

DATE: FEBRUARY 12, 2015

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:

COMPTROLLER:

OTHERS PRESENT: NADINE FUDA, DIRECTOR OF PLANNING & ZONING

Supervisor Dowds called the February 12, 2015 meeting to order at 7:05 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

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, Transfer Station, Historian and Police.

Review of Abstracts of Claims and Budget Amendments

The Board reviewed claims #15-0119 to 15-0324 on Abstract No. 2015-02, in the amount of \$1,736,790.31, including the claims paid (\$246,799.66).

Briefing of Resolution Agenda

C. Curtis asked for clarification of the resolution to further amend resolution [2014-211]. S. Dowds explained that they were adding \$20,000.00 for the professional services relative to the tax certiorari for Resurrection/Riverside Nursing Home, which was discussed at the Jan. 22, 2015 workshop. C. Bult asked for more information regarding resolution [2015-086]. S. Dowds explained that we submitted the grant application last year and it was subsequently awarded to us. The resolution essentially accepts the grant for the water quality improvement project for stormwater mapping and acknowledges that the Town has to pay 25% of the project costs of \$24,500.00 or \$6,125.00. S. Dowds called upon Nadine Fuda, Project Director, to give a brief overview of the intended project. Ms. Fuda explained under the DEC MS4 program we are mandated to have all the Stormwater outfalls and inlets mapped by 2017. The project will be done by Laberge, who will follow all the inlets and outlets to see where our watershed is traveling. Ms. Fuda said they will be doing this using

pictometry and some field work. S. Dowds noted that paragraph III of resolution [2015-097] should be amended to show that the total amount levied was \$3,581.32, not \$3,5821.32. With regard to resolution [2015-097], Atty. Gruenberg asked if there was a simpler way to accomplish the deduction for the franchise fee. C. Curtis said, unfortunately, no. It is because of the language in Section 626 of the Real Property Tax Law. Time Warner can request the municipality with whom they have a franchise, to pay their town taxes. The Supervisor said it would be easier to just deduct the taxes from the \$81,867.69 in franchise fees for 2014, but it cannot be done that way, and they have to do this every year.

Public Comment

D. Spilman asked if the Board knew if the gas line company (MorganKinder) had rescheduled their public meeting. S. Dowds said we have not received any information regarding a new date. Mr. Spilman felt the Board should get more detailed information on the proposed compression station which could be a sound issue given the 90,000 HP operation. Also there should be more detailed information on the plan to maintain the buried pipe from rusting (cathodic protection). S. Dowds explained that his comments would be better directed at the federal agency that will be overseeing the project. Mr. Spilman felt the governing body might have more influence than a single individual in obtaining the information. R. Lemka asked the proposed path for the gas line. S. Dowds said he believed they would be following the existing right-of-way of Tennessee Gas until Lape Rd. From there it will utilize the National Grid right-of-way through Schodack, Nassau and Stephentown into Massachusetts.

M. Sherwood asked why the town was entering into an independent contract with the webmaster. S. Dowds said because that is the way it has been done. The contractual agreement was for \$8,240.00, but \$100.00 of that was for the google search ability for our website; therefore, his actual remuneration is \$8,140.00. Ms. Sherwood said the agenda was, again, not available for public review on the site. The Supervisor explained that the webmaster was on a cruise and brought his laptop so he could continue to do his job, but the ship did not accommodate him. He continued that his office is currently looking into other alternatives for a website. C. Kenney said this is very frustrating for the board as well. The Supervisor agreed and was targeting the end of the year for a change. The Board discussed whether they should change the language of the contract to make it for a month-to-month basis. S. Dowds said he would like to see a more user friendly website so that department heads can actually post their information. Board members felt that was a good idea as it will be easier to assess accountability for timely postings. While it will give the town more control and flexibility, it probably comes with a higher cost; however, the end result should be a better and more current product. Ms. Sherwood said she thought that the Board had agreed that they would look more closely at their expectations from the current webmaster and communicate them to Mr. Wheeler. The discussion continued and at its conclusion, it was the consensus of the Board to withdraw resolution [2015-078].

R. Lemka said he was encouraged to hear the discussion about the website and webmaster. He questioned whether the costs would be much higher than they are paying now because so many options are available. With regard to resolution [2015-079], Mr. Lemka asked what the addendum was that was being removed. S. Dowds explained that it was simply for miscellaneous planning & zoning work that they feel is not needed at this time; however, they are doing a different addendum to have them assist with the zoning

amendment for solar facilities, resolution [2015-082]. Mr. Lemka said he believed he mentioned that the Board should have regulations regarding solar facilities about 6 months ago. He said they are popping up all over town and suggested that the Board consider passing a moratorium on solar facilities until they have the regulations in place. With regard to the mapping resolution, he asked if run-off from road salt would be part of the project. The Supervisor said no. Mr. Lemka thought that at the last meeting the Board put a cost on disposable of TV's. The Supervisor said that was correct. The previous vendor was charging the town so they had to charge for the TV's; however, the vendor that they are contracting with tonight will not be charging the town so they are amending the regulations to eliminate that charge to the residents.

T. Plante suggested that if the town needs to enter any private property during the mapping project, that homeowners be notified. Ms. Fuda said they will be working on the street right-of-ways.

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.

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

2015-76) Further amend Resolution No. 2014-211 as adopted on October 9, 2014 and Resolution No. 2014-264 as amended on November 13, 2014 as follows: Authorize Supervisor to accept proposal dated September 16, 2014 from Empire State Appraisal Consultants, Inc. (ESAC) for professional services (self-contained report for court filing) for 2014 relative to commercial assessment for Tax Map Parcel Numbers 198.11-1-2.2, 2.11 & 2.12 Resurrection Nursing Home, 90 N. Main St, Castleton, N.Y. 12033 in an amount not to exceed \$20,000, Tax Map Parcel Numbers 210.-4-9 and 12 Pine Haven Mobile Home Park 1420 Route 9, Castleton, NY 12033 in an amount not to exceed \$1,000, and an initial report for Tax Map Parcel Number 198.-4-1.11 Hamilton Printing 22 Hamilton Way, Castleton, NY 12033 in an amount not to exceed \$1,800.

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:

2015-77) Amend Resolution No. 2014-278, to adopt and include the following annual salaries for calendar year 2015:

Assistant Police Chief \$ 20.84 /hr.

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

2015-78) **WITHDRAWN:** *“Amend resolution No. 2015-010 as adopted January 8, 2015 as follows: Appoint Walter Wheeler as Web-Master, remuneration as set forth in the Year 2015 adopted budget (\$8,140.00) and further authorize Supervisor Dowds to execute an independent contractor agreement with Walter Wheeler as Web-master, subject to approval by Attorney to the Town as to form”.*

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:**

2015-79) Amend Resolution No. 2015-055 as adopted on January 8, 2015 by removing stated “Addendum Number 2015-01 for planning and zoning not to exceed \$5,000.00;”.

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 S. Dowds:

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

2015-80) Appoint Joseph Belardo as part-time Assistant Police Chief, under the direction of Bernhard Peter, Police Chief, not to exceed 20 hours per week, at an hourly rate set forth in resolution 2014-278 as amended by resolution 2015-077.

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:**

2015-81) Appoint Clyde Knott and Michael Canestro as a part-time Park Attendants, under the direction of Stuart McKnight, at the hourly rate set forth in resolution 2014-278, effective March 1 through December 31, 2015, as needed

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:**

2015-82) Authorize Supervisor Dowds to execute and administer Addendum Number 2015-06 for professional services from the Laberge Group to assist with Zoning Amendments for Solar Facilities not to exceed \$4,000.00.

Amended by [2015-102] on 3/12/15

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. Curtis:

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

2015-83) Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2014 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.

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. Kenney:

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

2015-84) Authorize Supervisor Dowds to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox Savin 8025 copier on the first floor (Town Clerk's Office) at the Town Hall, ID # 655BA, for the pro-rated period February 2, 2015 to December 31, 2015 for \$376.75. Contract includes 27,500 copies annually with an overage charge of \$0.01025 per copy. If at any time parts become unavailable, the contract will be cancelled.

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. Curtis:

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

2015-85) Authorize the appropriation of reserves of bonded indebtedness to be used towards 2015 debt service payments as provided in the 2015 Budget as follows:

General Town-Wide Fund (A)	\$23,437.00
Town Outside Village Highway Fund (DB)	\$7,575.00
Enterprise Town-Wide Water Fund (EW)	\$70,000.00
East Schodack Sewer District No. 5 (SS5)	\$3,250.00
Clearview Water District No. 1 (SW1)	\$3,500.00
Schodack Exit 10 Water District No. 5 (SW5)	\$11,400.00
Inglewood Water District No. 2a (SW2a)	\$6,000.00

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 S. Dowds:

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

2015-86) WHEREAS, Town of Schodack herein called the “Municipality”, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the “ Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law (“ECL”) authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the Town of Schodack

1. That Nadine Fuda, Director of Planning and Zoning or such person’s successor in office, is the representative authorized to act in behalf of the Municipality’s governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality’s governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project’s field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation
4. That this Resolution takes 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:**

2015-87) Authorize Supervisor Dowds to execute and administer Addendum Number 2015-07 for Water Quality Improvement Project (WQIP) Grant MS4 (Municipal Stormwater Management) mapping with 75% funded by the NYSDEC Grant and the total cost of the project is \$24,500.00 with \$6,125.00 funded by the 2015 Town Budget.

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. Bult:

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

2015-88) Authorize Supervisor Dowds to execute and administer a Memorandum of Understanding by and between the Town of Schodack and Commission on Economic Opportunity for the Greater Capital Region, Inc. (CEO) to provide space as a temporary satellite site for CEO's Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) for the period of January 1, 2015 to January 1, 2017.

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:**

2015-89) Authorize Supervisor Dowds to execute and administer a three year agreement with one year subsequent terms with Electronic Recyclers International, Inc. for recycling of electronics as per terms and conditions as set forth on Schedule I of the Electronic Recyclers International, Inc. Agreement.

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 S. Dowds:

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

2015-90) Amend the 2015 adopted Transfer Station Fee Schedule effective February 13, 2015 as follows:

5i) Televisions, Computers, Monitor &
Rear Projection Televisions

FREE

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. Curtis:

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

2015-91) WHEREAS, the Town of Schodack and the Village of Castleton entered into an Intermunicipal agreement dated November 21, 2013 for the Village's water system to interconnect with the Town's water system, allowing the Village to purchase water from the Town, and

WHEREAS, section VI(i) of said agreement allows for an annual increase in the rate charged to the Village in correlation to the consumer price index average published, and

WHEREAS, the consumer price index average published in January 2015 was 1.6% and the current rate charged to the Village is \$4.00 per 1,000 gallons of water,

NOW THEREFORE IT BE RESOLVED, that effective January 1, 2015 the rate charged to the Village of Castleton for the purchase of water shall be \$4.06 per 1,000 gallons.

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. Kenney:

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

2015-92) Appoint Shawn Zinzow, subject to final approval by the Rensselaer County Civil Service Commission, as a Water/Sewer Operator (Class II B License), at an hourly rate of \$24.07 as set forth in CSEA Collective Bargaining Agreement dated January 1, 2013 through December 31, 2015. Said appointment shall be effective as of February 16, 2015.

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. Swartz:

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

2015-93) Authorize Sergeant Jonathan Reickert (member) and Sergeant Steven Roy (non-member) to attend the New York Tactical Association Conference and Expo in Verona, New York on April 28th through April 30th at an estimated cost of \$1,156.98. (This is a 2015 budgeted item).

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. Curtis:

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

- 2015-94)** Authorize Supervisor Dowds to execute and administer the Monitoring Service Contract with Rocket Monitoring Services to perform data collection and monitoring services on the Commercial AdvanTex® AX100 – TCOM Control Panel located in Sewer District No. 8 for a cost not to exceed \$1,200.00 and to provide monitoring on the VeriComm Panel located in Sewer District No. 5 for a cost not to exceed \$300.00.
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:**

- 2015-95)** Pursuant to Chapter 32 Section 1 of the Code of the Town of Schodack, Supervisor Dowds hereby appoints Police Officer Alan Roehr Jr., to the Town of Schodack Fire Investigation Unit for the calendar year 2015.
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. Kenney:

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

- 2015-96)** 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
Appointed Officials						
Comptroller	Jennifer Mulligan	7	1/1/15 – 12/31/15	Y	N/A	
Assistant Comptroller	Laura Palmer	7	1/1/15 – 12/31/15	Y	N/A	
Accountant	Susan Pilipczuk	7	1/1/15 – 12/31/15	Y	N/A	
Human Resources Manager	Kerrie Joiner	7	1/5/15 – 12/31/15	Y	N/A	
Assistant Town Building Inspector/Code Enforcement Officer	Dominic DeFruscio	7	1/1/15 – 12/31/15	Y	N/A	

Secretary to Building Dept.	Coleen Papas	7	1/1/15 – 12/31/15	Y	N/A	
Secretary to Highway Superintendent	Diane Lebrecht	7	1/1/15 – 12/31/15	Y	N/A	
Secretary to the Town Justice	Heather Bender	7	1/1/15 – 12/31/15	Y	N/A	
Janitorial Staff	Nichole Thomas	8	1/1/15 – 12/31/15	Y	N/A	
Planning & Zoning Secretary	Melissa Knights	7	1/1/15 – 12/31/15	Y	N/A	
Planning Board Member	John LaVoie	7	1/1/14 – 12/31/20	N	Not Submitted	X
Part-Time Police Officer	Thomas Jones	8	1/1/15 – 12/31/15	Y	N/A	
Part-Time Police Officer	Ryen T. Boehme	8	1/1/15 – 12/31/15	Y	N/A	
Part-Time Police Officer	Keith M. Boniface	8	1/1/15 – 12/31/15	Y	N/A	
Part-Time Police Officer	Jason Laurenzo	8	1/1/15 – 12/31/15	Y	N/A	
Part-Time Police Officer	Gregory J. Leone	8	1/1/15 – 12/31/15	Y	N/A	
Part-Time Police Officer	Clark Roehr, Jr.	8	1/1/15 – 12/31/15	Y	N/A	
Part-Time Police Officer	Joshua Walters	8	1/1/15 – 12/31/15	Y	N/A	
Confidential Secretary to Supervisor	Dawne Kelly	7	1/1/15 – 12/31/15	Y	N/A	
Director of Youth & Recreation	Sheila Golden	7	1/1/15 – 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.

S. Dowds 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:

2015-97) WHEREAS, pursuant to the franchise agreement between Time Warner Cable (“TWC”) and the Town of Schodack, TWC pays the Town a fee for a special franchise to operate its cable television business in the public right-of-way, and

WHEREAS, for the year 2014 TWC paid the Town of Schodack \$81,867.69 in franchise fees, and

WHEREAS, TWC was levied a total of ~~\$3,5821.32~~ \$3,581.32 in Town taxes on five special franchise properties, and

WHEREAS, Section 626(1) of the Real Property Tax Law of the State of New York provides that the amount paid as a franchise fee is to be deducted from the taxes levied on a special franchise, and

WHEREAS, Section 626(2) of the Real Property Tax Law provides that the person responsible for collecting the franchise fee shall deliver to the Town of Schodack a certificate showing the amount of the franchise fee paid for the year ending on the date set forth in the certificate, and

WHEREAS, upon receipt of the certificate, the law requires the Town of Schodack to enter a credit on the tax roll in the amount shown on the certificate, and

WHEREAS, Rensselaer County Bureau of Finance is responsible for entering the credit on the tax roll, and

WHEREAS, pursuant to Section 626, the TWC Tax Department returned the Town's Special Franchise tax bill, and

WHEREAS, TWC is required to make a request in order to receive a credit on the tax roll, and

WHEREAS, the Town has received a request for the credit on property taxes assessed in 2015 from the franchise fees paid during 2014,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of \$3,581.32 to Rensselaer County Bureau of Finance based on the 2015 TWC Utility report on said franchise properties assessed within the Town of Schodack.

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:**

2015-98) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Owner</u>	<u>Location</u>	<u>No. of Units</u>
Beberwyk, Mary Ann	57 Beberwyk Way	1
Hanson, Thomas & Debra	Co. Rt. 7	6
Hotaling, Bruce	1333 South Schodack Rd.	1
Rapin, John & Mary Joy	3804 US 20	1

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:**

- 2015-99)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #15-0119 to 15-0324 on Abstract No. 2015-02, in the amount of \$1,736,790.31, including the claims paid (\$246,799.66) 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. Swartz:

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

- 2015-100)** Authorize the following budget modifications, interfund loans and interfund transfers as recommended by the Comptroller:

BUDGET MODIFICATIONS				
	Fund/ Department #	Fund / Department Name	Increase	Decrease
2014				
132	A-960-1315.1000 A-960-1315.4000	Comptroller - Personal Services Comptroller - Contractual	484.07	484.07
133	A-960-1355.4000 A-960-1355.1000	Assessor - Contractual Assessor - Personal Services	1,500.00	1,500.00
134	A-960-3120.2000 A-960-1990.4000	Police - Equipment Contingency	741.20	741.20
135	A-960-3120.4000 A-960-1990.4000	Police - Contractual Contingency	9,000.00	9,000.00
136	A-960-5010.1000 A-960-5010.4000	Supt. Of Hwys - Personal Services Supt. Of Hwys - Contractual	136.97	136.97
137	DB-960-5110.1000 DB-960-5110.4000	Gen'l Road Repairs - P. Services Gen'l Road Repairs - Contractual	264.74	264.74
138	DB-960-5142.4000 DB-960-5142.1000	Snow Removal - Contractual Snow Removal - Personal Svcs	3,000.00	3,000.00
139	SW1-960-8340.4000 SW1-960-8340.1000	Transmission & Dist- Contractual Transmission & Dist- P. Svcs	411.86	411.86

140	SW3-960-8340.4000	Transmission & Dist- Contractual	300.00	
	SW3-960-8310.4000	Water Admin - Contractual		300.00
141	SWC1-960-8340.4000	Transmission & Dist- Contractual	500.00	
	SWC1-960-8340.2000	Transmission & Dist- Equip		500.00
2015				
2	A-960-1315.1000	Comptroller - Personal Services	450.00	
	A-960-1315.4000	Planning Fees		450.00
3	A-960-3120.1000 (1011)	Police - Personal Svs-DWI Crackdown	2,430.77	
	A-960-3120.1000 (1010)	Police - Personal Svs-DWI Regular	2,000.00	
	A-509-2260.9999	Public Safety Svs - Other Gov'ts	4,430.77	
4	A-960-8189.2000	Recycling - Equipment	6,500.00	
	A-960-8160.2000	Garbage - Equipment		6,500.00
5	A-960-1380.4000	Fiscal Agent - Contractual	600.00	
	A-960-1990.4000	Contingency		600.00
6	B-960-8020.4000	Planning - Contractual	24,500.00	
	B-960-1990.4000	Contingency		6,125.00
	B-509-3989.9999	Other Home & Community State Aid	18,375.00	
7	B-960-1440.4000	Engineer - Contractual	5,000.00	
	B-960-1990.4000	Contingency		5,000.00
5 Ayes 0 Noes. MOTION CARRIED. Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.				

C. Kenney asked how the Comptroller's Office was functioning in the absence of having a Comptroller. He wondered if temporary help might be needed in the event the search for a new Comptroller takes longer than anticipated. S. Dowds said he recently reviewed this with the Asst. Comptroller, Laura Palmer, and was told that she didn't think it would be beneficial to bring in another temporary person at this time. The essential things are being done – payroll and review and payment of claims; however, the Annual Financial Report is not being done.

Nadine Fuda, Director of Planning & Zoning, briefly discussed the solar facilities zoning amendment the zoning committee is working on. She stated that developing the regulations for residential units was fairly easy, but those for large-scale solar facilities was somewhat more challenging. They completed the final draft today and will be forwarding it to the Board tomorrow. C. Bult asked if there were any applications for large-scale facilities pending right now. Ms. Fuda said no, but she knows there is interest because she has received several phone calls, and some residents have been approached regarding leasing their land for such a facility.

Executive Session

S. Dowds made a motion to enter into Executive Session at 7:52 p.m. to discuss specific appointments to the highway department and the position of Comptroller. Seconded by C. Bult.

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

At 8:35 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.

ADJOURNMENT

As there was no further business before the Board, C. Swartz made a motion to adjourn the 02/12/15 Town Board meeting at 8:35 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin
Schodack Town Clerk/RMC/CMC