

DATE: JUNE 08, 2017

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DEBRA L. CURTIS

PRESIDING OFFICER: DENNIS E. DOWDS

MEMBERS PRESENT: MICHAEL KENNEY
SCOTT SWARTZ
TRACEY REX

MEMBERS ABSENT: JAMES E. BULT

ATTORNEY: DAVID GRUENBERG

COMPTROLLER: PAUL HARTER

OTHERS PRESENT: ATTY. WILLIAM RYAN, SPECIAL DISTRICTS COUNSEL
ERIC REDDING, BERGMANN ASSOCIATES
BRUCE GOODALL, DIRECTOR OF TRANSFER STATION
OPERATIONS

Supervisor Dowds called the June 8, 2017 Town Meeting to order at 7:03 p.m. with the Pledge of Allegiance and dispensed with roll call. Councilmember Bult was absent.

Briefing of Resolution Agenda

The Supervisor stated that the public hearing on Extension 5 for Consolidated Water District 101 (Valente Professional Park) would not open until 7:10 p.m. therefore he would begin by reviewing the agenda. Resolution [2017-159] amends resolution [2017-110] regarding the contract with the band Triskele for Music in the Park from \$600 to \$599. C. Swartz asked why that was necessary. S. Dowd stated for tax purposes. Resolution [2017-160] authorizes employees for the Summer Day Camp. S. Dowds explained that throughout the camp season, employees occasionally leave for other jobs therefore substitutes must be also be approved so the Youth Director can fill vacancies. Resolution [2017-162] involves the cell phones used by camp directors for the Summer Day Camp. He explained that Resolution [2017-162] is a continuation of the trailer renewals. Resolutions [2017-163 to 2017-167] will be discussed later in the meeting as they are regarding to the public hearings. With regard to Resolution [2017-168], the Part-time Temporary Building Inspector requested his hourly rate be increased to \$30.55 which was the rate of the previous Building Inspector. Resolutions [2017-169] and [2017-170] are regarding Hazardous Waste Day, to be held on September 16, 2017. They authorize Bruce Goodall, Director of Transfer Station Operations to execute agreements on behalf of the Town and apply for financial aid. C. Swartz asked what the average cost is and the amount of financial aid provided. Mr. Goodall explained that the cost prior to receiving funding ranges from \$7,000.00 to \$9,000.00 but has been as high as \$22,000.00. There is usually a 50% return in funding from the state of New York. Resolution [2017-171] amends resolution [2017-100] to increase the replacement cost for the heat pump in the Town Clerk's office

from \$4,520.00 to \$7,412.00 due to the inability to remove the old unit. Resolution [2017-172] authorizes the purchase of a hydraulic thumb at a cost of \$5,495.00 to be installed on the backhoe for use during the compaction of solid waste and recyclables at the Transfer Station. The remaining resolutions are self-explanatory.

**Public Hearing
Consolidated Water District No.101, Ext. 5**

S. Dowds called the public hearing on the proposed establishment of Consolidated Water District No. 101 (CSW101), Water District Extension #5 to order at 7:10 p.m.

The Deputy Town Clerk summarized the Affidavit of Publication regarding proposed establishment of Consolidated Water District No. 101, Water District Extension #5 (Valente Professional Park) to consider the petition received and the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law. The legal notice was published in the May 23, 2017 edition of "*The Record*", posted on the Town Clerk's signboard on May 22, 2017 and the Town's website on May 23, 2017.

S. Dowds called upon Atty. Ryan to lead the public hearing. Atty. Ryan explained that the project under consideration is an extension of Consolidated Water District No. 101 to service proposed new construction located at 1710 Schodack Valley Rd. The construction will consist of a 67,240 sq. ft. training facility run by Questar (B.O.C.E.S.) and a 222,000 sq. ft. Sales Distribution Center on app. 56.4 Acres. The cost of the project is \$754,903.00 with a first year debt of \$11,000.00 to be paid by the property owner (Snook LLC). The Operation & Maintenance cost will be \$23,758.36 which will also be incurred by Snook LLC. There are no fees to the Town. Assuming the Board adopts and approves the extension, the Order of Establishment will be filed with the Division of Audit & Control and the Rensselaer County Clerk. Atty. Ryan introduced Mr. Redding from Bergmann Associates, the engineer for the project, who gave a brief overview of the project. Mr. Redding explained the district abuts the construction site but does not currently connect. A twelve (12) inch pipe will connect into the current water main on the east side of Columbia Turnpike and extend 1,000 feet to the building site. Directional drilling will be used to run the pipe under the road as to not disrupt the flow of traffic. There will also be fire hydrants installed every 600 feet. The project will draw up to 16,000 gallons per day. With a current capacity of one million gallons per day and current usage of 45,000 gallons, the project would not deplete the supply.

Public Comment- M. Sherwood questioned when a distribution center had been proposed. She said that since "Project Red" fell through, she wondered if there was a guarantee for this project. Atty. Ryan stated that was outside the scope of the public hearing but asked Mr. Redding to explain. Mr. Redding stated that this was a new proposal of a 60,000 sq. ft. distribution center that will eventually be increased to 222,000 sq. ft. M. Sherwood inquired if the proposed water and sewer extensions would be adequate to supply the facility. Mr. Redding said yes. B. Spink asked how the projected 16,000 gallons per day was derived and whether is it for the Questar facility only or includes the distribution center. Mr. Redding stated that it was both and the New York State Dept. of Environmental Conservation estimated the amount of water based on the history of similar projects. C. Swartz asked for

clarification on where the fire hydrants would be located. Mr. Redding explained they will be along Schodack Valley Road and extend every 600 feet.

Hearing no further public comment, C. Swartz made a motion to close the public hearing at 7:19 p.m., seconded by C. Kenney.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

Atty. Ryan explained with respect to Consolidated Water District No.101, Extension 5, resolution [2017-163] declares that this project will have no adverse effect on the environment and resolution [2017-164] authorizes the establishment of extension 5 for Consolidated Water District 101.

Adoption of Resolutions (The following resolutions were adopted out of sequence)

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. Kenney:

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

2017-163) WHEREAS, the Town of Schodack is contemplating the creation of Consolidated Water District No. 101, Water District Extension No. 5; and

WHEREAS, the project sponsor, Snook Materials Group, LLC, has caused to be prepared Part 1 of a Short Environmental Assessment Form for review by the Town Board; and,

WHEREAS, the Town Board has performed a review of the subject water district extension; and,

WHEREAS, the Town Board of the Town of Schodack is assuming Lead Agency status for a coordinated environmental review of the proposed project with the Town of Schodack Planning Board; and,

WHEREAS, in connection with the review of the project, the Town Board has undertaken a coordinated review with the Town of Schodack Planning Board and has considered Part 1 of the Short Environmental Assessment Form (“EAF”) and the map, plan and report prepared by Bergmann Associates, competent engineers, which map, plan and report provided information in relation to environmental factors such as wetlands, flood plains, classified stream and cultural resources; and,

WHEREAS, the Town Board has also completed Part 2 of the short EAF as required by the State Environmental Quality Review Act; and,

WHEREAS, the Town Board carefully considered the environmental impacts associated with this project and the criteria for determining significance contained within 6 NYCRR § 617.7(c).

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Schodack Town Board determines that the proposed project is an Unlisted Action pursuant to the requirements of 6 NYCRR Part 617, and
2. The facts and conclusions set forth in the Short Environmental Assessment Form attached hereto are derived from the map, plan and report, submittals and other relevant information, including the personal knowledge and familiarity of the Town Board with the project site and its surrounding areas, and
3. The Town Board hereby declares and adopts the written Negative Declaration attached hereto, and
4. Based upon the Negative Declaration, the Town of Schodack Town Board hereby declares that the project will have no significant adverse environmental impact, and hereby issues a Negative Declaration under SEQRA, and
5. The Short Environmental Assessment Form (copy attached) and a copy of this resolution shall be filed in the Office of the Town Clerk, and
6. The Negative Declaration and a copy of this resolution shall be made available for inspection and copying by the public.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

C. Kenney 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:

2017-164) WHEREAS, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of Consolidated Water District No. 101, Water District Extension No. 5, in the Town of Schodack, County of Rensselaer, State of New York, has heretofore been filed in the Town Clerk's Office; and,

WHEREAS, a map, plan and report relating to the establishment of Consolidated Water District No. 101, Water District Extension No. 5, prepared by Bergmann Associates, competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law,

has been filed with the Town Clerk of Schodack, in accordance with the requirements of the Town Law; and,

WHEREAS, an order was adopted by the Town Board of the Town of Schodack on May 11, 2017, reciting the filing of the map, improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office for public inspection, and all other matters required by law to be stated; and,

WHEREAS, the order set June 8, 2017, at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York 12033 as the date, time and place of the public hearing to consider the map, plan and report, and to hear all persons interested in the subject thereof, and to take such action as required and authorized by law; and,

WHEREAS, such order was published and posted as required by law; and,

WHEREAS, a hearing on the matter was held by the Town Board on the 8th day of June, 2017, beginning at 7:10 p.m. and the matter being duly discussed and all interested persons having been duly heard; and,

WHEREAS, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a regularly scheduled meeting of the Town Board to be conducted on the 8th day of June, 2017 at the Schodack Town Hall.

NOW, upon the evidence given at the hearing, and upon motion of Councilmember Kenney and seconded by Councilmember Rex, it is

RESOLVED AND DETERMINED:

- (a) That the petition is signed and acknowledged or proved as required by law and complies with the requirements of Town Law Section 191 as to sufficiency of signers and is otherwise sufficient, and the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- (b) That all property and property owners within the proposed district extension are benefited thereby;
- (c) That all the property and property owners benefited are included within the limits of the proposed district extension;
- (d) That it is in the public interest to establish Consolidated Water District No. 101, Water District Extension No. 5;
- (e) A hook up fee to the property line will be paid by the property owner and the first year cost for full operation and maintenance for the typical property within Consolidated Water District No. 101, Water District Extension No. 5, is \$23,758.36 and the first year cost of debt repayment for typical properties within the

water district extension is Eleven Thousand and 00/100 (\$11,000.00) Dollars;

- (f) Approval of the New York State Comptroller is not required for the formation of Consolidated Water District No. 101, Water District Extension No. 5. There is no public debt to be issued or assumed by the town for the improvement since the infrastructure improvements will be paid in full by the property owner; and it is further,

RESOLVED AND DETERMINED, that the establishment of Consolidated Water District No. 101, Water District Extension No. 5, as set forth in the map, plan and report, be approved and that the approval of the Comptroller of the State of New York is not required for the reasons set forth above, and that the requested improvements be constructed, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district shall be known and designated as Consolidated Water District No. 101, Water District Extension No. 5, in the Town of Schodack, and shall be bounded and described as set forth on Schedule "A" attached hereto and made a part hereof; and it is further,

RESOLVED AND DETERMINED, that the Town Clerk of the Town of Schodack shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Office of the State Department of Audit and Control at Albany, New York, and in the office of the Rensselaer County Clerk; and it is further,

RESOLVED AND DETERMINED, that the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of Seven Hundred Fifty-Four Thousand Nine Hundred Three (\$754,903.00) Dollars.

SCHEDULE "A"

Legal Description

Consolidation Water District No. 101

Water Extension #5

Lands now or formerly of Snook Materials Group, LLC

All that piece or parcel of land situate in the Town of Schodack, County of Rensselaer and State of New York, (being tax parcels 189.-10-40.131, 189.-10-40.132) bounded and described on Schedule A attached hereto and made a part hereof.

BEGINNING at an iron rod located in the Town of Schodack, County of Rensselaer, State of New York on the south line of NYS Route 150 (SN 1422) and at the northeast corner of lands of Roy M. & Winifred H. Lustenader (1136/321): thence along the south line of NYS Route 150 the following four courses and distances:

N 89°54'17" E, 182.24' to a NYSDOT concrete marker
thence N 58°15'16" E, 558.13' to a NYSDOT concrete marker
thence N 80°21'54" E, 353.79' to a NYSDOT concrete marker
thence N 85°59'09" E, 384.98' to a point in the lands of Hannaford Bros. Co.
(R57/P2259);

Thence along the lands of Hannaford Bros. Co. the following four courses
and distances:

S 31°59'28" E, 289.17' to a point; thence 460 ± upstream along the center line
of the intermittent stream as it twists and turns to a point (tie line is S
13°23'16" W, 456.98'); thence S 08°20'39" E, 170.96' to an iron rod; thence S
08°20'39" E, 25.57' to a point in the center of a drainage ditch at the lands of
Nickolas (Nicholas) J. Lembo (1598/163) and at the lands of A. Sol Uman
(1474/35); thence along the lands of Uman (marked by the center of a
drainage ditch), N 64°33'40" W, 14.33' to a point; thence N 29°52'16" W, 9.63'
to a point; thence S 52°25'21" W, 2485.38' (marked in places by the remains
of a wire fence) to an iron pope at the east line of Interstate Route 504-2-2 (1-
90); thence along the east line of 1-90 the following four courses and
distances:

N 20°04'41" W, 289.12' to a NYSDOT concrete marker; thence N 07°43'00"
E, 905.79' to a NYSDOT concrete marker; thence N 30°54'29" W, 46.23' to a
point; thence N 62°47'03" E, 150.25' to a point at the lands of Winifred H.
Lustenader (1286/395) and lands of Roy M. & Winifred H. Lustenader
(1136/321);

Thence along the lands of Roy M. & Winifred H. Lustenader the following nine
courses and distances:

S 82°13'28" E, 143.80' to an iron rod
thence N 60°47'32" E, 94.50' to an iron rod
thence N 84°30'32" E, 68.60' to an iron pipe
thence S 83°07'28" E, 100.80' to an iron pipe
thence N 41°07'32" E, 106.90' to an iron pipe
thence N 20°54'32" E, 110.00' to an iron pipe
thence N 11°34'32" E, 87.60' to an iron pipe
thence N 11°30'28" W, 370.80' to an iron pipe
thence N 36°25'28" W, 91.82' to the point and place of beginning.
Containing 55.95± acres of land.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz,
T. Rex, D. Dowds. Noes – 0.

Public Comment

The Supervisor asked the Board to digress from the agenda to meet the time set
forth for the second public hearing. He opened the meeting to public comment. B. Spink
asked if the proposed extension to CSW101 would have an impact on residents' wells in the
surrounding area. Mr. Redding stated that measures will be taken to prevent any issues.
S. Dowds assured her that there will be plenty of water to supply the facility and should

have no impact. M. Sherwood asked when the Board intended to fill the vacant positions of Building Inspector and Assistant to the Assessor. S. Dowds explained that there will be interviews for the Assistant to the Assessor position on June 19th and 21st.

Board Discussion

S. Dowds informed the Board that he had been in contact with the Mayor for the Village of Nassau in regards to providing water to residents of New Road. The water would be a part of the CSW101 District but supplied by the Village. The only challenge is the water rates for the village are much higher than the Town which could pose a problem. Letters would be sent to residents to see if they are interested. They also discussed possible shared services regarding Building Inspector/Code Enforcement. The Village is in need of someone for 15 hours per week. It was proposed that the Town would pay the individual's salary and bill the Village a "loaded" rate to cover the salary and benefits. It was the consensus of the Board to pursue the option of shared service. C. Kenney asked if it would count toward the Counties Shared Services Program. S. Dowds said yes but they would need to wait till after August 1st. S. Dowds finished by informing the Board of a letter received from a property owner to allow him to bring in clean fill. He stated that it was going before the Planning Board but would be passed onto the Town Board for approval per Town Law §137.

C. Swartz asked if there was any response from Batisti regarding his water system. S. Dowds stated that a letter was sent but there was nothing to report.

Public Hearing Sewer District No.6, Extension 3

S. Dowds called the public hearing on the proposed establishment of Sewer District No.6, Sewer District Extension #3 to order at 7:29 p.m.

The Deputy Town Clerk summarized the Affidavit of Publication regarding proposed establishment of Sewer District No.6, Sewer District Extension #3 (Valente Professional Park) to consider the petition received and the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law. The legal notice was published in the May 23, 2017 edition of "*The Record*", posted on the Town Clerk's signboard on May 22, 2017 and the Town's website on May 23, 2017.

S. Dowds called upon Atty. Ryan to lead the public hearing. Atty. Ryan reiterated that the project under consideration is an extension of Sewer District No. 6 to service proposed new construction located at 1710 Schodack Valley Rd. The construction will consist of a 67,240 sq. ft. training facility run by Questar and a 222,000 sq. ft. Sales Distribution Center. The cost of the project is \$540,967.00 with no debt to be paid by Snook LLC. They will be charged \$122,745.00 in hook-up fees and incur Operation & Maintenance fees yearly of \$43,607.21. As with the water extension, there are no fees to the Town. Assuming the Board adopts and approves the extension, the Order of Establishment will be filed with the Division of Audit & Control and the Rensselaer County Clerk. Atty. Ryan asked Mr. Redding to give an overview. Mr. Redding stated the extension to the sewer district will follow the same path and run parallel to the water extension. A directional drill would again be used to prevent traffic back-ups. An eight (8) inch pipe will be used to accommodate the effluent from the

facility as well as any other development in the area. The current usage in this district is approximately 20,000 gal/day out of the 50,000 gal/day allowed by the Town of East Greenbush, where the effluent flows to. This extension proposes a daily usage of 16,366 gallons. C. Swartz asked if Snook LLC would be responsible for upgrading the current pump to accommodate for the increased effluent. Mr. Redding said yes. S. Dowds stated that he and Laura Palmer (Assistant Comptroller) met with the Supervisor of East Greenbush in regards to increasing the amount of effluent from 50, 000 gallons to 100,000-150,000 gallons. This would allow for more expansion of the district without issue. He did advise that a rate increase would be expected; however, there has been no increase as of yet. C. Kenney asked if the 16,366 gal/day included peak output days. Mr. Redding said it was merely an average and they would look into it.

Public Comment – none.

Hearing no further public comment, C. Swartz made a motion to close the public hearing at 7:19 p.m., seconded by S. Dowds.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

Atty. Ryan explained with respect to Sewer District No.6, Extension 3 that resolution [2017-165] declares that the project will have no adverse effect on the environment and resolution [2017-166] authorizes the establishment of Extension 3 for Sewer District 6.

Adoption of Resolutions (The following resolutions were adopted out of sequence)

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. Kenney 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:

2017-165) WHEREAS, the Town of Schodack is contemplating the creation of Sewer District No. 6, Sanitary Sewer Extension No. 3; and

WHEREAS, the project sponsor, Snook Materials Group, LLC, has caused to be prepared Part 1 of a Short Environmental Assessment Form for review by the Town Board; and,

WHEREAS, the Town Board has performed a review of the subject sewer district extension; and,

WHEREAS, the Town Board of the Town of Schodack is assuming Lead Agency status for a coordinated environmental review of the proposed project with the Town of Schodack Planning Board; and,

WHEREAS, in connection with the review of the project, the Town Board has reviewed and considered Part 1 of the Short Environmental Assessment Form (“EAF”) and the map, plan and report prepared by Bergmann Associates, competent engineers, which map, plan and report provided information in relation to environmental factors such as wetlands, flood plains, classified stream and cultural resources; and,

WHEREAS, the Town Board has also completed Part 2 of the short EAF as required by the State Environmental Quality Review Act; and,

WHEREAS, the Town Board carefully considered the environmental impacts associated with this project and the criteria for determining significance contained within 6 NYCRR § 617.7(c).

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Schodack Town Board determines that the proposed project is an Unlisted Action pursuant to the requirements of 6 NYCRR Part 617, and
2. The facts and conclusions set forth in the Short Environmental Assessment Form attached hereto are derived from the map, plan and report, submittals and other relevant information, including the personal knowledge and familiarity of the Town Board with the project site and its surrounding areas, and
3. The Town Board hereby declares and adopts the written Negative Declaration attached hereto, and
4. Based upon the Negative Declaration, the Town of Schodack Town Board hereby declares that the project will have no significant adverse environmental impact, and hereby issues a Negative Declaration under SEQRA, and
5. The Short Environmental Assessment Form (copy attached) and a copy of this resolution shall be filed in the Office of the Town Clerk, and
6. The Negative Declaration and a copy of this resolution shall be made available for inspection and copying by the public.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

C. Swartz 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:

2017-166) WHEREAS, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of Sewer District No. 6, Sanitary Sewer Extension No. 3 in the Town of Schodack, County of Rensselaer, State of New York, has heretofore been filed in the Town Clerk's Office; and,

WHEREAS, a map, plan and report relating to the establishment of Sewer District No. 6, Sanitary Sewer Extension No. 3 prepared by Bergmann Associates, competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, has been filed with the Town Clerk of Schodack, in accordance with the requirements of the Town Law; and,

WHEREAS, an order was adopted by the Town Board of the Town of Schodack on May 11, 2017, reciting the filing of the map, improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office for public inspection, and all other matters required by law to be stated; and,

WHEREAS, the order set June 8, 2017, at 7:25 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York 12033 as the date, time and place of the public hearing to consider the map, plan and report, and to hear all persons interested in the subject thereof, and to take such action as required and authorized by law; and,

WHEREAS, such order was published and posted as required by law; and,

WHEREAS, a hearing on the matter was held by the Town Board on the 8th day of June, 2017, beginning at 7:25 p.m. and the matter being duly discussed and all interested persons having been duly heard; and,

WHEREAS, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a regularly scheduled meeting of the Town Board to be conducted on the 8th day of June, 2017 at the Schodack Town Hall.

NOW, upon the evidence given at the hearing, and upon motion of Councilmember Swartz and seconded by Supervisor Dowds, it is

RESOLVED AND DETERMINED:

- (a) That the petition is signed and acknowledged or proved as required by law and complies with the requirements of Town Law Section 191 as to sufficiency of signers and is otherwise sufficient, and the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- (b) That all property and property owners within the proposed district extension are benefited thereby;

- (c) That all the property and property owners benefited are included within the limits of the proposed district extension;
- (d) That it is in the public interest to establish Sewer District No. 6, Sanitary Sewer Extension No. 3;
- (e) A hook up fee to the property line equals \$122,745.00 and the first year cost for full operation and maintenance for the typical property within Sewer District No. 6, Sanitary Sewer Extension No. 3 is \$43,607.21;
- (f) Approval of the New York State Comptroller is not required for the formation of Sewer District No. 6, Sanitary Sewer Extension No. 3. There is no public debt to be issued or assumed by the town for the improvement since the infrastructure improvements will be paid in full by the property owner; and it is further,

RESOLVED AND DETERMINED, that the establishment of Sewer District No. 6, Sanitary Sewer Extension No. 3, as set forth in the map, plan and report, be approved and that the approval of the Comptroller of the State of New York is not required for the reasons set forth above, and that the requested improvements be constructed, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district shall be known and designated as Sewer District No. 6, Sanitary Sewer Extension No. 3 in the Town of Schodack, and shall be bounded and described as set forth on Schedule "A" attached hereto and made a part hereof; and it is further,

RESOLVED AND DETERMINED, that the Town Clerk of the Town of Schodack shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Office of the State Department of Audit and Control at Albany, New York, and in the office of the Rensselaer County Clerk; and it is further,

RESOLVED AND DETERMINED, that the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of Five Hundred Forty Thousand Nine Hundred Sixty-Seven (\$540,967.00) Dollars.

SCHEDULE "A"

Legal Description
 Sewer District No. 6
Sanitary Sewer Extension #3
 Lands now or formerly of Snook Materials Group, LLC

All that piece or parcel of land situate in the Town of Schodack, County of Rensselaer and State of New York, (being tax parcels 189.-10-40.131, 189.-10-40.132) bounded and described on Schedule A attached hereto and made a part hereof.

BEGINNING at an iron rod located in the Town of Schodack, County of Rensselaer, State of New York on the south line of NYS Route 150 (SN 1422) and at the northeast corner of lands of Roy M. & Winifred H. Lustenader (1136/321): thence along the south line of NYS Route 150 the following four courses and distances:

N 89°54'17" E, 182.24' to a NYSDOT concrete marker
thence N 58°15'16" E, 558.13' to a NYSDOT concrete marker
thence N 80°21'54" E, 353.79' to a NYSDOT concrete marker
thence N 85°59'09" E, 384.98' to a point in the lands of Hannaford Bros. Co. (R57/P2259);
Thence along the lands of Hannaford Bros. Co. the following four courses and distances:

S 31°59'28" E, 289.17' to a point; thence 460 ± upstream along the center line of the intermittent stream as it twists and turns to a point (tie line is S 13°23'16" W, 456.98'); thence S 08°20'39" E, 170.96' to an iron rod; thence S 08°20'39" E, 25.57' to a point in the center of a drainage ditch at the lands of Nickolas (Nicholas) J. Lembo (1598/163) and at the lands of A. Sol Uman (1474/35); thence along the lands of Uman (marked by the center of a drainage ditch), N 64°33'40" W, 14.33' to a point; thence N 29°52'16" W, 9.63' to a point; thence S 52°25'21" W, 2485.38' (marked in places by the remains of a wire fence) to an iron pipe at the east line of Interstate Route 504-2-2 (1-90); thence along the east line of 1-90 the following four courses and distances:

N 20°04'41" W, 289.12' to a NYSDOT concrete marker; thence N 07°43'00" E, 905.79' to a NYSDOT concrete marker; thence N 30°54'29" W, 46.23' to a point; thence N 62°47'03" E, 150.25' to a point at the lands of Winifred H. Lustenader (1286/395) and lands of Roy M. & Winifred H. Lustenader (1136/321);

Thence along the lands of Roy M. & Winifred H. Lustenader the following nine courses and distances:

S 82°13'28" E, 143.80' to an iron rod
thence N 60°47'32" E, 94.50' to an iron rod
thence N 84°30'32" E, 68.60' to an iron pipe
thence S 83°07'28" E, 100.80' to an iron pipe
thence N 41°07'32" E, 106.90' to an iron pipe
thence N 20°54'32" E, 110.00' to an iron pipe
thence N 11°34'32" E, 87.60' to an iron pipe
thence N 11°30'28" W, 370.80' to an iron pipe
thence N 36°25'28" W, 91.82' to the point and place of beginning.
Containing 55.95± acres of land.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

Public Hearing
Sewer Rents and Units for Operation & Maintenance of Sewer District No.7

The Supervisor called the public hearing on proposed sewer rents and units for operation & maintenance (O & M) of Sewer District No.7 to order at 7:37 p.m.

The Deputy Town Clerk summarized the Affidavit of Publication to receive input on the Operation and Maintenance rents for Sewer District No.7. The legal notice was published in the May 23, 2017 edition of "*The Record*", posted on the Town Clerk's signboard on May 22, 2017 and the Town's website on May 23, 2017. S. Dowds explained that the new owner of the property, Hudson River Foods, requested a decrease in the number of chargeable units from twelve (12) to two (2). It was discussed with the Village of Castleton who agreed with the decrease. The two units would remain until the facility is up and running, at which time they will be reassessed. At the current O & M rate of \$175.00 per unit semi-annually, the owner would pay \$350.00 starting July 1, 2017.

Public comment – none.

Hearing no further public comment, S. Dowds closed the public hearing at 7:41 p.m.

Adoption of Resolution (The following resolution was adopted out of sequence)

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:**

2017-167) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on June 8, 2017 to amend Resolution 2016-267 proposed sewer rents and units for Operation & Maintenance of Sewer District No. 7 (Hamilton Printing) and

WHEREAS, due notice of the public hearing was published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 8th of June 2017, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed sewer rates and units,

NOW, THEREFORE, BE IT RESOLVED that commencing with the 2nd 2017 semi-annual billing period (July 1, 2017 to December 31, 2017) the sewer rents for Sewer District No. 7 (Hamilton Printing) shall be for **2** units at a semi-annual rate of **\$175.00** per unit.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, 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: Assessor, Historian, Town Clerk, Building Department, and Human Resources.

Review of Abstracts of Claims and Budget Amendments: The Board reviewed claims #17-0829 to #17-0997 on Abstract No. 2017-06 in the amount of \$204,383.50, including the claims paid prior (\$94,293.49).

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:

2017-159) Amend Resolution 2017-110 as adopted on March 9, 2017 authorizing Supervisor Dowds to contract with Tiskele as follows:

Triskele June 20th (rain date 6/21/17) \$599.00
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

C. Kenney 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:

2017-160) Authorize the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

Site Directors: David Austin, Rebecca Cioffi, Bryan Lussier and Kara Taylor
Substitute Director - Jillian Austin
Assistant Directors: Alysia Brunner, Kerry Golden and Pamela Weidman
Assistant Director/Director of Special Education campers – Dawn Renslow
Water Safety Instructor - Ryan Krupa
Lifeguards: Nicholas Bullinger, Christopher Hayes, Cassandra Hunter,

Amended 7/13/17 by 2017-178

Sarah Konig, Alaina Rossetti and Kylie Salerno

Arts and Crafts Director - Victoria Roberts

Transportation Director - Sarah Lussier

Pool Supervisor - Patrick Austin

Bus Aides: Emily Bonesteel, Shelby Gipp, Megan Grandinetti, Garrett Renslow, Logan Samarija, and Skylar Van Alsyntne

Camp Nurse: Shannon Hibbs and Deborah Sweet

Substitute Nurse: Heather Brewer

Traveling Nurses: Jennifer Davids, Tracy Demerico and Kristina Macyowskie

Summer Soccer – Daniel Gillespie

Counselors: Meg Albanese, Erica Appelbaum, Garrett Axtmann, Allison Basile, Bridget Bennett, Meagan Bonesteel, Lucas Bourdeau, Aidan Carney, Alyson Coyne, Matthew Crawford, Haley D'Angelo, Taylor Gerrain, Madeline Gibney, Jashton Gieser W. Tyler Giles, Michael Grandinetti, Adam Hacker, Reny Hoffman, Amanda Kern, Bryan Kern, Julia Keyoskey, Dylan Kolb, Evan Kulpa, John Paul Kulpa, Caitlin Lallier, Cameron Lankenau, Jeremy Lopez, Samuel Young Lucarelli, Connor McGarvey, Kristen McInerney, Joseph Merhige, Haley Murray, Arianna Papas, Alexander Pomakij, Quinn Pratico, Jeremy Price, Brayden Renslow, Matthew Riordan, Noah Roberts, Seth Roberts, Emily Roloson, Ethan Samarija, Alexis Smith, Colin Squires, Alexandra Stuto, Trent Svingala, Abigail Utter, Victoria Whimple, Caroline White and Alec Yager

Substitute Counselors: Alexander Bleau, Jamie Davis, Abigail Facticeau, Gabriel Gibney, Tyler Heppelle, Brittany Jensis, Samuel Kirschner (also substitute lifeguard), Michaela Rossetti (also substitute Lifeguard) and Wayne Scott.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, 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:

2017-161) Authorize the agreement between the Town of Schodack and Verizon for seasonal charges for the 13 cellular telephones to be used for the Town of Schodack Youth and Recreation summer program at a cost of \$6.99 per phone per month plus \$0.06 per call and 200 text messages per phone. Verizon mobile to mobile and nights and weekends are unlimited. Estimated charges are approximately 1235 calls or \$75.00. Rates per NYS Contract No. PS63766. Service will incur a total of approximately 6 weeks of billing or approximately \$212.00 in charges Said phones to be utilized by the Camp Directors for the duration of the camp. (As budgeted)

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, 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:

2017-162) 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>
Davis III, John H.	1516 Rt. 9	1
Saville, Richard & Rita	46 Miller Rd.	1

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

- 2017-163)** **Previously adopted. See pg. 121**
- 2017-164)** **Previously adopted. See pg. 122**
- 2017-165)** **Previously adopted. See pg. 126**
- 2017-166)** **Previously adopted. See pg. 128**
- 2017-167)** **Previously adopted. See pg. 132**

C. Rex 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:

2017-168) Authorize Gary Ziegler, Part-time Temporary Town Building Inspector to be compensated at an hourly rate of \$30.55, effective June 9, 2017. [This position does not include benefits other than as provided in the Town of Schodack Personnel Policy and Procedure Manual.]

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, 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:

2017-169) Authorize Bruce Goodall to execute agreement on behalf of the Town of Schodack with Care Environmental Corp. to assist with the collection of the 2017 Household Hazardous Waste (HHW) on September 16, 2017.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, 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:

2017-170) WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS the Town of Schodack herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY Town of Schodack

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That Bruce Goodall or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.

That this resolution shall take effect immediately

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

C. Rex 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:

2017-171) Amend resolution 2017-100 as adopted on January 26, 2017 authorizing ESCO Heating and Cooling to remove a heat pump in the Town Clerk's Office and install a new 19,000 BTU heat pump in an amount not to exceed \$4,520.00 to increase the not to exceed amount to \$7,412.00.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, 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:

2017-172) Authorize the purchase of a AMI Extendable Stick Hydraulic Thumb and installation on Town owned JCB 214 Series 3 Loader Backhoe per quote number 849 dated June 6, 2017 from Liftech Equipment Companies at a cost not to exceed \$5,495.00.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

C. Rex 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:

2017-173) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-0829 to 17-0997 on Abstract No. 2017-06, in the amount of \$204,383.50, including the claims paid (\$94,293.49) since the previous town board meeting.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, 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:

2017-174) Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

**BUDGET MODIFICATIONS
May 2017**

BUDGET MODIFICATIONS

Fund/ Department #	Fund / Department Name	Increase	Decrease
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2017

28	A-960-1620.2000	Buildings - Equipment	237.45	
	A-960-1620.4000	Buildings - Contractual		237.45
	To modify the budget to cover purchase of 4 folding chairs for DMV area			
29	A-960-3120.1012	Police Grant - PTS	1,498.01	
	A-509-4320.9999	Federal Aid Public Safety	1,498.01	
	To modify the budget for PTS grant awards			
30	DB-960-5112.1630	Road Construction - Transfer Station Work	6,233.29	
	DB-960-5112.1000	Road Construction - Personal Svcs		6,233.29
	To modify the budget to cover work on Transfer Station Platform			
31	DB-960-5130.1100	Machinery - O/T	36.45	
	DB-960-5130.1351	Machinery - DB W/S work OT	24.83	
	DB-960-5130.1400	Machinery - DB Highway Police Work	360.04	
	DB-960-5130.1000	Machinery - Personal Svcs		421.32
	To modify the budget to cover Overtime, and work on Police Vehicle & Water/Sewer Water/Sewer – 551 River Rd.			
32	SW3-960-9710.6030	Maple Crest Serial Bond WD #1 & 3 Principal	0.02	
	SW3-960-9710.6020	Maple Crest Serial Bond WD #3 Principal		0.02
	To modify the budget to cover May principal payment rounding issue			
33	SS6-960-8130.1008	Pers. Svcs. - Dunkin Donuts punch list	121.03	
	SS6-960-8130.4008	Contractual - Dunkin Donuts punch list	-	
	SS6-960-9030.8008	Soc. Sec. - Dunkin Donuts punch list	9.26	
	SS6-960-9060.8008	Hosp. & Med. - Dunkin Donuts punch list	14.67	
	SS6-509-5031.9999	Exit 10 Sewer – Inter-fund Transfer	144.96	
	To transfer funds for reimbursement of Dunkin Donut portion of PH Water testing			
34	SS8-960-8130.1100	Sch. Land. Sewer #8 - Overtime	390.20	
	SS8-960-1990.4000	Sch. Land. Sewer #8 - Contingency		390.20
	To modify the budget to cover work performed at 551 River Rd.			

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

Executive Session

C. Swartz made a motion at 7:44 p.m. to enter into Executive Session to discuss specific appointments for Building inspector and Town Clerk. Seconded by C. Rex.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

C. Swartz made a motion to adjourn the Executive Session at 8:06 p.m., seconded by C. Kenney.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

S. Dowds asked the Deputy Town Clerk to add resolution [2017-175] for the purpose of notifying the public of a special meeting to be held on June 22, 2017 at 5:30 p.m. regarding specific appointments to the Building Inspector and Town Clerk. The resolution was adopted as follows:

Adoption of Resolution

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:

2017-175) Authorize the Town Clerk to post notice and notify media that there will be a Special Town Board meeting to discuss specific appointments for Building Inspector and Town Clerk which will be held on Thursday, June 22, 2017 at 5:30 p.m. at the Schodack Town Hall, 265 Schuurman Rd., Castleton, NY 12033.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

ADJOURNMENT

As there was no further business before the Board, C. Swartz made a motion to adjourn the 06/08/17 Town Board meeting at 8:08 p.m., seconded by C. Kenney. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Deputy Town Clerk

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