

DATE: APRIL 9, 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
MICHAEL KENNEY (*arrived at 7:05 p.m.*)
SCOTT SWARTZ

MEMBERS ABSENT:

ATTORNEY: DAVID GRUENBERG (*arrived at 7:07 p.m.*)

COMPTROLLER:

OTHERS PRESENT: NADINE FUDA, DIRECTOR OF PLANNING AND ZONING

Supervisor Dowds called the April 9, 2015 meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Departmental Reports & Review of Abstracts of Claims and Budget Amendments

The following monthly departmental reports were read and/or posted and filed in the Office of the Town Clerk: Town Clerk, Building Department, Planning & Zoning and Police. The Board reviewed claims #15-0484 to 15-0655 on Abstract No. 2015-04.

Briefing of Resolution Agenda

C. Curtis said that Ms. Brewer had been appointed to the Board of Assessment Review before and asked why she had stepped down (resolution [2015-116]). S. Dowds said she vacated the Board when her sister became the Assessor, as it could have been a potential conflict of interest. With respect to resolution [2015-119], the Supervisor asked if it was correct that rentals are not accepted with less than 7 days notice. The Town Clerk said yes. The Park Manager had asked for that regulation several years ago to help him with scheduling employees for park rentals. With respect to resolution [2015-126], C. Curtis asked if the first firm had used any of the money that was authorized. S. Dowds said no. The Supervisor explained that the attorney that was engaged to work with the Zoning Update Committee did not initially have a conflict; however, he now represents a client that might present a conflict so he has withdrawn his firm from the project. C. Curtis asked for a status update regarding the webmaster and website. The Supervisor said he and his secretary have met with three different vendors regarding the website. He also met with the webmaster and informed him that the board was interested in going in a different direction with the website. Mr. Wheeler was very accommodating and offered to help whoever is chosen when they transition from one site to the other. The Supervisor said there are many things that have to be determined – amount of storage, look of the site, transfer of information, type of search capabilities, etc., so he believes it will take 2 – 6 months.

Regardless of which vendor is selected, the department heads will be responsible for updating their information. In the interim, his secretary will take a more active role in helping the webmaster to post information on the current website. C. Bult said since we are considering changing vendors, he wondered if resolution [2015-127] was necessary. He asked if could pay Mr. Wheeler as a carry-over contractor until such time that his services are no longer needed. S. Dowds said because he is a contract employee they need to have a signed contract. Board members were hesitant to lock the town into an annual contract if services were to be terminated early. The Supervisor said there is a 10-day written notice clause in the contract so either party can terminate the contract whenever they choose. C. Curtis said he was very grateful for everything that Mr. Wheeler has done regarding developing the current website. Board members agreed. The Supervisor added that the current site puts a big burden on the webmaster, which is why they are looking at sites that can be maintained, to a great extent, by the client. With respect to resolution [2014-122], C. Bult asked how often the Board has to submit a waiver application for the Chief of Police. The Supervisor explained that this simply authorizes the board to submit the application to the State for their approval. The State is the granting authority. We submitted one last fall, requesting a 2-year waiver, but the State only granted it for one year which expires sometime in July of this year. C. Bult said since the Board just received the resolution and the appointment is not up until July, he would like to defer action until they have an opportunity to discuss this further. **Determination:** It was the consensus of the Board to withdraw resolution [2015-122].

Public Hearing

P1-2015 Regulation of Solar Collection Systems

S. Dowds opened the public hearing on P1-2015 at 7:18 p.m.

The Town Clerk read the Affidavit of Publication for the public hearing for proposed Local Law #1 of 2015 (P1-2015) relative to amending the Zoning Law of the Town of Schodack to provide for the regulations of solar collection systems on, and appurtenant to, residential and commercial structures and to regulate utility scale solar collection systems. Said notice was posted on the Town Clerk's sign board on March 27, 2015 and appeared in the Record on March 30, 2015.

Public Comment

Six people spoke at the public hearing. All who spoke were in favor of the intent of the law, but some concerns were raised with several sections of the law. They are as follows:

§219-39.2 (C)(1)(e): "Any solar collector system attached to a pitched roof shall not extend more than three feet from the surface of the angle of the roof."

B. Spink asked the reason for the regulation. Ms. Fuda, Zoning Update Committee Member and Planning Director, explained that it was due to safety concerns regarding the uplift of the wind - to make sure that mounting brackets are not ripped off the roof causing damage.

§219-39.2 (C)(2)(e): "The unit must be installed in a side or rear yard. No ground-mounted

racks and freestanding solar collectors shall be permitted in the front yard setback. Corner lots shall be deemed to have two front yards.”

B. Spink thought if this was just for aesthetic purposes and someone had a large front yard not visible from the road and concealed from neighboring properties, then they should be allowed in the front yard. Ms. Fuda explained if you are in a RA zone, the setback is 50 feet. Ms. Spink asked if it was allowable for people to erect a carport in the front yard with a solar panel roof. Ms. Fuda explained that would be considered an accessory building and in most cases would be done by a special use permit. C. Curtis said he has a corner lot and asked if he would be able to put up a freestanding solar collector. Ms. Fuda said if you wanted to do it within the 50’ setback, it would not be allowed.

J. Dolan said he did not think the wording was clear. D. Calarco, member of the Zoning Update Committee and ZBA Chair, explained that it was not possible to write a law to cover every type of front yard there is in Schodack. He said it would be quite different if it was allowed in a front yard in a subdivision like Byers Estates, vs. someone who has a very rural property, which is why they limited it to rear and side yards. If a person feels they have enough property, they could always come in and seek a variance. After further discussion, Mr. Calarco said the Committee will clarify that section so it is apparent that solar units may be installed in the front yards as long as they meet the required setbacks.

§219-39.2 (C)(1)(d): “Rooftop units must be three feet from any chimney and shall not be permitted on any roof overhangs.”

T. Howard felt that this section and §219-39.2 (C)(1)(e) are issues that should be addressed when the engineers stamp the plans. It was his opinion that an engineer could design structures to handle wind load and wind and roof stresses. He didn’t think it needed to be in the law. Ms. Fuda said NYS Code states that the roof has to be inspected and certified by an engineer to ensure that it can handle the roof load. Also, she believed that most solar companies do not put them on overhangs because of the wind lift issue. We simply put it in the law to reinforce the current practices.

§219-39.2 (C)(1)(c): “Solar collector systems are permitted on any structure that complies with the setback requirements for a principal structure found in Article IV, Use, Area and Bulk Regulations and all other requirements of §219-39.2 herein.”

T. Howard said, using the hamlet of East Schodack as an example, according to the law, none of those houses would be permitted to have solar collectors on their roofs unless they came before the ZBA for a variance because none of them comply with the setback requirements and wondered if that was clearly the intent of the law. Mr. Calarco said many of homes built in the Town of Schodack prior to zoning are deemed as pre-existing nonconforming structures. They are allowed to exist where they are. The best way to allow people to use their property is through the variance process so you can look at the issue on a case by case basis. In the instance of pre-existing nonconforming home, they have to do an application to the ZBA for anything that is outside of the setback; that is the nature of zoning. Mr. Howard asked if it was correct that if you didn’t change the footprint of your home, you do not have to come before the ZBA. Mr. Calarco said that was correct as long as you don’t do anything that is contrary to the setback.

J. Dolan asked why those people have to get a variance and go through that procedure when they have a legal house. Ms. Fuda said if they are not encroaching on the setback, they would not need a variance. Mr. Howard said as he reads that section it is saying that if you put

a collector system on your roof and didn't change the footprint of the structure, you have to get a variance.

To clarify the issue, Atty. Gruenberg asked if someone has a pre-existing nonconforming house that encroaches on what the current law provides as a setback, can they put a solar collection system on their roof without a variance. Mr. Calarco said yes. Atty. Gruenberg said then that the law currently says that they are only allowed on a structure that complies with the current setback requirements; so if you have a house that is pre-existing nonconforming, it is not automatic that you have the right to put on solar panels. Mr. Calarco said the committee discussed that at length and the intent was to allow any house that was pre-existing nonconforming to have solar panels because they have no control over their setbacks. Ms. Fuda agreed. They did not want to prohibit any pre-existing nonconforming homeowners from being able to get solar panels, simply because they do not have the ability to change or meet the law. Everyone agreed that §219-39.2 (C) (1) (c) needs to be changed to reflect the intent of the law. Atty. Gruenberg said, unfortunately, that would be considered a substantive change and the local law will have to be re-noticed.

§219-39.2 (C)(2)(b): "A Special Permit from the Planning Board is required for all ground-mounted racks and freestanding solar collectors greater than 10 feet in height or greater than 20 feet in length or if the solar array surface area is greater than 200 square feet in the aggregate. All other ground-mounted racks and freestanding solar collectors shall follow the standard building permit process."

T. Croft said he has a modest ground mounted system that generates 40,000 watts and is 40 feet in length. He felt that the law was very limiting for ground mounted systems, making it necessary for homeowners to go through the special permit process. Mr. Calarco responded that the diversity of neighborhoods in Town make it very difficult to cover all scenarios. Based on where Mr. Croft's property is located it might not impact his neighbors, but in closer neighborhoods it might be too imposing. The Planning Board wanted some oversight on large arrays and this simply allows the Planning Board to review things individually. C. Curtis said he has roof-mounted solar panels and agreed that 200 sq. ft. is a very small area. J. Dolan agreed and suggested that height could be limited, but length could be increased. The discussion turned to the issue of wind on ground mounted systems. Ground mounted systems are designed to meet 60 mph winds and the winds in our area are significantly higher than that. Ms. Fuda said this could be changed to state that anything greater than the 20' in length would have to be engineered to accommodate winds greater than 100 mph. The discussion ended with the Board asking the Committee to revisit this section.

General Comments:

J. Dolan thanked the Committee and Town Board for their work. He felt this was an important issue. His concern was mainly with residential systems. He suggested that we join the state and work to promote renewable energy as much as possible and recommended that a draft of the law be sent to the State Energy Agency. He felt it is important to make the process as easy as possible because it is good for the economy as well as the environment. The town should be promoting solar, not inhibiting it.

D. Spilman asked how this law would impact the farmers in our community. Ms. Fuda said the law clearly states that the regulations are not intended to override the New York State Agriculture and Markets Law which regulates the farms. Mr. Spilman asked how the law was developed. Amanda Mahar, Laberge Engineering, explained that the committee reviewed many laws enacted by other communities and used that as the basis to develop what they thought would work best for Schodack. Mr. Spilman didn't think that the law

allowed for visual flexibility. He said it says that the height of buildings and accessory structures cannot be more than 35 feet, yet in the visual section it says they have to be placed underground or depressed. He felt those two statements were in contradiction to one another. With respect to the bonding requirement, Mr. Spilman asked if 20% was a normal requirement. Ms. Fuda said yes. They have that in the cell tower law and view the utility-scale solar essentially the same way. Companies will have to get a special use permit and offer a bond during the construction period. That protects the town if the solar company goes out of business during the construction phase. Similarly, once it is constructed a removal bond of up to 20% of the construction costs will be submitted which shall remain in place for the operating life of the system.

M. Sherwood felt that two years was too long for the systems to be abandoned. Ms. Fuda clarified that the section regarding abandonment only relates to large scale solar systems, not homeowners. Ms. Sherwood thought homeowners should be included. Ms. Fuda explained that abandoned homes would be treated in the same way that they are treated now for other zoning violations. Ms. Sherwood felt that, overall, the Town had a poor track record with abandoned homes, and the Town should be overlooking its own laws and regulations. It should not be up to the residents to bring things to the attention of the town.

As all persons wishing to be heard, were heard, the Supervisor closed the Public Hearing on P1-2015 at 8:20 p.m.

Based on the comments raised during the public hearing, the Board felt the proposed law needed to be amended to clarify some of the language. Since the amendments would be substantive, it is required that the Board conduct another public hearing on the new draft. **Determination:** It was the consensus of the Board to hold the public hearing at 7:15 p.m. on May 14th; therefore, resolution [2015-123] will be withdrawn and the Town Clerk will be authorized to renote the proposed law ([2015-129]).

Open Public Comment

Gas Pipeline proposed by Kinder Morgan, a.k.a. Northeast Energy Direct (NED):

Eight people spoke regarding the proposed Kinder Morgan pipeline. All speakers requested that the Board adopt a formal resolution in opposition to the pipeline. The residents' concerns were: the health and safety, especially if you are in the "incineration zone"; decreased home values adjacent or near the pipeline route; loss of land for the easements; the hazards of fracked gas that would be going through the line and lack of detailed information from Kinder Morgan; and major concerns about the size and location of the proposed compressor station. They hoped that Schodack would join the towns of Nassau, Stephentown and Rensselaer County to make their opposition known. Speakers felt that other communities were successful in blocking the pipeline from going through their towns and hoped that with united efforts, the Town of Schodack would be as well. They felt there were many questions that need to be answered and felt that the town officials would have more influence than the residents. S. Dowds explained that the Town is working closely with the towns of Nassau and Stephentown and Rensselaer County. Additionally, letters have been sent to Senators Gillibrand and Schumer as well as the Federal Energy Regulatory Commission. He, personally, would like to hear what Kinder Morgan has to present at their public forum on April 13th so they can prepare a relevant resolution, which they expect to be presented at the May meeting. As a body, they are in total agreement with the people and will do what they can, to the extent possible, to protect the residents.

Barbara Spink asked how much tax relief the town would get if the pipeline goes through. The Supervisor said in terms of school taxes for the two major school districts \$232,000.00 is received from Kinder Morgan for the existing pipeline and they pay a total of \$125,623.00 for the town and county fees. The Town has no control over how much is received in fees, as that is controlled by the state. Ms. Spink didn't think that it seemed like a lot of money for the risk. Lisa Zimmerman said the people opposing the pipeline are having a public forum on May 5 at 6:30 p.m. at the Maple Hill High School and invited the Board to attend.

M. Sherwood, asked for clarification of resolutions [2015-119] and [2015-121] to which the Supervisor responded. With regard to the energy audit discussed at a prior meeting, Ms. Sherwood felt the information provided did not help the Board to make an informed decision regarding the HVAC system. If the Board is only receiving information on the current system, it seems that a lot is missing. The Supervisor explained that they requested a study because of the potential condition of the cooling tower. There was a grant available through NYSERDA and they paid half the cost of the audit study. Although the Board asked about alternative systems, NYSERDA felt they would be prohibitively expensive. They felt that the current system is reasonably reliable and to retrofit this building for other types of systems was not cost effective.

M. Sherwood offered that the Town of Guilderland just passed a local law about abandoned buildings requiring that owners of abandoned properties put up money that can be used to maintain the building as the town feels necessary. She asked the board to investigate it and consider doing something about the abandoned properties in town.

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. Bult:

2015-116) Appoint Gloria Brewer as a member of the Board of Assessment Review at salary as set forth in Year 2015 adopted budget. Term to expire September 30, 2017. (to fill the unexpired term, Hutchinson vacancy)
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

Discussion: C. Curtis suggested that the name or names of applicants with their individual qualifications be forwarded to Rensselaer County Civil Service (RCCS) for their review to find out if all applicants are eligible for the position prior to the Board's selection. S. Dowds said he would like to follow the procedure they have done in the past – hold the interviews, have the department head select the candidate he wants and submit that name to RCCS and then vote at the next meeting. S. Dowds said Mr. Goodall has both the quantitative and qualitative criteria and has to decide who he thinks is the best candidate for the position.

2015-117) **WITHDRAWN:** *"Appoint _____, subject to final approval by the Rensselaer County Civil Service Commission, as a Transfer Station-Operator 2, at an hourly rate as set forth in the Year 2015 adopted budget. Said appointment shall be effective as of April __, 2015."*

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:**

2015-118) Approve fees for Summer Day Camp Recreation program as follows:

Resident registration fees: Full day sessions consisting of four weeks \$125 per child with maximum of \$325 per family;

Non-resident registration fees Full day sessions consisting of four weeks \$250 per child (provided spaces are available once children residing in the Town are accommodated).

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. Curtis:

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

2015-119) Amend and approve fees for Facility Use Regulations and fees as follows:
FACILITY USE REGULATIONS

1. ~~[Individuals or Organizations wishing to use municipal facilities shall first apply to the Town Clerk on prescribed form a minimum of 7 days prior to date being reserved.]~~
1. Individuals or organizations wishing to use municipal facilities (park pavilion) shall first contact the Town Clerk's Office at 477-7590 or via email at donna.conlin@schodack.org to confirm the availability of the date.
2. Verbal or email confirmation of the date requested will secure availability for 7 calendar days only prior to receipt of form and payment. If payment is not received by such time, the reservation will be cancelled and the date will be considered available for rental.
3. No rentals are accepted with less than 7 days' notice.
4. Organizations wishing to use municipal facilities shall first apply to the Town Clerk on the prescribed form.
5. In the event of inclement weather, the Town Supervisor has the final authority on whether facilities are usable.
6. Intoxicants shall not be brought into Town facilities at any time.
7. All posted rules must be adhered to. (See attached for Town Park rules).
8. Profanity, objectionable language, disorderly acts or illegal activities of any kind are absolutely prohibited, and those violating this prohibition will be ejected from the premises.

9. Any damage to municipal facilities shall be promptly repaired at the user's expense. No exceptions. If maintenance personnel are not available, make sure all doors are locked and lights are turned out when leaving.
10. Organizations using the facilities must clean up afterwards.
11. Permits may be revoked at any time.
12. Any organization with youth less than 18 years old requires the presence of adequate adult supervision at all times.
13. The emergency telephone number for police is 911; fire 911.
14. The number of people in the Town Hall facility shall not exceed the posted maximum capacity.
15. Fees:

Resident pavilion fee for weekend and holiday	\$ 50.00
Resident weekday pavilion fee	\$ 25.00
Non-resident pavilion fee - Any day	\$100.00
Cancellations- one-week or more advance notice	full refund
Less than one week will be a charge of	\$25.00
16. The use of the Town Park Pavilion shall be accompanied with the appropriate fee.
17. In the event the proposed renter wishes to provide a "Bouncy-Bounce" game or other similar recreational device, the renter shall provide a certificate of insurance covering the Town's additional exposure arising out of the use of such device. This certificate shall be in a form and amount satisfactory to the Town Clerk.

**FAILURE TO COMPLY WITH FACILITY USE REGULATIONS WILL
RESULT IN REVOCATION OF YOUR PERMIT**

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:**

2015-120) WHEREAS, on February 12, 2015 the Schodack Town Board approved by resolution (2015-083) the Volunteer Ambulance Workers Service Award Program List of all 2014 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 March 16, 2015 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.

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. Kenney:

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

2015-121) Authorize Supervisor Dowds to execute and administer the Third Party Custodian Agreement with First Niagara and FHLB-NY.

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

2015-122) **WITHDRAWN:** *“Authorize Supervisor Dowds to submit a 211 Waiver Application for Police Chief Bernhard Peter to the New York State Civil Service Commission.”*

2015-123) **WITHDRAWN:** *“WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said Town on April 9, 2015 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 1 of 2015 relating to amending Chapter 219-5 Definitions (Alternate Energy System, Impervious Surface, Pervious Surface, Solar Energy Equipment and Systems and Utility-Scale Solar Collector System), 219-20 Structures in required yards (#7 Energy collection devices) of the Town of Schodack, entitled Zoning of the Town of Schodack, and adding 219-39.2 Solar Collector System and 219-39.3 Utility-Scale Solar Collector System to the Town of Schodack, entitled Zoning of the Town of Schodack, and*

WHEREAS, notice of said public hearing was duly posted on the Town Clerk’s official sign board on March 30, 2015 and advertised in the March 30, 2015 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on April 9 at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part hereof, and

WHEREAS, that the Town Board of the Town of Schodack, after due deliberation, finds that it is in the best interest of the Town to adopt said local law,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 1 of 2015 (P1 of 2015) to be known as Local Law 1 of 2015 of the Town of Schodack, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to enter said local law in the Code of the Town of Schodack and to give due notice of said local law to the Secretary of State.”

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:**

- 2015-124)** Adopt the fee schedule for Spring Clean Up Days (May 14, 15 & 16) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 6.00
Tires, rimless (maximum size 16")	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors	FREE
Propane Tanks	FREE
Furniture	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

*******Please note: all other pricing remains the same*******

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:**

- 2015-125)** 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>
Clow, Robert	739 Co. Rte. 7	1
Johnson, Kenneth M	Phillips Road	1

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:**

- 2015-126)** Authorize Supervisor Dowds to execute and administer a letter of Engagement for Legal and Planning Services with Shulman, Howard & McPherson, LLP dated March 11, 2015 relative to Updating the Town's Zoning Laws as recommended by the Planning Board on March 9, 2015

Amended 06/09/16 by 2016-165

based on per hour fee \$175.00 per hour for an amount not to exceed \$8,000.00.

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. Bult:

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

2015-127) Amend resolution [2015-010] as adopted on January 8, 2015, as follows: “Appoint Walter Wheeler as Webmaster, 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 Webmaster, subject to approval by the Attorney to the Town as to form.

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:

2015-128) Authorize the Assistant Comptroller’s recommendation to direct the Town Supervisor to pay the claims #15-0484 to 15-0655 on Abstract No. 2015-05, in the amount of \$834,885.41, including the claims paid (\$495,248.72) 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. 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:

2015-129) Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on proposed Local Law No. 1 to amend the Zoning Law of the Town of Schodack to provide for the regulation of solar collection systems on, and appurtenant to, residential and commercial structures, and to regulate utility scale solar collection systems within the Town of Schodack. Said hearing to be held on Thursday, May 14, 2015 at the Schodack Town Hall at 7:15 p.m.

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

Executive Session

C. Curtis made a motion at 8:58 p.m. to enter into Executive Session to discuss specific issues relating to the appointment of specific personnel for the Comptroller's Office and Police Department. Seconded by C. Bult.

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

C. Bult made a motion at 9:44 p.m. 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. Kenney made a motion to adjourn the 04/09/15 Town Board meeting at 9:46 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin
Schodack Town Clerk/RMC/CMC