

DATE: OCTOBER 23, 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
SCOTT SWARTZ
MICHAEL KENNEY

MEMBERS ABSENT:

ATTORNEY: DAVID GRUENBERG

COMPTROLLER:

OTHERS PRESENT:

Executive Session

C. Bult made a motion to enter into Executive Session at 6:00 p.m. to discuss personnel matters relating to specific town departments, which was seconded by C. Kenney.

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

C. Curtis made a motion at 6:48 p.m. to adjourn the Executive Session, which was seconded by C. Kenney.

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

Supervisor Dowds called the regularly scheduled October 23, 2014 meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

S. Dowds announced that the Board will be holding another budget workshop on October 28th at 6:00 p.m. The main purpose of the meeting is to continue personnel budget discussions. Therefore, the intent is to go into Executive Session to hold these discussions, prior to the open meeting portion.

Items to be discussed:

Water/Sewer Rates – The Comptroller reviewed the methodology with the Board regarding the water/sewer units. After an analysis of the units, she found that no substantial changes to the methodology were necessary. The only adjustments were minor language changes. She then directed the Board to the summary of capital units that she prepared for their review. Additionally, she provided district levy analysis, showing the rates from 2010 to 2015 and projected rates through 2017. She highlighted any changes to the districts, explaining why she recommended an increase, decrease or that the rate should remain the

same (i.e. – Maplecrest will have a temporary decrease in the capital charge for 2015 because there was excess money in the project, etc.). A. Gruenberg asked why the rates for Consolidated Water District 101 were increasing over the next several years. The Comptroller explained that district has a debt service reserve and also commercial bulk water sales, which has subsidized the district. The total amount of the capital charge, without any other sources of revenues, is around \$360,000.00/annually. The levy for 2015 is around \$313,000.00, but we are paying EFC (the bond holders) in the range of \$360,000.00. The debt reserve will be gone in 2016 but we are hoping our commercial bulk water sales stay on a consistent level or grow. Therefore, the rate will have to be increased. She said an increase in units would have a positive impact on this district. The Board then proceeded to review the Comptroller's operation and maintenance (O & M) rates. She provided a summary and synopsis of each district detailing why they recommended that the rates increase, decrease or remain the same. Two of the districts will see a rate decrease. They are: Maplecrest from \$100.00/quarter to \$85.00/quarter because they have paid off their interfund loan this year and Consolidated Water District 101 from \$75.00 to \$65.00/quarter. Also, it should be noted that the rate for the sale of water to Maplecrest from Clearview will increase by 9% from \$2.20 to \$2.40/1,000 gals., which is the actual cost and the Enterprise Town-wide water supply fund (sale of water to Water District 101) will increase by 28% from \$2.15 to \$2.75/1,000 gals., essentially due to rectifying many substantial leaks. Further, this year they are recommending establishing repair reserves for the districts that have ample fund balances.

With regard to sewer districts, all districts that purchase service from the Village of Castleton were based on the Village's budget. Her office has changed how they have been viewing that in concert with previous trends. Therefore, districts 1, 2, and 7 will see rate decreases between \$10 - \$20.00/semi-annually. District 4 will not get the same decrease because it has an operating deficit of \$7,400.00. With respect to Sewer District 5 (East Schodack), she is recommending a rate increase from \$360.00 to \$385.00 because the actual cost to operate this district is \$386.00. This district has seen increases over the last several years. She also projected that it will go up again in 2016. Essentially, the rate increases are due to the limited number of users as well as having to contract with a licensed sewer operator to meet the new DEC requirements. Sewer District 8 will see a rate decrease of \$20.00 semi-annually from \$200.00 to \$180.00. The Board requested that the additional gallonage be consistent for all the water districts. The Comptroller will revisit that and get back to the Board.

Water/Sewer Issues: C. Bult asked about the status of the Castleton paperboard project. The Supervisor said it was his understanding that Rensselaer County IDA is still moving forward with it, but he has never received any actual confirmation on the status since the project is in the Village.

C. Bult asked if the Town of East Greenbush has reached out to the Town regarding increasing the capacity for sewer service. The Supervisor said he hasn't met with them for quite a while. Earlier, they had indicated that they might consider renegotiating the contract that was just extended to increase the capacity to 100,000 gallons; however, nothing has actually happened up to this point. He felt the Board needs to determine if they think that will be sufficient for future needs. Another thing in the equation is the possible sale of water to East Greenbush, forming a partnership of sorts as Schodack needs sewer service and East Greenbush needs water. C. Bult felt that we should reopen this discussion to

determine its feasibility. The Supervisor agreed. A. Gruenberg added that one major component that would need to be addressed is the "hook-up" fee of \$5,000.00 that they charge Schodack; that would definitely need to be renegotiated. The Supervisor said he will contact East Greenbush. This led to a brief discussion regarding extending water to parcels not in a district, but they have a line going by their property. The Supervisor said he would like to send those property owners a letter to see if they are interested in getting municipal water. The Board agreed that he should proceed.

Garbage Contract: C. Swartz asked the status of the garbage contract. C. Curtis noted that it was in the news recently that the Town of Colonie contracted with Waste Connections to run their facility and wondered how that impacted our contract. A brief discussion ensued. The Director of the Transfer Station, Bruce Goodall, said the contract ends 12/31/14 so as of January 1st they need to have some kind of agreement with someone to accept our garbage. The Town Clerk gave a copy of the current contract to the Supervisor and A. Gruenberg for their review.

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 C. Bult:

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

2014-233) 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, except Water District No. 5 because of the related Agreement to Construct Public Water Supply Improvements and Sewer Collection Improvements dated April 5, 1999 between the Town of Schodack and Schodack Exit Ten, LLC and RNP Associates, Inc., as follows:

Property Type	Property Code	Equivalent Dwelling Unit (EDU) Assigned
<i>A typical property is defined as a single family residence</i>		

with estimated annual water usage of 72,000 gallons or less.

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.
Residential Properties		
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 EDU
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	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 1 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>
Commercial Vacant Land Properties		
Vacant Land; Commercial Vacant with small improvement; Agricultural Vacant Land	330,331, 105	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 (2014-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	1.00 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.*^

Commercial Residential Properties

Apartments, Mobile Home Parks	411, 416	1.00 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	1.00 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.*

Commercial Properties

Commercial properties as listed: Restaurants, Diner/Luncheonettes, Fast Food Franchises, Auto Dealers – Sales & Service, Auto Body/ Tire/ Related Auto, Automatic Car Wash, Mini Warehouse (self-storage), Lumber Yards, Other Storage/ Warehouse/ Distribution Facilities, Retail Services, Neighborhood Shopping Centers, Drive-In Branch Bank, Office Building, Professional Building, Dog Kennel/ Veterinary Clinic, 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, Industrial, Electric & Gas	421, 422, 426, 431, 433, 434, 442, 444, 449, 450, 452, 462, 464, 465, 472, 483, 484, 485, 486, 612, 615, 620, 632, 642, 651, 652, 662, 700, 870	1.00 EDU; plus 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
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* 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 Office/Retail Facilities discounted by 50% of estimated water usage.

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 10/23/14 Town Board meeting at 7:53 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin
Schodack Town Clerk/RMC/CMC