2012.

### **Public Comment**

K. Stokem asked for further clarification. Atty. Vincelette explained that the resolution pertains to a tax certiorari suit for Evergreen County Club/Bove. The Town went to trial before Judge Ceresia for the 2009-2010 and 2011 assessments. We prevailed at trial

and it went to the Appellate Division, which also ruled in our favor. Mr. Bove then sought leave to appeal to the Court of Appeals which was just denied this past month. Remaining was the 2012-2013 tax assessments proceeding. Mr. Bove's attorney filed a valid appraisal report which addressed all the deficiencies in the appraisal that the Court had noted in the earlier 2009-2011 assessments. Originally, they filed on four parcels, but they let two of them go. The appraisal report valued the large parcel at approximately 1.9 million dollars and the smaller parcel at \$605,635 (\$2,500,000.00 in total). During negotiations an agreement was reached to increase the large parcel from 1.8 million to 2.5 million. Based on our negotiations and the input from the Judge, we believe this is the best settlement we could negotiate. He said that it represents the 36-hole golf course (both parcels). Because this is the 2012 assessment it will impact the 2013 town & county taxes and the 2012 school taxes. As it also includes 2013, that will impact 2013 school taxes and 2014 town & county. Under the terms of the settlement they cannot file a challenge for the next 3 years.

M. Sherwood asked why the percentage of reduction was less for the East Greenbush School District (EGSD) vs. the Schodack Central School District (SCSD). Atty. Vincelette said their appraisal for that parcel was higher than our assessment of \$140,000.00. Since, by law, you cannot increase an assessment at trial, it stayed the same. The value that was reduced was on the large parcel which is in the Schodack Central School District.

S. Dowds asked the Board's and public indulgence in deviating from the agenda by acting on resolution [2014-177] first.

**Adoption of Resolution**

**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. Curtis 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:**

**2014-177)** Parcel located on Schuurman Road in the Town of Schodack, and otherwise identified as tax map #s 188.-5-5.11 and 189.-15-4 (hereafter, "the subject property"); and

**WHEREAS**, Bove commenced judicial proceedings pursuant to Article 7 of the Real Property Tax Law (RPTL) seeking reductions of the 2012 and 2013 real property tax assessments of the subject property; and

**WHEREAS**, the Town is represented by The Vincelette Law Firm; and

**WHEREAS**, counsel has recommended that these proceedings now be resolved by settlement; and

**WHEREAS**, the Town Board and the Town Assessor have reviewed the proposed settlement and find the terms of the proposed settlement to be in the best interests of the Town; now, therefore be it

**RESOLVED**, that the Town Board hereby approves the settlement, attached to and made part of this resolution; and, be it further

**RESOLVED**, that counsel is hereby authorized to sign the settlement on behalf of the Town Board.

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

### **Departmental Reports**

The following monthly departmental reports were read and/or posted and filed in the Office of the Town Clerk: Town Clerk, Building Department, Assessor and Planning & Zoning.

### **Presentations**

**Town Clerk of the Year:** The Supervisor introduced Kim Pinkowski, Susan Haag and Linda Gilbert, officers from the New York State Town Clerks Association (NYSTCA). They presented the Town Clerk, Donna Conlin, with flowers and a proclamation honoring her as the 2014 New York State Town Clerk of the Year. The proclamation cited all those who nominated her for the prestigious award and noted her contributions to her Town as well as NYSTCA. The Town Clerk thanked everyone for the wonderful honor.

**Library Service:** Directors Amy Peker, Evelyn Neale and Katherine Chansky, who represent the Castleton, East Greenbush and Nassau libraries presented a consolidated 2013 library usage report. Ms. Neale, (East Greenbush) thanked the Board for their continued support. She said they have been meeting with the Town Supervisor over the past two years to discuss how they could keep costs down and increase services to the Schodack community in order to provide the best value for the financial support. The requests for the 2015 budget year are: Castleton - \$104,000.00, East Greenbush - \$266,098.00 and Nassau - \$25,000.00. She said the East Greenbush Library treats Schodack residents the same as East Greenbush residents with privilege to restricted services such as museum and Book-a-Librarian appointments and registration for all programs. The contracts that the Town have with the three libraries and the collaborative work the libraries are doing helps the Town to fulfill two State mandates – providing library service and the State’s directive to explore ways to more efficiently provide services. The Directors of the Castleton and Nassau libraries agreed. The said that usage in both their libraries. S. Dowds asked Ms. Neale if she would explain why East Greenbush requested a \$28,000 increase over last year for a total of \$266,098.00. She responded that the formula used for Schodack was created in early 2005, which is based on Schodacks usage and circulation for the previous year’s budget. Schodack usage has increased from 28% to 39% and there was a 1% increase in circulation which increased this year’s request. C. Curtis noted that Castleton and Nassau have not requested an increase in funding. He clarified that the Nassau Library was established by legislation at a guaranteed amount of funding

and if they did want an increase they would have to ask for state legislation and Castleton is a municipal library. The Board thanked them for their presentation.

### **Briefing of Resolution Agenda**

C. Bult opened discussion on resolution [2014-174]. He asked why Laberge, the Town's regular engineer, was not considered. The Supervisor said one of the reasons he reached out to another firm is because he didn't want the Board to be in the same situation that they were with Fraser Engineering. C. Bult said he understood that point but, didn't think that was an issue. Further, he had an issue with the work and cost of a project on a prior project by Barton & Loguidice. Personally, he has been very satisfied with Laberge. The Supervisor asked the Highway Superintendent to join the discussion. Mr. Holmes said there is a drainage easement with a 12" galvanized pipe in the Battista development that needs to be replaced. Sometime ago, a tennis court was built over the top of part of the easement, which is why they were thinking about doing a directional bore. They could easily bore along the side of the existing pipe, stay within our easement, and install a 15" line which should meet our present and future needs. He added that they believe the depth of the current pipe is very deep so if they actually replaced that line the restoration might be significant. He did look at different options, but felt this was probably the best solution. C. Curtis asked if it was a recorded easement and whether it is the type of easement that allows us to work on it. Atty. Gruenberg said if we have a recorded easement it should give us the right to go on the property to maintain it. C. Curtis said, even with directional boring, people have rights to the land under the property and asked Atty. Gruenberg to verify that we have a legal easement and rights to maintain the line. The discussion returned to the engineering firm. C. Curtis agreed with C. Bult. He felt we should at least get a price from Laberge. **Determination:** As the Board doesn't meet again until August and this job would have to be bid, etc., it was the consensus of the Board to **amend resolution [2014-174]** to delete the following "*with Barton & Loguidice,*" and "*as per fee proposal dated June 16, 2014*". That would allow the Board to get another quote and the Superintendent to continue to move this forward during the construction period.

S. Dowds stated that **resolution [2014-176] will be amended** to include Ken Holmes, Superintendent of Highways.

With respect to resolution [2014-172] C. Bult said he received all the background documentation and it appears that since 2006 the Board has been appointing Gary Ziegler to the Fire Investigation Unit as the Code Enforcement Officer. From his perspective, he did not see the need to remove Mr. DeFruscio because he will be taking the training. S. Dowds said he cannot serve as he is not a firefighter in the Town of Schodack. C. Curtis stated that Jeff Conlin wasn't either and he had been appointed to the Unit. S. Dowds said he believed that Mr. Conlin declined. C. Bult questioned whether Gary Ziegler was an active firefighter in the Town of Schodack. Dawne Kelly, Secretary to the Supervisor, explained that when she was researching this she contacted the Department of State (Office of Fire Prevention (OFPC) and it was strongly suggested that it would be a conflict of interest to have building department personnel on the Unit. Besides, Code Enforcement is usually called to the scene as the Building Inspector/Code Enforcement for chimney, furnace malfunction, house fire, etc. so it would be conflict to have them switch hats to be a fire investigator. C. Bult questioned why this was a concern now, when it hasn't been for the last 6 years. Further, they learned that there were other appointees that have not met the criteria in terms of training. Based on the discussion, he felt the Board should rescind

resolution [2014-033] to take a more in depth look at the Unit as it exists. S. Dowds said, initially, he was not aware of the requirements governing the membership of the fire investigation unit. He will talk to those that have not been trained to let them know they have to get the training if they wish to remain on the unit. C. Curtis felt tonight's resolution should be withdrawn until everything is addressed. Board discussion continued about the appointing resolutions that have been acted on already this year. S. Dowds recapped that we need to review the membership, who is up-to-date on the training and for those that aren't, allow them the opportunity to get trained. C. Bult said the Board needs to take a better look at the local law that governs this unit. He felt the resolution(s) were very diluted and after our review, they should be made more reflective of the purpose of the Unit. **Determination:** It was the consensus of the Board to **withdraw resolution [2014-172]**.

C. Curtis opened discussion on resolution [2014-170]. At the workshop, a representative from Public Sector (PS) spoke to the Board about a Human Resource (HR) contract and while he thought they were a great resource for management, he didn't think it was best answer for the employees as they stated that they only take phone calls from only department heads and the supervisor, unless there is prior authorization. It was his opinion that the Board should explore the possibility of hiring an HR person, on a part-time basis. C. Bult agreed. He said during the presentation at the last meeting it became very clear to him that it is important to the Town employees to have someone on site with some type of structured time. He agreed that it would probably be some level of part-time work unless other tasks were added to the job description. C. Kenney and C. Swartz were also in agreement with this recommendation. They felt that as an employer they have an obligation to look out for the needs of the employees. S. Dowds said it might be difficult to find a person with the level of expertise they want for only 7-14 hours a week. C. Kenney said the Board hasn't made a final decision on how the payroll will be handled on a permanent basis. Different scenarios were discussed (i.e. – a shared person with another municipality, etc.) but they felt they needed to explore this a little further before they make a final determination. **Determination:** Based on the discussion, it was the consensus of the Board to **withdraw resolution [2014-170]**.

C. Bult asked why they are hiring more personnel for the Youth and Recreation Program, resolution [2014-181]. S. Dowds explained that many of the counselors have to go to college meetings, which was not anticipated. This is essentially, a sub-list for those days when the regular counselor is not going to be there.

C. Curtis commented on resolution [2014-180]. He wondered if there was any mechanism that would allow the Board to set lower speeds on any undesignated town road because technically, if they are not posted, the speed is 55 mph. Atty. Gruenberg said he didn't believe so and the Town Clerk concurred. She added that during her tenure many town roads have been posted for lower speeds. The Supervisor explained the process. To do what C. Curtis is asking, we would have to have a list of all town roads that are un-posted and do a similar type resolution. The Town Clerk and the Superintendent of Highways were asked to develop a list of any undesignated town roads.

### **Public Comment**

R. Lemka said he was opposed to the expenditure in resolution [2014-179]. He said Schodack has some of the highest taxes in the area and felt this would be just another study. With respect to the new format for the workshops he asked that presenters and Board members not have their back to the audience. There is no audio system and it makes

it difficult to hear and the people have the right to hear what is being said.

M. Sherwood said she has a background in HR. She felt the Board needs to collectively decide what it is they want to do. She liked several of the options discussed and suggested that they might want to do a feasibility study, and if so, it should be done soon. Regardless of the state and federal laws, the town employees have a right to have a personnel presence and currently they don't. She suggested that a person with some expertise in HR could also be in charge of contract negotiations. With respect to the workshops, she concurred with Mr. Lemka. She enjoys the fact the board is engaging in lively public discussion, but agreed that the public has a right to hear what is happening. S. Dowds asked the Board's opinion on moving the workshop down to the regular meeting room. Board discussion ensued. **Determination:** As a trial, it was the consensus of the Board to hold the August workshop in the regular meeting room on the first floor.

K. Stokem asked the status of resolutions [2014-170 and 171]. S. Dowds said resolution [2014-170] was withdrawn and resolution [2014-171] remains. K. Stokem asked if the \$140.00/charge for job titles was a normal. S. Dowds said he didn't know what the "norm" was but felt the Board was getting a fair price. Mr. Stokem said he assumed the county has a manual of public sector jobs and asked if the Town could look in the manual for titles and job descriptions. S. Dowds explained that one of the issues is that the county's job descriptions are incredibly out of date. C. Curtis said, ultimately, the county civil service commission has to approve the description/title. The Supervisor said PS has expertise in that area and would work with the civil service commission. Also, they will be addressing whether the positions are FLSA exempt or non-exempt, which is driven by the job description and responsibilities. Mr. Stokem suggested that if an HR person is hired, perhaps they could do some of the job titles. The Supervisor explained that this needs to start immediately as all jobs need to be done. There could be as many of 70 titles – some are good, others need work and some are non-existent. The Comptroller added that the money for this service has been budgeted.

K. Stokem asked if the Board could briefly explain the purpose of resolution [2014-175]. The Supervisor explained that when a municipality issues debt, the borrowing is tax free so the federal government is looking for compliance that the proceeds are used for the intended purpose. It is not mandatory at this point, but probably will be in the future.

With respect to [2014-179], Mr. Stokem asked if the Board ever voted on the original town center plan (Phase I) and if not, do they intend to do that in the future. The Supervisor said they have not. He felt the more important phase is this one (Phase II) which addresses zoning and design guidelines for the town center area. Mr. Stokem asked if they have already allocated the \$33,750.00 towards the project. The Supervisor said yes.

## **Board Discussion**

C. Bult thought that Ms. Sherwood and Mr. Stokem raised some points about resolution [2014-171] and suggested that the Board defer it until they have a HR person in place so they could be part of the process. C. Curtis agreed. Additionally, he thought we should determine which titles have been accepted by the county before engaging this firm. S. Dowds said there were very few titles accepted by the county. He added that the Highway Superintendent did an excellent job on the Operator 1, 2, 3 job descriptions. Then the county came back and said they are all operators. They tend to pigeon-hole everyone into a stereotypical category, which may not be right for the various towns within the county. He felt that PS could help the Town with that issue because of their expertise in that arena.

**Determination:** It was the consensus of the Board to **withdraw resolution [2014-171]**.

With respect to resolution [2014-175] S. Swartz asked the Supervisor what he meant by this being less expensive to enter into the contract now, rather than waiting. S. Dowds said he was simply referring to their rates, which may go up in future years. The Town Clerk questioned the record retention portion of the proposed policy. She said the retention for the different types of obligations did not seem to be clearly identified and it appears that it may conflict with the NYS MU-1 Record Retention Schedule. She asked if the firm went by the state guidelines when they wrote the policy. The Comptroller and Supervisor were not sure. C. Bult suggested that the resolution be withdrawn until the Town Clerk's question is answered. **Determination:** It was the consensus of the Board to **withdraw resolution [2014-175]**.

### **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.**

**2014-170) WITHDRAWN:** *“Authorize Supervisor Dowds to execute and administer a twelve month Professional Services Agreement with Public Sector HR Consultants, LLC. for professional human resource management services at a fee of \$1,600.00 per month plus travel mileage expenses with additional services, if needed, at an hourly rate of \$150.00 that will need separate authorization.”*

**2014-171) WITHDRAWN:** *“Authorize Supervisor Dowds to execute and administer Professional Services Agreement with Public Sector HR Consultants, LLC. for Job Descriptions at a fee of \$140.00 per job title.”*

**2014-172) WITHDRAWN:** *“Amend resolution [2014-033] regarding the appointments to the Town of Schodack Fire Investigation Unit for the calendar year 2014 to remove Dominic DeFruscio III, as the Code Enforcement Officer on said Unit.”*

C. Curtis 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:**

**2014-173)** Authorize Supervisor Dowds to issue a renewal bond anticipation note (BAN) for the Town in the aggregate amount of \$361,899 dated July 17, 2014 for the following purposes: \$56,668 for improvements to East Schodack Sewer District #5; \$218,950 for improvements to East Schodack Sewer District #5-Phase 1; \$33,560 for improvements to Maple Crest Water District #3; \$52,721 for acquisition of 2010 Gradall Model XL3100.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, 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:**

**2014-174)** Authorize Supervisor Dowds to execute and administer a proposal with ~~Barton & Loguidice~~, related to Drainage Improvements on Orchard Road, ~~as per fee proposal dated June 16, 2014~~, in an amount not to exceed \$8,845.00.

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

**2014-175)** **WITHDRAWN:** *“WHEREAS, the Town of Schodack, Rensselaer County, New York (the “Town”) is authorized and empowered pursuant to the laws of the State of New York to issue its general obligation bonds and notes and to enter into installment purchase contracts in furtherance of its governmental purposes; and*

*WHEREAS, the interest on certain of such bonds and notes and the interest component of payments under certain of such contracts issued or entered into by the Town is (i) excludable from gross income of the holders thereof to the extent and in accordance with Section 103 of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (collectively the “Code”) or (ii) otherwise given advantageous tax treatment under the Code (such bonds, notes and obligations being referred to herein as “Tax-Exempt Obligations”); and*

*WHEREAS, the Code requires ongoing compliance with certain requirements after issuance of Tax-Exempt Obligations in order for the interest on those Tax-Exempt Obligations to be and remain excludable from gross income of the holder or otherwise tax-advantaged; and*

*WHEREAS, the Town, as a responsible issuer, desires to memorialize the policy and procedures it will employ to monitor post-issuance compliance of its Tax-Exempt Obligations with the Code, including the requirements to be imposed on, and expectations of the Town with respect to the Town’s Tax-Exempt Obligations; and*

*WHEREAS, a copy of the Post-Issuance Compliance Policy for Tax-Exempt and Tax-Advantaged Obligations (the “Policy”) attached hereto as **Exhibit A** was available to the members of the Town at this meeting; and*

*WHEREAS, the members of the Town Board desire to adopt the Policy in the form presented to this meeting;*

**NOW, THEREFORE,** be it resolved by the members of the Town Board of the Town, as follows:

**Section 1.** *The Town hereby adopts the Policy and confirms the designation of the Town Supervisor as the Compliance Officer under the Policy.*

**Section 2.** *A copy of this Resolution, together with the attachment hereto, shall be placed on file in the office of the Town where the same shall be available for public inspection during business hours.*

**Section 3.** *This Resolution shall take effect immediately.”*

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

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

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

**2014-176)** BE IT RESOLVED, that the Town of Schodack hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Not Submitted Record of Activities or T/S
<b>Elected Officials</b>						
Town Board Member	James E. Bult	7	1/1/14 – 12/31/17	N	3.6	
<b>Appointed Officials</b>						
Sole Assessor	Peter Goold	7	10/1/13 – 9/30/19	Y	N/A	
Assistant to Assessor	Karen Justus	7	1/1/14 – 12/31/14	Y	N/A	
Comptroller	Jennifer Mulligan	7	1/1/14 – 12/31/14	Y	N/A	
Assistant Comptroller	Laura Palmer	7	1/1/14 – 12/31/14	Y	N/A	
Accountant	Susan Pilipczuk	7	1/1/14 – 12/31/14	Y	N/A	
Payroll & Personnel Clerk	Kathleen Blake	7	1/1/14 – 12/31/14	Y	N/A	
Assistant Town Building Inspector/Code Enforcement Officer	Dominic DeFrusco	7	2/28/14 – 12/31/14	Y	N/A	
Secretary to Building Dept.	Coleen Papas	7	1/1/14 – 12/31/14	Y	N/A	
Secretary to Highway Superintendent	Diane Lebrecht	7	1/1/14 – 12/31/14	Y	N/A	
Secretary to the Town Justice	Catherine Sager	7	1/1/14 – 12/31/14	Y	N/A	
Janitorial Staff	Nichole Thomas	8	1/1/14 – 12/31/14	Y	N/A	
Planning & Zoning Secretary	Melissa Knights	7	1/1/14 – 12/31/14	Y	N/A	
Planning Board Member	Lawrence R. D'Angelo	7	10/10/13 – 12/31/16	N	Not Submitted	X
Part-Time Police Officer	Thomas Jones	8	1/1/14 – 12/31/14	Y	N/A	
Part-Time Police Officer	Ryen T. Boehme	8	1/1/14 – 12/31/14	Y	N/A	
Part-Time Police Officer	Keith M. Boniface	8	1/1/14 – 12/31/14	Y	N/A	
Part-Time Police Officer	Jason Laurenzo	8	1/1/14 – 12/31/14	Y	N/A	
Part-Time Police Officer	Gregory J. Leone	8	1/1/14 – 12/31/14	Y	N/A	
Part-Time Police Officer	Clark Roehr, Jr.	8	1/1/14 – 12/31/14	Y	N/A	

Part-Time Police Officer	Joshua Walters	8	1/1/14 – 12/31/14	Y	N/A	
Confidential Secretary to Supervisor	Dawne Kelly	7	1/1/14 – 12/31/14	Y	N/A	
Director of Youth & Recreation	Sheila Golden	7	1/1/14 – 12/31/14	Y	N/A	
Superintendent of Highways	Kenneth Holmes	8	1/1/14-12/31/15	Y	N/A	

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

**2014-177) PREVIOUSLY ADOPTED. SEE PAGE 130.**

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

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

**2014-178)** Authorize Supervisor Dowds to execute a three-year contract for the period of August 1, 2014 through July 31, 2017 with Joseph E. Mastrianni, Inc. for administration of the Town of Schodack Housing Choice Voucher Program.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, 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:**

**2014-179)** WHEREAS, the Town of Schodack (hereafter referred to as “the Town”) has requested funds from the Capital District Transportation Committee (hereafter referred to as “the CDTC”), the Metropolitan Planning Organization for the Capital District through the Community and Transportation Linkage Planning Program for the Schodack Town Center Zoning Code Amendments and Site Design Guidelines; and

WHEREAS, the CDTC has approved the Schodack Town Center Zoning Code Amendments and Site Design Guidelines project in its 2014-2016 Unified Planning Program; and

WHEREAS, the approved study cost is \$45,000, \$33,750 of which shall be paid for with Federal Planning Funds (linkage Funds) and \$11,250 by Local Cash Match; and

WHEREAS, work on the approved study will be performed by a consultant in a time period to be specified in the contract; and

WHEREAS, the parties will jointly guide the consultant with the assistance of a Study Advisory Committee that will include, as a minimum, one staff member of the CDTC; and

WHEREAS, the parties will jointly assume ownership of all materials, graphics and reports, etc., related to the study; and

WHEREAS, the parties desire to set for the rights and responsibilities in facilitating the study;

NOW, THEREFORE, the parties hereby agree to the following:

1. The CDTC shall be responsible for:
  - a. Aiding the Town in developing a detailed scope of work for the Town of Schodack Town Center Zoning Code Amendments and Site Design Guidelines project.
  - b. Drafting a detailed Request for Expressions of Interest for the study and advertising in the New York State Contract Reporter and on the CDTC and the New York State Metropolitan Planning Organizations' web sites.
  - c. Aiding the Town in selecting a consultant to perform the study.
  - d. Documenting the consultant selection process and providing notification of consultant selection or rejection.
  - e. Securing an executable contract between the Consultant and the Capital District Transportation Authority, the host agency of the CDTC.
  - f. Approving the membership of the Study Advisory Committee.
  - g. Attending all Study Advisory Committee or Linkage Study related meetings including study kick-off meetings, public meetings and other decision making meetings.
  - h. Providing technical assistance and assistance in publicizing public meeting dates.
  - i. Ensuring that the Supervisor and the Town Board are kept apprised of the study's progress.
  - j. Handling all contracting issues including review of deliverables and payment to the consultant.
  - k. Invoicing the Town for its local match at the time that 25% of the study has been completed, based upon consultant billing records to the CDTC.
2. The Town of Schodack shall be responsible for:
  - a. Reviewing and following the CDTC's Guide to Linkage Study Administration Procedures.
  - b. Providing the CDTC with \$11,250 in Cash Match at the time that 25% of the study has been completed as indicated by consultant billing records to the CDTC. The Town will be invoiced for the local match by the CDTC at the time.
  - c. Following the CDTC's guidelines regarding consultant selection.

- d. Organizing and maintaining a Study Advisory Committee that will include at least one member of the CDTC's staff.
- e. Including the CDTC and the Study Advisory Committee in decisions related to meeting times and dates, public meeting dates and format, and any other study related decisions with the consultant.
- f. Attending all Study Advisory Committee or Linkage Study related meetings including study kick-off meeting, public meetings and other decision making meetings.
- g. Providing technical assistance, publicizing public meeting dates and reviewing products.
- h. Informing the CDTC of any problems with the consultant.
- i. Presenting the findings of the study to the CDTC Planning Committee and/or Linkage Forum.
- j. Passing a municipal resolution in support of the study and its findings
- k. Attending at least two Linkage Regional Coordination Forum meeting per year.

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

C. Curtis 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:**

**2014-180)** To request that the New York State Department of Transportation conduct a traffic safety study for evaluation of appropriate speed limit on County Route 1 (Muitzeskill Road).

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, 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:**

**2014-181)** Amend resolution 2014-141 adopted on June 12, 2014 and amended on June 28, 2014 authorizing the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

Camp Counselors: Cailyn Schelling, Kerry Golden, Kacey Wagner and Katherine Siegel.

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

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

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

- 2014-182)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #14-1032 to 14-1179 on Abstract No. 2014-07, in the amount of \$295,869.15, including the claims paid (\$186,277.13) since the previous town board meeting.  
 5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, 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:**

- 2014-183)** Authorize the following budget modifications, interfund loans and interfund transfers as recommended by the Comptroller:

<b>BUDGET MODIFICATIONS</b>				
	<b>Fund/ Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>48</b>	A-960-1110.1000	Town Justice - P. Services	11,606.00	
	A-960-9030.8000	Social Security	888.00	
	A-960-1990.4000	Contingency		12,494.00
<b>49</b>	A-962-9999-9999	Capital Reserve Fund - Police Vehicles	50,000.00	
	A-960-1990.4000	Contingency		50,000.00
<b>50</b>	A-960-1680.2000	Central Data Processing - Equipment	74.89	
	B-960-1680.2000	Central Data Processing - Equipment	27.70	
	A-960-1680.4000	Central Data Processing - Contractual		74.89
	B-960-1680.4000	Central Data Processing - Contractual		27.70
<b>51</b>	B-960-8010.2000	Zoning - Equipment	131.97	
	B-960-8020.2000	Planning - Equipment	197.96	
	B-960-8010.4000	Zoning - Contractual		131.97
	B-960-8020.4000	Planning - Contractual		197.96
<b>52</b>	B-960-9060.8100	Health Insurance - Retiree	7,221.48	
	B-960-9060.8000	Health Insurance - Active		6,318.72
	B-960-1990.4000	Contingency		902.76
<b>53</b>	B-960-8020.4000	Planning Contractual	891.49	
	B-509-2115.9999	Planning Fees	891.49	

54	DB-960-5110.2000	Road Repairs - Capital Outlay	7,744.40	
	DB-960-5110.4000	Road Repairs - Contractual		7,744.40

Interfund Loans – None.

**INTERFUND TRANSFERS**

	<u>Fund/ Department #</u>	<u>Fund / Department Name</u>	<u>Debit</u>	<u>Credit</u>
55	DA-200	Cash	39,816.88	
	DA-980-5031	Interfund Transfer		39,816.88
	A-522-9901.9	Interfund Transfer	39,816.88	
	A-200	Cash		39,816.88
56	EW-200	Cash	1,779.00	
	EW-980-5031	Interfund Transfer		1,779.00
	A-522-9901.9	Interfund Transfer	1,779.00	
	A-200	Cash		1,779.00

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

**ADJOURNMENT**

As there was no further business before the Board, C. Swartz made a motion to adjourn the 07/10/14 Town Board meeting at 9:00 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin  
Schodack Town Clerk/RMC/CMC