

DATE: MARCH 24, 2016

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DONNA L. CONLIN

PRESIDING OFFICER: DENNIS E. DOWDS

MEMBERS PRESENT: SCOTT SWARTZ
TRACEY REX

MEMBERS ABSENT: JAMES E. BULT
MICHAEL KENNEY

ATTORNEY: DAVID GRUENBERG *(arrived at 7:25 p.m.)*
COMPTROLLER: PAUL HARTER, COMPTROLLER
OTHERS PRESENT: KEN HOLMES, SUPERINTENDENT OF HIGHWAYS
KATHLEEN JIMINO, COUNTY EXECUTIVE
PAUL PETER, TOWN JUSTICE

Supervisor Dowds called the March 24, 2016 Town Board Workshop Meeting to order at 7:04 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

S. Dowds deviated from the agenda by requesting Board and public comment on the proposed resolutions.

Board Discussion/Resolutions - None

Public Comment on Resolutions – None

Adoption of Resolutions

The resolutions voted upon reflect additions, deletions and amendments approved by the consensus of the majority Board.

EXPLANATION: Bracketed and strikethrough indicates language that was stricken from the resolution when adopted. Underlined indicates language that was added to the resolution when adopted. A WITHDRAWN resolution is so noted and italicized.

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

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

2016-117) WHEREAS, on February 11, 2016 the Schodack Town Board approved by resolution (2016-084) the Volunteer Ambulance Workers Service Award Program List of all 2015 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Services, Inc., and

WHEREAS, the list was forwarded to authorized representatives of the Castleton Volunteer Ambulance Services, Inc. and was posted for thirty (30) days as required by law, and

WHEREAS, they have certified on February 26, 2016 no changes were made to the listing,

NOW, THEREFORE, BE IT RESOLVED, that the Schodack Town Board authorizes Supervisor Dowds to certify to PENFLEX, Inc., that the listing as submitted and posted should be used to determine the funding, the requirements of the Service Award Programs (SAP), the eligibility of persons to be paid benefits and the amount of benefits to be paid to eligible persons.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – S. Swartz, T. Rex, D. Dowds. Noes – 0.

C. Rex 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:

2016-118) WHEREAS, William Dikant was appointed to serve as Schodack Justice Court Officer on March 1, 1974, and on February 29, 2016, celebrated his 42nd anniversary as Court Officer; and

WHEREAS, in his position as Court Officer to the Schodack Justice Court, William Dikant has served with the trust and confidence of the Justices of the Town of Schodack over the past 42 years, including the following magistrates: Judge Hollis Reeves, Judge Thomas Snow, Judge Freeling Smith, Judge Albert Peter, Judge William Scheidel, Judge James Bult, Judge Paul Peter, Judge Alex Shannon and Judge Bruce Wagner; and

WHEREAS, the Court is one of the busiest in Rensselaer County and runs very efficiently and without disruption as of a result William Dikant's demeanor and unfaltering concern for those who seek justice from the court; and

WHEREAS, our Court Officer has often received the praise of numerous attorneys, agencies' representatives and defendants alike for his fairness and consideration to all involved in the judicial process; and

WHEREAS, William Dikant has additionally served Schodack as a lifetime member of the Castleton Volunteer Ambulance Service, Inc., and has worked tirelessly to provide emergency medical care to those in need; and

WHEREAS, William Dikant, through his association with Remove Intoxicated Drivers (RID), often shares his insight into how drinking and driving can tragically impact a family in order to better prepare students and their families to make the best choices for life

NOW, THEREFORE, BE IT RESOLVED THAT, the Town Board wishes to pause in its deliberations to thank William Dikant for a "job well done" and to wish him much health and happiness in his future pursuits - both on behalf of the Town of Schodack and personally.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – S. Swartz, T. Rex, D. Dowds. Noes – 0.

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

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

2016-119) Authorize the Town Clerk to post notice and notify media that there will be a Special Informational Town Board meeting to be held on Wednesday, April 13, 2016 at 7:00 p.m. at the 1216 Maple Hill High, Maple Hill Road Castleton NY regarding Kinder Morgan N.E.D. pipeline compressor Station.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – S. Swartz, T. Rex, D. Dowds. Noes – 0.

Presentation

The Board paused in their discussion to honor Bill Dikant, recently retired Schodack Court Officer. On behalf of the Board, the Supervisor thanked Mr. Dikant for his 42 years of service to the Town. He introduced several guests who had Proclamations and Citations to present to Mr. Dikant. They were:

- 1) Kathleen Jimino, Rensselaer County Executive, who presented a Certificate of Appreciation on behalf of all the residents of Rensselaer County for his 15+ years of service on the Victim Impact Panel and serving in various other capacities relating to educating people against driving under the influence of drugs and/or alcohol.
- 2) Paul Peter, Schodack Town Justice, gave a brief personalized history of how Mr. Dikant's service began as an auxiliary police officer 42 years ago and then moved on to court officer, where he maintained order and safety in the court room for the duration of his tenure. He then presented him with Certificates of Appreciation from Assemblyman McLaughlin, Congressman Chris Gibson and Congressman Paul Tonko for his dedication and service.
- 3) S. Dowds presented a Certificate of Commendation on behalf of the County Legislator, Alex Shannon who formerly served as a Schodack Town Justice.
- 4) S. Dowds then presented the Proclamation (resolution [2016-118]) on behalf of the Town Board. He also presented Mr. Dikant with his former badge.

At the conclusion of the presentations, Mr. Dikant simply said thank you to all and received a standing ovation.

Recess – The Board briefly recessed at 7:25 p.m. and resumed the meeting at 7:34 p.m.

Discussion Items

Website/Status Update: S. Dowds stated that the website development was taking a little longer than originally anticipated and felt a realistic live date was May 1st. C. Rex asked if the Board was going to see it so they could make comments prior to the release date. S. Dowds said yes.

Kinder-Morgan: The Supervisor stated that the scheduled meeting with the Berkshire Group was cancelled because there was nothing new to discuss. He is still waiting for the Notice of Schedule to be released. C. Swartz asked if anyone had heard anything from the Village of Castleton regarding the Local Waterfront Revitalization Plan (LWRP). Atty. Gruenberg said he has been acting as the liaison between the Department of State (DOS) and the Board. The DOS originally offered to set up a meeting with the Town and Village next week, but he had not received a confirmed date. He didn't know if the recent Village election, which resulted in a change in leadership, had any bearing on the delayed response. He would reach out to them again tomorrow. A question was raised whether it was going to be a publicly noticed meeting. Atty. Gruenberg said he didn't know. He was under the impression that DOS wanted the officials to go to their office and he didn't know, right now, how many people were going to attend. S. Dowds said if they find out in the meeting with the Department of State that the LWRP needs to be updated, it may be a somewhat protracted procedure. So he suggested that board members start thinking of people they would like to have on the committee now, so they would be ready to go. C. Swartz said he believed that the Village and Town could have 4 members each, with a 9th member being the Chair. C. Rex asked if there was going to be any notification to the public asking them if they were interested in serving. S. Dowds felt that would delay the process and suggested that it would be simpler if each Board member forwarded a name and then they will discuss it at the meeting in April. The new Village Board will have their organizational meeting on April 11th so hopefully, they will address their committee members then.

Stewart's: S. Dowds said he hopes the Intermunicipal Agreement with the Village of Nassau relative to supplying water to Stewart's (located in the Town of Schodack) will be ready for Board consideration at the April 14th meeting.

East Greenbush Intermunicipal Sewer Agreement: S. Dowds reported that he attended a recent meeting with East Greenbush officials to discuss updating the current agreement. East Greenbush said they are going to put together an analysis plan. S. Dowds said he would like our Comptroller, Paul Harter, and our Assistant Comptroller, Laura Palmer, involved in that process since we have to administer the agreement to Schodack residents. He said there is a benefit for Schodack residents to receive sewer service from the Town of East Greenbush, so we will have what may be called a "benefit fee". For the benefit of C. Rex, who is new to the Board, Atty. Gruenberg gave a brief history of the Exit 10 Intermunicipal Sewer Agreement with the Town of East Greenbush and the resulting lawsuit against the Town for "unreasonable hook-up fees". He noted that the Town won the lawsuit on a technicality because the statute of limitations had lapsed. If we continue to impose the

old fee on new people coming on-line, such as for the Spinney Part II, it will be challenged and we will lose. Then it becomes a general charge to the Town and all the taxpayers will be paying for sewer fees for a special district, which is not really just. Therefore, the Town is trying to revise the agreement to cure the legal problem of how we charge new customers who are coming on line and hooking up. Additionally, the Town would like more capacity than the 45,000 gals/day under the current agreement and the Town of East Greenbush wants to offer us more because they got a new wastewater treatment plant that can accommodate that need.

Reminders: Spring Clean-up days are May 12, 13 and 14th. Items that normally have a fee can be brought to the Transfer Station for free or for a reduced charge. Shredding Day is April 30th which will be held at the East Greenbush Town Hall.

Schodack Central School District/Sewer: S. Dowds reported that the Schodack Central School District has already signed off on the Letter of Intent. It will come before the Town Board at the April 14th meeting.

Highway Issues:

Road Program – C. Rex asked how the roads are selected for repair. Ken, Holmes, Highway Superintendent, explained that they are selected by knowing which of the most frequently traveled roads are in the worst condition. He said they use two processes to repair the roads – paving with hot mix and chip sealing. Chip sealing is a useful and cost effective tool that gives extended life to the roads.

Fueling Station at Highway Garage - C. Swartz said he looked at the fuel depot yesterday because he wondered why the project was estimated at \$296,000.00. He said he was having a hard time justifying what he felt was a minor project for a canopy, a couple of fuels tanks and pumps could cost that much money. Even though the Town's share was only 25% of the project or approximately \$75,000.00, it was still a lot of money. In trying to understand the scope of the project, he also spoke with the Town Engineer, who was going to forward some information he had from other towns that completed similar projects. He believed they had up to three years to complete the project, which gave them a better opportunity to thoroughly review it. S. Dowds said that they would have to check into the grant to see if they would be allowed to use less money than what was awarded. C. Swartz said he asked that question of the Engineer and was told that he thought it would be permissible.

Stop Signs – Superintendent Holmes explained that there is a 4-way intersection at Kevin Lane and Briarwood Ave. It is a small intersection and drivers sometimes think Kevin Lane is a through road so he felt they should put up stop signs. He also reviewed other intersections in that area and decided to add stop signs at Pinewood & Inglewood and Cherry Vale and Bri-Lan.

Personnel/Handbook – C. Rex asked the status of the Handbook. S. Dowds said the committee was meeting on April 5th. Once they have finalized their comments, it will be reviewed by the Board and the Attorney.

ADJOURNMENT

As there was no further business before the Board, C. Swartz made a motion to adjourn the 03/24/16 Town Board meeting at 8:00 p.m., seconded by C. Rex. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin
Schodack Town Clerk/RMC/CMC