

Town of Schodack Police Department

Police Reform and Reinvention Collaborative

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1. Mission

In endeavoring to assess our Police Department and its ability to serve the Community it is important that we examine the past, present and future of the organization. It will be the mission of this collaboration to undergo a thorough, open and honest review of the practices of our Police Department receiving input from various sources with the goal of providing for changes if any to the training, practice or policy of the Schodack Police Department . To better understand our community and the role of our police department, it helps to start with who we are. The Town of Schodack Police Department covers 63.7 square miles. The town is comprised of several distinct hamlets/incorporated areas: Schodack Center, East Schodack, South Schodack, Schodack Landing, Muitzeskill, Braeside, Morey Park, Rosecrans Park, Stony Point and the Village of Castleton. As of the 2010 census, there were 12,794 residents. According to the 2010 census data, the population is comprised of 95.0% White, .8% African American, .7% Asian, Hispanic 2.2 and the remainder being mixed race or other.

The town is comprised of residential, agricultural and commercial property. The highest percentage being residential property that would classify the Town to many as a “bedroom” community. The commercial property located within the Town is mostly located in the business corridors of Rt9 and routes 9&20.

The Town officially created the police department in 1969 and is currently staffed by full time and part time officers. Currently the police department is staffed 20 hours daily with no staffing during the hours of 4am-8am.

Through these last 50 years, the mission of the department has changed very little but the methods of achieving that mission are constantly evolving. The department responds to an average of 7,000 calls for service, effects an average of 1,600 traffic stops and makes an average of 200 arrests every year. Calls for service range from criminal incidents, motor vehicle accidents, domestic incidents, traffic complaints and a multitude of calls for service in between.

On at least an annual basis, statistical analysis is completed regarding crime trends, staffing needs and community needs. Similarly, policies and procedures are constantly evaluated for necessary updates and annually reviewed for validation.

The most prevalent crimes to be reported and investigated year to year are property crimes, family offenses and offenses against public order. Additionally, we respond to approximately 275 motor vehicle accidents per year and effect in excess of 1200 traffic stops.

Most other calls our officers respond to are fire calls, EMS calls, civil matters and mental health calls. Officers respond to fire and EMS calls since they would most likely arrive at the emergency first and can assist citizens in need right away. This not only speaks to the service-oriented mindset of our agency but reinforces that mindset with the officers.

Similarly, in most civil matter's complainants are common and often people seek guidance from police officers. Our officers can provide insight and, often, mediate the situation without it needing to enter the court system or devolving into a criminal issue. When that is not possible, complainants are informed of available resources and their options.

It is clear from these statistics that there are both strong reactive and proactive strategies being used. This balance, along with a service-minded culture within the police department, have fostered strong community ties among members of the community and the police department.

2. Staffing, Budgeting and Equipping Police

As previously discussed, the department is budgeted for 11 full time police officers, 1 full time dispatcher and 3 part time police officers. To ensure proper supervision and administrative tasks the department is budgeted for a Chief of Police and two Sergeants. . The staffing level is largely dictated by the minimum needed to ensure that there are two police officers assigned to every shift, pursuant to the police officers' labor contract and basic officer safety needs. Administrative and supervisory staffing is consistent with the National Incident Management System's recommendation for proper span of control, which is mirrored by the New York State Emergency Management Office. Selected officers receive specialized training and fulfill rolls in areas such as accident investigation, crime scene technician, fire investigation and emergency services as the need arises.

In order to provide to highest level of service, our police department maintains written agreements partnering with other local municipal police agencies for the purposes of mutual aid. This allows for each agency to respond to calls in another jurisdiction if call volume becomes too

great at any one time for that agency to handle. This ensures an expedited police response to emergencies. A similar written agreement is in place for a Shared Services Response Team (SWAT). The SSRT is comprised of police officers from our agency, Rensselaer City Police Department, East Greenbush Police Department and Schodack Police Department. This partnership allows for each agency to share the costs of having this team which would not be possible individually given the cost and certification requirements.

Over the last several months, there have been many discussions, both internally and externally, on whether the availability of social workers would benefit the community, rather than police officers responding to certain situations. This agency handles calls for service that would be most appropriate for social workers, such as some civil matters and mental health calls, however the need for the presence of a police officer is still not eliminated entirely. Despite what the circumstance is at the time of the situation being reported, these can be very volatile and there is always a risk of violence. However, having the availability of resources could allow the officers to respond to the scene, ensure that the situation is safe and turn the incident over to the social workers once they have established a rapport and feel safe with the individual. This would allow police officers to return to their other functions. It is understood that the police presence could be interpreted by the individual as being negative but that can be overcome by how the officers communicate with the individual. Ideally, the social workers would be trained to a higher degree on the matter at hand than the police officers could be so the citizen would get more focused care.

The Commissioner of the Rensselaer County Office of Mental Health was consulted as a stakeholder in the drafting of this plan. In that very productive meeting, this topic was discussed. The Commissioner listed out all of the resources they offer including, but not limited to, Substance Addiction Peer Recovery support and a social worker to assist and monitor homeless and mental health patients. By increasing our utilization of these resources, we will be able to forge a stronger partnership which will enable us to provide not only the best service and care to our residents during active calls but also ensure proper follow up is done to avoid future needs. Additionally, that office can assist in coordinating training opportunities for officers to learn how they can communicate more effectively with persons in crisis which would help overcome the negative perception that individual would have from the police presence.

The frequency of these types of call requiring response from the SPD clearly indicate that there is a need for a specific response to suicidal persons and those suffering from addiction. RCOMH has services that should be used more for reaching this population. For the past few years, we have utilized the Northern Rivers Mobile Crisis Team to assist when possible. Unfortunately, their hours of operation, resources and capabilities are all limited. If a person in crisis is a clear threat to themselves or others and refuses to seek treatment voluntarily, the officers must effect the arrest and transport the subject, themselves, since there are no other entities with the ability to make an involuntary arrest. If a person is deemed not to be a threat to themselves, they cannot be taken involuntarily, and an alternative must be sought.

In order to streamline the process for officers to notify RCOMH of the specific need in a situation, our agency has teamed up with RCOMH and surrounding police agencies to create the

Law Enforcement Mental Health Referral System (LEMHRS). This was modeled after the program created by Essex County and still involves a police response but incorporates a streamlined process for mental health officials to respond to a situation. Often, officers will make an involuntary arrest or even a criminal arrest in order to secure needed services for a person in crisis. Understanding that response could be detrimental to the patient, this program gives officers another alternative and reduces the criminalization of this vulnerable population.

This response will not serve to reduce overall violence in the community given the relatively low incidences of violence but would serve to more effectively assist those in need of more targeted services. It is vitally important, however, to have the officers trained in how to effectively communicate with persons in crisis. In the near future, our agency aims to increase the number of officers who have received this training.

The Schodack Police does not currently utilize School Resource Officers. In January 2020 the Town and the Schodack School District entered talks in an effort to create a School Resource Officer position. The Town and the Schodack District were very close to an agreement that was sidelined as a result of the COVID-19 pandemic. To maintain a connection with students in our community, officers have been encouraged prior to COVID 19 to stop by throughout the day and have positive interactions with the youth. Disciplinary actions inside the schools are left to school administrators and the officers do not participate. This avoids minor infractions from having larger consequences than are warranted.

Another important question being asked is whether the police are appropriately equipped. More than anything, this is a question of whether certain equipment is excessive in nature. This agency does not subscribe to the Federal 1099 program to acquire surplus military equipment as there are too few applications for such equipment in our environment.

While there has been an industry-wide trend towards more “tactical” equipment, our agency has not changed much. Tasers were introduced in 2016 and patrol rifles in 2009. All other equipment types have been in use for decades. At this time, we believe the equipment being used is adequate for the needs our officers typically encounter.

The Schodack Police Department is currently the only Agency in Rensselaer County that utilizes the body worn camera. The Axon body worn camera is issued to all members and must be activated while in the performance of duty. Retention periods are maintained, and the Department has a policy that governs their use.

3.Procedural Justice and Community Policing

Procedural Justice and Restorative Justice are admirable ambitions upon which our agency seeks to improve. While there are existing examples of each of these currently being used, there are other opportunities that have not historically been taken.

The goal of Procedural Justice is the public's perception that the police officers handled a situation as fair as possible. This is achieved through 4 objectives: police officers must treat members of the community with respect, they must listen to the concerns of all parties involved in an encounter, they must be neutral in their decision making and they must convey trustworthy motives. While these tenets may be followed by an officer, the individual they are interacting with may not perceive it that way and the goal is not reached.

De-escalation training focuses on how an officer's actions and words would be perceived, regardless of their actual intent or feelings. Officers have been provided that training on an annual basis. However more specialized training and webinars are being sought after for incorporation into the 2021 training cycle.

Restorative Justice focuses on how the legal system could react in a criminal investigation. The goal here is to reconcile, restore and repair the harm caused by a criminal incident. Police and courts have a variety of options available to achieve this. There are a few programs our department uses to this end, but improvement is certainly possible.

Restorative Justice can be accomplished through the use of a social worker. Police officers, by necessity, have had to employ restorative justice for their entire careers. It is clearly understood that an arrest could not only make no difference in the overall conflict but could actually make it worse. This could be due to it being a protracted conflict, the offender being young, or the circumstances of the crime warranting some empathy for the offender. Officers must ask themselves and the victim if the arrest would bring about the desired final outcome in a situation. Many times, the answer is no, and the officer must offer remediation since there are no other available resources to handle this. As discussed earlier in this plan, a social worker could be employed to help resolve a situation without the police being present.

Diversion programs are another option for Restorative Justice that the police can offer. These programs have existed for several years and have seen many success stories. There are a variety of reasons why individuals commit crimes. All too often, they are committing them because of a drug addiction. If the addiction was removed from the equation, that portion of the crime rate would decrease. Rensselaer County has a drug diversion court specifically for offenders facing non-violent charges. These defendants have an opportunity to have the charges severely reduced or dismissed outright if they make positive and tangible steps towards treatment and recovery. For these cases, police officers attempt to determine, either during the investigation or at the time of arrest, whether drug addiction was a factor in the commission of the crime. If it can be determined as such, the officer will advise the arraigning judge of that so consideration can be made in referring the case to the Rensselaer County Court to be handled in the Drug Court Part. Only the judge has the discretion to make that referral, but the judge has limited information and observation of the defendant to know they could be a candidate for this program. Another option for this diversion would be Troy Regional Treatment Court- Opioid Part. Officers have a screening form that they fill out at the time of arrest and turn over to the court at the arraignment for this to be considered.

4 Community Policing

Sir Robert Peele instituted the idea of Community Policing when establishing the first municipal police force in 1829. The overriding theme of his ideal for policing was the reinforcement that police officers are members of the community, first and foremost, and that the duty of maintaining order is shared by the police and public, alike.

It is often said that the biggest impediment to community policing was the invention of the motor vehicle. When police went from foot patrols to motor patrols, they were suddenly removed from the public they work for. The geography of Schodack makes motor patrols essential given the large, mostly rural jurisdiction and few officers working at any given time. Still, there are opportunities to interact with the public and the officers of this agency take those opportunities. Officers have begun routine foot patrols in the Village of Castleton, which is one of the few “walkable” areas in town. The Village of Castleton during the warmer months enables our officers to interact with residents and has received positive feedback when conducted. Schodack officers have and have always been encouraged to stop and interact with residents in all of our many residential neighborhoods.

As important as foot patrols as a form of community policing are, most of the town is rural and residents are serviced by the use of vehicle patrols to check for active crimes, suspicious activities, fire and any other activities that may warrant police intervention.

With the officers on patrol splitting their time between responding to active calls, investigating criminal complaints, walking a foot beat and patrolling through neighborhoods, there is little time left for other avenues of community outreach. To overcome that, our agency participates in as many community events as possible. Typically, officers will be in attendance to talk to youths about various safety topics and to talk to older residents about their concerns. This has proven to be very effective in keeping an open dialog with the members of the community.

5. Schools

As stated previously, our agency does not have a school resource officer so community relations in the schools must be done through alternative options. There are four schools in Schodack maintained by three different entities.

Over the past several years, Schodack Police Officers and the leadership and staff of our incorporated school entities have worked very closely to provide for a safe and healthy environment within the schools. Many relationships have been forged that have provided immeasurable benefit to the kids and community as a whole. These relationships have proven to be priceless with the onset of COVID-19. To field the phone calls from parents and see the faces on these children when an Officer they personally know comes to their house for a birthday drive by is truly moving and a very visible indication of how impactful our relationships can be.

6. Policing Strategies

It is imperative for a police force to be successful that it maintains the public trust. Often time's police officers may initiate contact with people in their patrol areas. These contacts may at times be based on the officer's knowledge of his or her patrol area training and experience. These contacts although lawful can at times cause tension between police and the person(s) be contacted. This tension can be reduced by the ensuring the proper approach and communication of intention by the contacting officer. For instance, if a police officer makes contact with a citizen as the result of them matching a suspect radio description an uninvolved party often times is resistant to police contact. A skilled police officer using their presence and clear communication skills can often defuse any tension leaving the citizen thankful that they are simply doing their job and ensuring that they are thorough. A common trained technique is to have the dispatcher repeat the suspect radio transmission in the presence of the citizen. This independent information often time assures the citizen of the legitimate law enforcement contact they are having. Supervisory personnel are watchful for any activity of officers that could be based on racial or ethnic profiling.

The importance of clear communication and interpersonal skills are interwoven and stressed during all in service training iterations of the Schodack Police Department.

Our agency offers no rewards for the issuance of tickets nor does it demand that officers meet any quotas or minimums. The predominant role of traffic enforcement is to educate drivers and modify behavior that is hazardous to the public. Police Officers are afforded the use of discretion in the accomplishment of this endeavor.

7. Community Engagement

One of the more important endeavors for a police department is community engagement. An open line of communication and being a part of the community is crucial in building the trust

between the citizens and the police department. While community policing focuses on the police interacting with citizens, community engagement focuses on citizens interacting with the police. This leads them to have a connection with the police department to address the current needs of the public. Both topics have a shared goal but offer different objectives towards reaching that goal.

The Schodack Police Department maintains a facebook and twitter account. The mediums are used to communicate in real time with the Community and surrounding areas. It has successfully been used to locate owners of pets, assist in locating of missing person(s), provided intelligence on criminal matters and communicated routine activities of the Schodack Police Department. These mediums are often used in conjunction with the Town pages to ensure the broadest of audiences in the Town are reached.

8. Leadership and Culture

The role of the Chief of Police is not to figure out what direction the membership would like the agency to go. The Chief needs to decide what direction the community needs the police department to go and then convince the membership of the value in that direction to gain their support for it.

Through the years, and under several Chiefs, our police department has worked to forge relationships with the public and to maintain them. While there are several methods employed for this, it has mainly been achieved through fair treatment and open communication. The culture within a department has a dramatic impact on how the department is perceived by the people it serves. This fact has guided leadership over several decades and has been leveraged to foster a culture where all individuals are treated equally. Our residents and visitors come from a wide range of socio-economic statuses, races, ethnicities, genders and religions. All are regarded with the same level of respect they deserve because administrators and supervisors have cultivated that in their subordinates.

Instituting our culture starts in the hiring process. We seek officers that are service-minded professionals. Candidates for employment as Schodack Police Officers are carefully screened for personality traits and skills most in line with the Community Policing philosophy.

The public support our agency enjoys has taken decades to build and always runs the risk of being undermined. The single most important thing we can do to maintain that trust is to ensure that the Officers that wear our shield are of the highest caliber.

9. Tracking and Reviewing Use of Force and Identifying Misconduct

Use of Force

Given the nature of police work it is inevitable that police officers will be required to use force at times to affect their mission. Although the use of force is not common in instances of its use the Axon body camera used by the SPD has proven to be a very effective tool in the review and documentation of these instances. The Axon video system per SPD policy has tight controls to ensure limited access and the assurance that all incidents are preserved for future review and copying.

The greatest risk of harm, liability and bad relations with the public for any police agency is the use of force. Policy, training and culture must agree, and force should be reserved only for instances where it is absolutely necessary.

Officers are trained annually on the use of Tasers and pepper spray. Taser training includes safe handling, justification for deployment and safety considerations during a deployment. The risk of a subject being injured either by the Taser, itself, or the subsequent fall is fully covered. Pepper spray training is less intensive but urges careful consideration prior to deployment due to the inherent risks. Above all, an emphasis is placed on de-escalating a situation without needing to use these tools.

Each time a use of force is reported, the incident undergoes a review by the shift supervisor and Chief. Through this process, it is hoped that a determination could be made of whether force was necessary, only the necessary force was used pursuant to policy and training, and if there was anything the officer could have done differently to avoid the use of force. By having an independent review by each of these members, any violations of policy or departmental culture are almost assuredly going to be noted. Administrators and supervisors can also identify red flags, such as one officer having an inordinately high number of force incidents, which can be used to investigate further to determine if corrective action is needed.

Executive Law §837-t has required police departments to report certain uses of force since July 11th, 2019 which the Commissioner of NYS DCJS uses to publish an annual report. Our agency has been compliant with that and, further, voluntarily publishes the use of force statistics on the department website along with the policy. We believe this helps boost transparency for the members of our community.

Policy

The most important component of any police department regulating the use of force is policy. Policy must dictate the expectations on officers and prohibit certain actions which have been found to be ineffective, illegal, or dangerous.

Chokeholds have not been taught at the department's annual defensive tactics training in many years. They are not explicitly authorized and recently were included in the departmental Use of Force policy as being restricted only as an option when deadly force is justified. Further,

officers are trained on how to avoid positional asphyxia and signs of excited delirium, which are both leading causes of death while in police custody.

For decades, the departmental policy has included a provision for shooting at or from motor vehicles. Considering how rarely this is actually effective, officers should only be discharging their firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Shooting at a vehicle in an attempt to disable it is strictly banned.

Vehicle pursuits are highly regulated in our department. While not explicitly banned, officers are trained on the inherent risks and are urged to discontinue any pursuit at their own judgement based on the facts present in that situation. Supervisors and other officers working at the time are empowered to order a pursuit to be terminated if the pursuing officer can't justify continuing it. Obviously, pursuits of vehicles for more serious offenses will be given more latitude but not without careful consideration of the risks and constant communication from the pursuing officer regarding the conditions present at that time.

The Shared Services Response Team is the SWAT team and is considered a use of force resource. It is made up of officers from the Shared Services. A panel of the Chiefs of the participating agencies provides oversight over the team, following strict policies and guidelines. High risk warrants may be executed by this team if certain conditions exist. The Police Chief and Team Leader work together using a Threat Matrix to ensure certain criteria are met before a decision is made to deploy the team. There is no prohibition on the execution of "no-knock warrants" but team leadership has generally opted to "surround and call out" rather than entering a property unannounced. There are several reasons for this but the safety of all parties involved is the biggest and the decision to enter unannounced is not taken lightly.

Each year, all members of the agency undergo performance evaluations by their immediate supervisor using formalized standards to gauge the member's attitude, adherence to institutional culture and abilities. Given the size of the department, the Chief reviews every use of force report and notes any such issues an officer may have on their performance evaluation. When screening officers for a promotion, their annual evaluations are only a part of the evidence used to make a final determination. They are also scrutinized over whether they had proactively sought opportunities to conduct community policing, whether they have shown leadership abilities on serious calls, their knowledge of legal procedures and, most importantly, whether they have demonstrated their understanding and commitment to the Schodack Police culture. The front line supervisor is a tremendously important role in a department's culture because they have first-hand knowledge of what the officers are doing and get regular briefings from the administration on what is expected. They, more than any other rank, have direct control over instilling the expected standards in the officers.

As with any organization, it is expected that members adhere to the policies, guidelines, values and culture that are set by the leadership. For a variety of reasons, sometimes, employees fail to uphold these standards. What is important is the identification of these incidents and

addressing them with the officer to ensure that they are not habitual issues and that the officer understands what is expected.

10. Internal Accountability for Misconduct

“We must create an atmosphere where the crooked cop fears the honest cop, and not the other way around” – Frank Serpico

Although personnel complaints are not received often, the most often complaint would be the citizen’s perception of the officer’s attitude during an interaction.

There are several ways for a citizen to initiate the complaint process at our agency: a phone call, an email through the department website, a station visit, or a private message on social media which is managed by the Chief. Members of the community use each of these methods routinely and receive an immediate response which builds the trust that all complaints will be heard in a timely fashion.

When there is a question over an officer’s conduct or attitude, citizens are directed to either a supervisor or administrator, usually the Chief of Police. Citizens are advised of the formal complaint process and are invited to document their complaint using standardized paperwork.

Being a small police department is a major benefit when it comes to management and dealing with complaints. Unlike larger departments, our Chief of Police is typically the point of contact for grievances. This affords the Chief the opportunity to keep abreast of what the officers on patrol are doing in their interactions. If a supervisor handles a complaint, the Chief is notified since that supervisor may not be aware of other complaints against that officer that were handled by a different supervisor. Using the Chief as a repository for that knowledge assures that officers with multiple complaints will be dealt with accordingly. For that same reason, the Chief easily able to enact change in the organization and instill the agency’s values in the officers.

The department’s size also enables the Chief to be aware of and review any “sentinel” events. Counseling may be an outcome if policy was violated but informal training may be used as a method of correction if there was no such violation. In most instances, the issue at hand is not one of malice; rather, it is typically a misunderstanding of department policy or practices. The goal is to correct an officer’s behavior and that can be best accomplished through training for minor, first time incidents. If there are similar incidents following that, the Chief would be aware of it and would elevate the department’s response to the conduct.

After a final determination is made on a complaint, an analysis is conducted on whether departmental policy needs to be updated. Though the officer may not have violated policy in the situation, it may have highlighted a gap in the policy that could be addressed with an update. The complainant is advised of the outcome to the extent possible considering privacy protections on workplace discipline. Their input is taken into serious consideration when determining what course of disciplinary action will be taken, if any. This can be a simple counseling session with the officer, formal counseling, and training being assigned, formal discipline or termination. The

frequency of the officer's improper actions and severity of the violations are major factors in this decision.

Officer conduct is not only being scrutinized by members of the public and Supervisory staff; fellow officers hold high standards and expect their co-workers to do the same. When an officer perceives that another officer did something inappropriate, departmental policy dictates that they use the chain of command to report said incident.

It is understood that an officer's actions off-duty could be just as detrimental to the organization as when they are on-duty, especially if it negatively affects the public and their profession is known. While an individual's actions cannot be controlled when they are not working, the agency culture strongly encourages all employees to act in an exemplary manner when not in uniform. This includes their use of social media which is subject to department policy.

11. Recruiting a Diverse Workforce

Like all local agencies in Rensselaer County, our department uses the Civil Service system for hiring new police officers. This system creates a fairness in the process and ensures that all candidates, regardless of their demographic, share an equal opportunity for employment. Lateral transfer hires are chosen from a pool of interested candidates who have submitted resumes. The application process does not ask the candidate to provide any information on their demographics as these are not determinative features of a candidate.

The hiring process is designed to ensure that the best candidates are chosen to be members of our agency. In December of 2020 the department hired its first full time female officer and is currently actively recruiting from a diverse range of candidates.

In order to maintain the high standards that our agency has, the background investigation process for lateral transfer candidates includes reviewing personnel files and any available internal affairs records from previous employers. Any past disciplinary action is typically a cause for disqualification of the candidate. Candidates with these incidents must have a high degree of qualifications and exhibit the proper attitude towards community service that we expect of our officers. This practice has enabled our department to maintain a professional staff that subscribes to our department's culture and serves the community.

12. Training, Continuing Education & Policy

Shortcomings can almost always be traced back to a lack of, or improper, training. For this reason, training is an immensely important foundation in a properly functioning police department. Through the process of determining what reforms are necessary at our agency, the question of training was highly scrutinized. All officers attend and must successfully complete a minimum number of training hours to be certified by DCJS and the Bureau of Municipal Police to work as and be certified in NYS as police officers. Throughout an officers career he or she will attend annual in-service training. These training modules generally test for competence, update or introduce new professional material.

(Stakeholder input – Questions on training)

Our agency is able to ensure that all training is based on the most up-to-date materials and meet the needs of our community. This is accomplished through the standardization of training among the Shared Services and frequent refresher courses for police trainers. All police training is intended to be high quality, timely and relevant. The reality, however, is that administrators often don't have a metric to determine whether it was or not. To effectively measure the efficacy of training, our agency has implemented a post-training performance evaluation process. It is hoped that this will not only confirm that training was received properly but will also identify weak points in the training which can be used to adjust the training materials and/ or presentation.

It is believed that the new training initiatives and modifications will increase the knowledge base and competency of our officers, allowing them to best serve our community.

It is the nature of police work that most if not all civil litigation can be attributed to a lack of training and/or supervision. Bearing that in mind the Town of Schodack committed to and budgeted for a complete overhaul of the department's policies and procedures. The Town has secured the services of Lexipol, a policy and training company for police. This overhaul is to begin in January of 2021 and will consist of a complete revamp and digitizing of the Schodack Policy Procedures and Policies. All policy provided by Lexipol is legally defensible and has undergone legal review for State and Federal compliance. The Chief of Police shall be tasked with adopting and customizing relevant policies to build a current policy and procedure manual. Lexipol additionally provides training and scenario-based training to test and ensure officers understanding and spirit of said policies. When completed the manual will be secured on the department server and available to officers in real time as they perform their duties in the field.

Currently the shared services agencies of the Town of East Greenbush and the City of Rensselaer participate with Lexipol.

13. Support Officer Wellness and Well-Being

Physical survival is impressed upon police officers at every level. From training to critique of officer safety, police officers are taught how to protect themselves and get home to their loved ones. Emotional survival, however, is often overlooked and the mental toll of the job is rarely talked about. There are several reasons for this ranging from stigma to strong personality traits inherent in police officers.

An officer's mental wellness directly impacts their ability to effectively control themselves when faced with stressful situations on the street. This can lead to citizen complaints and excessive force. Officers are given a psychological exam upon being hired but that is limited to their life up to that moment. Following that, they go through years of taking on stress and compartmentalizing their negative emotions as a defense. There are only so many compartments available so healthy coping mechanisms must exist. Unfortunately, far too many police officers fail to recognize the importance of these mechanisms and don't effectively deal with their emotions. Living with post-traumatic stress disorder becomes a way of life for most police officers.

Police officers in the United States rank first, or close to first, in risk categories that cannot be explained by their socio-economic or ethnic situation

Physical exercise is shown to be a successful way for individuals to relieve stress.

When there is a critical incident that our officers respond to, a crisis intervention team is used to have a stress debriefing. Rensselaer County has a team of volunteers who conduct these, and they have been found to be extremely useful in helping members cope with traumatic events.

Current Compliance and Plan

- 1) **Ban Chokeholds and Strangleholds-** These have not been taught at the annual defensive tactics training at our agency in decades. While not an outright ban, these are expressly only authorized when deadly force is justified and there are no other available options.
- 2) **Require De-escalation-** Our culture and training have both impressed this upon officers for years. Our total annual uses of force indicate that officers are using de-escalation practices with success. To further strengthen our commitment to this, all officers were mandated to take a two-hour training on this topic which will continue to be done annually, along with related training topics throughout the year.
- 3) **Require exhausting all alternatives before shooting-** This is trained annually during the review of the use of force policy and Penal Law Article 35, which legislates the justification of all types of force. This is also covered at the annual Taser training where an emphasis is placed on seeking opportunities for and using less-lethal options when practical.
- 4) **Duty to Intervene-** This refers to an officer having the obligation by policy, not just morally, to step in and stop a fellow officer when they are doing something wrong, especially when using excessive force.
- 5) **Ban shooting at moving vehicles-** Our use of force policy dictates that this is only to be done under extreme circumstances where deadly force is justified and there are no other alternatives. It is understood that it carries great risk to uninvolved persons, but the policy allows for it to be used only under circumstances where there are greater risks in not doing it. As with the first item, this is not an outright ban, but it is clearly only to be used as a last resort.
- 6) **Create a Use of Force Continuum-** A Use of Force Continuum dictates the level of force that can be used on an arrestee depending on their level of resistance. These are based on the definitions of “reasonable force” and “necessary force” as well as the justifications laid out in NYS Penal Law Article 35. Our agency has had a use of force continuum for decades and will continue using it. The continuum being used includes categories of resistance and the level of force justified at each category. This is formally reviewed several times a year with each officer and informally discussed many more times throughout that year. The agency monitors legal updates and industry standard updates to ensure that the continuum being used is the most effective and legal possible.
- 7) **Require comprehensive reporting-** Our agency policy dictates that a report be submitted for any use of force, regardless how minor or whether anyone was injured

or not. In 2018, reportable incidents were expanded to include the display of a handgun, patrol rifle or Taser. Further, these incidents are reported to the State for their data collection.

I. Stakeholder Meetings

During the research process for drafting this Plan, the Chief met with various stakeholders.

Shared Services- The Chiefs of the Shared Services agencies met several times each month during the crafting of this Plan. While each agency is unique, many of the challenges are shared so the Chiefs worked very closely in drafting a plan for each respective agency. Chiefs discussed each topic, shared ideas on improvement, and laid the framework for some of these improvements to be implemented together.

Rensselaer County Office of Mental Health- As previously discussed, multiple available resources were discussed as well as the creation of the LEMHRS program.

Rensselaer County District Attorney's Office- The District Attorney made the following recommendations:

- a) Recommended the use of roll call training to improve on officers' skills. This has been in place at this agency and will be continuing.
- b) In order to improve relations with youth, the recommendation was made for an Explorer program to be started. This is too costly and time consuming for small agencies to do individually but is a topic of discussion for the Shared Services to do jointly.
- c) Recommended obtaining accredited status from the State and utilize a company to assist in managing policy and compliance with the accreditation standards. Our agency has been accredited for several years. Professional policy management has been explored by this agency many times through the past several years but has not happened due to the exorbitant cost. It remains a possibility, but the department has been managing compliance without issue since the initial status being granted.
- d) Recommended a School Resource Officer being placed in the schools to assist with outreach to the community's youth. As with other topics, the cost of this is difficult for a small municipality to absorb. Similarly, school districts in our community have a hard time getting this in the budget. This is an ongoing discussion and could potentially happen if funding became available.
- e) Recommended De-escalation training. To be completed early 2021.

Rensselaer County Public Defender's Office- The Shared Services reached out to the Public Defender for input, either through a meeting or written document, but no response was received.

Public Stakeholders- The Chief, Town Supervisor and a Town Councilman met with a diverse group from the community to hear about issues they and their neighbors have seen, as well as ideas on improvement.

I. Employing Smart and Effective Policing Standards and Strategies

Conclusion

The research and drafting phases for this plan brought several issues to light that our agency to improve upon and we are committed to making those changes. They are:

- 1) Institute de-escalation training (2021)- De-escalation training includes not just de-escalating another person in a volatile situation but gives officers insight into their behavior and techniques to manage their stress.
- 2) Institute implied bias awareness training (2021)- All humans have intrinsic bias and recognizing that allows a person to use caution in how they are portraying themselves to another person. Failure to do this could be detrimental in calming a situation and establishing the necessary rapport to most effectively do so.
- 3) Increase participation in Diversion Programs- Diversion programs offer defendants an opportunity to avoid the criminal justice system if they are willing to participate in remedial programs. Our agency participates in available drug courts.
- 4) Implement LEMHRS with the Shared Services- As discussed in section I(2) of this Plan, the LEMHRS program will allow officers to make immediate referrals of cases for appropriate services from the R.C. Office of Mental Health. Implementation of this program is not anticipated to be a protracted process but there are several things that need to happen before this program can go live. The Shared Services has empaneled a team to discuss what this should look like and it is expected to be in place by June 2021.
- 5) Institute a post-training performance evaluation process- Post-training performance evaluation gauges how well a training topic was retained by an officer.

Over the course of several decades, the members of the Schodack Police Department have demonstrated a high degree of cultural competency and will continue to build on that to treat all citizens with respect and serve all parties to the best of their ability. While there are improvements to be made, this agency stands in a great position to bring the most modern tactics and procedures into the Community.



PO BOX 331608 Attn: Account Services
Nashville, TN 37203-7515
Attn: Account Services
Phone: 1-800-505-4052
Fax: 1-615-691-7795

2021-106

December 20, 2020

GDAWK200301365 -

David B Harris
Supervisor
Town Of Schodack, NY
Town Of Schodack, NY
PO Box 436
East Schodack, NY 12063-0436

Re: Account No. - 500639586
Town Of Schodack, NY
Town Of Schodack, NY
265 Schuurman Road
Castleton, NY 12033

Dear Mr. Harris:

We thank you for being an ASCAP licensee, and for recognizing the immense value music brings to your constituents.

To ensure that your ASCAP license remains current, we ask that you please complete the following step:

1. Submit payment for your 2021 license within 30 days of your renewal date

Go paperless – pay your license fees online! Access your account at www.ASCAP.com/mylicense to pay your statement online with either check or credit card.

Your online account also makes it easy to:

- Print invoices for current or past billing cycles on demand
- Update your contact information
- Live chat with a customer service agent if you have any questions or concerns
- Complete a report if there have been changes to your population or if you have a special event to report

If your billing statement is enclosed and you prefer to send your payment through the mail, please send to the address on the remittance portion of your invoice. If you do not have a billing statement, you will receive one prior to your annual renewal date.

Your adjusted rate schedule for 2021 is attached and reflects a rate increase of approximately **1.18207%**, based on the increase of the Consumer Price Index, All Urban Consumers – (CPI-U) between October 2019 and October 2020.

If you have any questions about your license, reporting, and/or payment, please don't hesitate to contact our office at 1-800-505-4052 or send us an email at glcs@ascap.com.

Remember, 90¢ of every \$1 from your license fee goes directly to our members, helping them pay their bills and continue writing music. Our 780,000+ songwriters, composers, and music publisher members thank you for being an ASCAP licensee and supporting music creators!

Sincerely,

Account Services

Account Services

Enclosures:

Rate Schedule
Report Form
Return Envelope

F0166_0121
IMLA

GLCS@ascap.com 1-800-505-4052 1-615-691-7795 (FAX)
Website: <http://www.ascap.com>



LOCAL GOVERNMENT ENTITIES
2021 Rate Schedule and Report Form

Account No.: 500639586

Premise Name: Town Of Schodack, NY; Castleton, NY

Report Due: 12/30/2021

**SCHEDULE A: Base License Fee**

Population Size			Base License Fee
1	to	50,000	\$367.00
50,001	to	75,000	\$734.00
75,001	to	100,000	\$881.00
100,001	to	125,000	\$1,175.00
125,001	to	150,000	\$1,468.00
150,001	to	200,000	\$1,909.00
200,001	to	250,000	\$2,347.00
250,001	to	300,000	\$2,791.00
300,001	to	350,000	\$3,230.00
350,001	to	400,000	\$3,672.00
400,001	to	450,000	\$4,108.00
450,001	to	500,000	\$4,552.00
500,001	Plus***		\$5,578.00

*** \$5,578.00 plus \$500 for each 100,000 of population above 500,000 to a maximum fee of \$73,399.00

SCHEDULE B: Special Events

The rate for Special Events shall be 1% of Gross Revenue.

"Special Events" means musical events, concerts, shows, pageants, sporting events, festivals, competitions, and other events of limited duration presented by LICENSEE for which the "Gross Revenue" of such Special Event exceeds \$25,000.


"Gross Revenue" means all monies received by LICENSEE or on LICENSEE'S behalf from the sale of tickets for each Special Event. If there are no monies from the sale of tickets, "Gross Revenue" shall mean contributions from sponsors or other payments received by LICENSEE for each Special Event.

SCHEDULE C: State Municipal and/or County Leagues or State Associations of Attorneys

The annual license fee for LICENSEES who are legally organized as state municipal and/or county leagues or state associations of municipal and/or county attorneys shall be \$367.00 .

License Fee for Year 2022 and Thereafter

For each calendar year commencing 2022, all dollar figures set forth in Schedules A, B and C above (except for \$500.00 add-on for populations of 500,001 or more) shall be the license fee for the preceding calendar year, adjusted in accordance with the increase in the Consumer Price Index - All Urban Consumers (CPI-U) between the preceding October and the next preceding October. Any additional license fees due resulting from the CPI adjustment shall be payable upon billing by ASCAP.

	LOCAL GOVERNMENT ENTITIES 2021 Rate Schedule and Report Form
Account No.: 500639586	Premise Name: Town Of Schodack, NY; Castleton, NY
Report Due: 12/30/2021	

SCHEDULE A: Base License Fee (Due upon execution of Agreement and within 30 days of the Agreement's Renewal Date.)

Population Size: ---- _____ Base License Fee: _____
 (Per current U.S. Census Data) (Please refer to attached Rate Schedule)

SCHEDULE B: Special Events* (Report and Payment due 90 days after the conclusion of each Special Event)

Event Date (mm/dd/yyyy) If More than 1 Event Per Day, Please Report As Separate Entries)	Performer(s) or Group(s) Appearing	Gross Revenue of Event (Must Exceed \$25,000)	% Applies to Gross Revenue	Event Fee	Is a Program of Musical Works Attached? (Yes/No)	If the Event Is Co-Sponsored (Please Identify The Co-sponsor's Name, Address, Phone Number and ASCAP Account Number)
			x .01	\$		Name: _____ Address: _____ Phone No: _____ Account No: _____
			x .01	\$		Name: _____ Address: _____ Phone No: _____ Account No: _____
			x .01	\$		Name: _____ Address: _____ Phone No: _____ Account No: _____
			x .01	\$		Name: _____ Address: _____ Phone No: _____ Account No: _____

****Special Events*** means musical events, concerts, shows, pageants, sporting events, festivals, competitions, and other events of limited duration presented by LICENSEE for which the "Gross Revenue" of such Special Event exceeds \$25,000.

*****Gross Revenue** means all monies received by LICENSEE or on LICENSEE'S behalf from the sale of tickets for each Special Event. If there are no monies from the sale of tickets, "Gross Revenue" shall mean contributions from sponsors or other payments received by LICENSEE for each Special Event.

GLCS@ascap.com 1-800-505-4052 1-615-691-7795 (FAX)
 Epayment Websites: <http://www.ascap.com/mylicense> or <http://www.ascap.com>

LOCAL GOVERNMENT ENTITIES (continued): (Please complete form in its entirety.)

SCHEDULE C: State Municipal and/or County Leagues or State Associations of Attorneys

Report Year: _____ Annual License Fee: **\$367.00** (Due within 30 days of Renewal Date.)

Total Fees Reported From Any or All of Schedules A, B or C: \$ _____

Base Licensee Fees accompanied by a completed Report Form are due and payable within 30 days of the License Agreement's renewal date.
The Report along with payment may be mailed to the ASCAP address below.

Contact Person: _____ / _____
(Please print Contact's Name.) (Please print Contact's Title.)

Phone No.: () _____ Fax No.: () _____ Email: _____ Website: _____

I certify that the above information is true and correct. Signature: _____

Dated: _____ (Please print Name and Title of Signature name above.)

GLCS@ascap.com 1-800-505-4052 1-615-691-7795 (FAX)
Epayment Websites: <http://www.ascap.com/mylicense> or <http://www.ascap.com>

12/20/2010 F0166_0121



Account No.: 500639586

Town Of Schodack, NY
265 Schuurman Road
Castleton, NY 12033

ASCAP
Account Services
P. O. Box 331608-7515,
Nashville, TN 37203-9998

IMLA



COVID-19 Update from ASCAP

As we all experience changes to our normal routines due to COVID-19, ASCAP knows that many of our licensees were either closed or saw a decline in their businesses as a result of restrictions on gatherings and events. We have been closely monitoring how the virus has affected our customers across the country.

Since May, ASCAP has worked with thousands of businesses to navigate through this challenging time. If your business has been affected by COVID-19 and you have not contacted us yet, please do so by emailing us at glcs@ascap.com. We will make a note on your account and respond with a plan to work together during this challenging time.

We truly are all in this together - the repercussions of COVID-19 have also had a devastating impact on ASCAP's songwriter, composer and music publisher members, who are small business owners as well. ASCAP members rely on the royalties they receive from public performances of their music to support their families and pay their bills.

Making the Move to Digital

We know many of our licensees, like you, have been searching for ways to offer musical entertainment to customers, virtually, however, the digital licensing landscape can be complex. For more information on digital licensing and what permissions you may need, visit: www.ascap.com/digitalmusiclicense.

ASCAP Celebrates Diversity

ASCAP is a diverse family of music creators. We represent many voices, but we are united in our mission to make the world a better place with our music. To see how ASCAP is raising its voice, go to our website at www.ascap.com/fightforchange.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Route 9 Business Park		
Project Location (describe, and attach a general location map): West side of US Route 9, approximately 1.4 miles south of the intersection with US Route 20		
Brief Description of Proposed Action (include purpose or need): Applicant is proposing a business park on a 25 acre parcel of land. Maximum amount of building square footage is 100,000 SF. Anticipated that 3 to 5 buildings may be constructed. Buildings will be serviced with individual wells and septic systems. Each site will have its own storm water maintenance system meeting NYSDEC SWPPP standards.		
Name of Applicant/Sponsor: Hartland Associates Inc. & Donald Hart		Telephone: 518-365-6572
		E-Mail: steven.hart@hartengineer.com
Address: 1969 Ferndale Rd		
City/PO: Castleton	State: NY	Zip Code: 12033
Project Contact (if not same as sponsor, give name and title/role): Steven Hart		Telephone: 518-365-6572
		E-Mail: steven.hart@hartengineer.com
Address: 1969 Ferndale Rd		
City/PO: Castleton	State: NY	Zip Code: 12033
Property Owner (if not same as sponsor): same		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board-Planned Development District	FEB 2021
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board-Site Plan Approval	Jan 2021
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rensselaer County Health Dept-well & septic	March 2021
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT-curb cut NYS DEC-SWPPP	FEB 2021 March 2021
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
 PD3 _____

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? PD2 Overlay

C.4. Existing community services.

a. In what school district is the project site located? Schodack

b. What police or other public protection forces serve the project site?
 Schodack

c. Which fire protection and emergency medical services serve the project site?
 Schodack Valley

d. What parks serve the project site?
 Town of Schodack

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial

b. a. Total acreage of the site of the proposed action? _____ 26 acres
 b. Total acreage to be physically disturbed? _____ 9.5 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 72 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? 4 +/-
 iv. Minimum and maximum proposed lot sizes? Minimum 2.0+ Maximum 15+/-

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated _____ 2
 • Anticipated commencement date of phase I (including demolition) _____ 6 month 2021 year
 • Anticipated completion date of final phase _____ 8 month 2023 year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____
 phases are not dependent on each other.

f. Does the project include new residential uses?

Yes No

If Yes, show numbers of units proposed,

One Family Two Family Three Family Multiple Family (four or more)

Initial Phase _____

At completion _____

of all phases _____

g. Does the proposed action include new non-residential construction (including expansions)?

Yes No

If Yes,

i. Total number of structures 4+

ii. Dimensions (in feet) of largest proposed structure: 50 height; 200 width; and 200 length

iii. Approximate extent of building space to be heated or cooled: 10000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?

Yes No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

Yes No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

• Volume (specify tons or cubic yards): _____

• Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials?

Yes No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____

acres

vi. What is the maximum area to be worked at any one time? _____

acres

vii. What would be the maximum depth of excavation or dredging? _____

feet

viii. Will the excavation require blasting? _____

Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?

Yes No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ average 1000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project?

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

private well

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ 3 gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ average 1000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):
 private septic fields

 w. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e., ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ 5 acres (impervious surface)
 _____ Square feet or _____ 25 acres (parcel size)
 ii. Describe types of new point sources, buildings, parking lots and roads

 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
 on site stormwater management, infiltration

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No
 iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

TBD

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

National Grid exists at property frontage

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____ 7am - 5pm
- Saturday: _____ 8am - 3pm
- Sunday: _____ na
- Holidays: _____ na

ii. During Operations:

- Monday - Friday: _____ 7am - 5pm
- Saturday: _____ 8am - 3pm
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:
 heavy equipment during work hours

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: minimal tree clearing

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 building mounted and parking lights (20' H. Max)

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: minimal tree clearing

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation: _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____
 • Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____
 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour; if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	4.90+/-	4.90
• Forested	11.55+/-	11.3+/-	-0.25+/-
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	11.86+/-	421+/-	-7.85+/-
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)	1.59+/-	1.59+/-	0
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: lawn and landscape area	0	3	3

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes - Spills Incidents database Provide DEC ID number(s): _____
 Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 10 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: sandy loam _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ 10 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: 80 % of site
 Poorly Drained: 20 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 45 % of site
 10-15%: 20 % of site
 15% or greater: 35 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 863-595 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (In a...
- Wetland No. (if regulated by DEC) EG-14

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site:
 deer _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles:

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

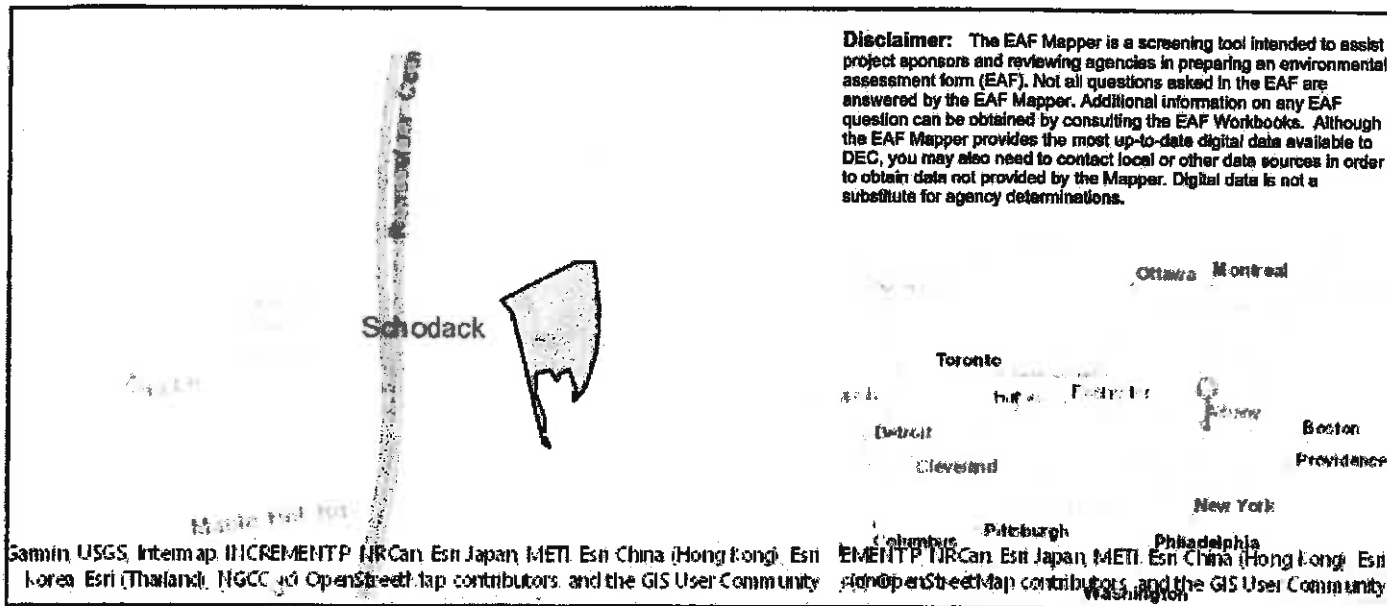
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name STEVEN HAET Date 2/12/2021

Signature Steven P. Haet Title OWNER



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	863-595
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):50.7
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	EG-14
E.2.h.v [Impaired Water Bodies]	No

E.2.j. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d. [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

RECEIVED

DEC 29 2020

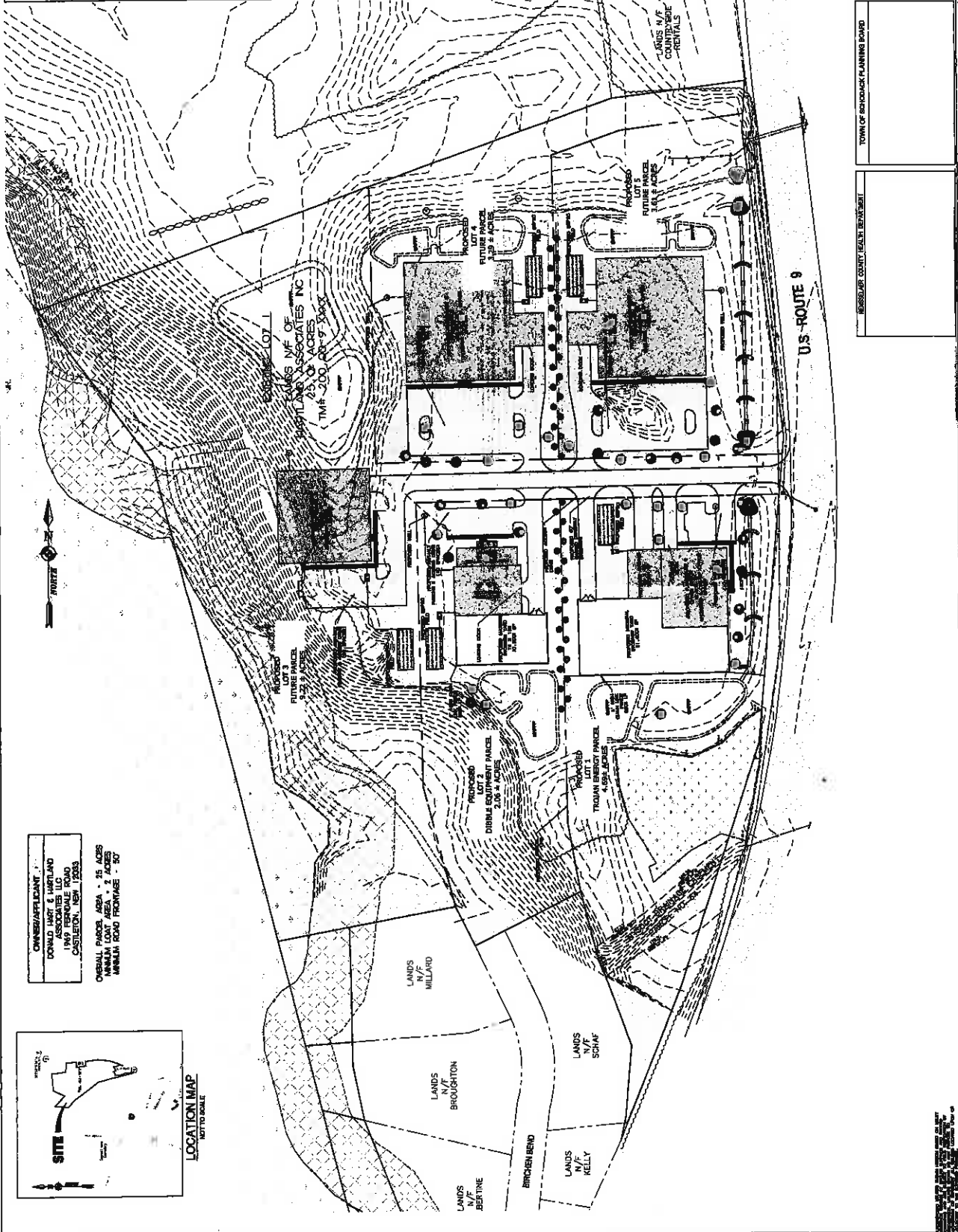
06049

SKETCH PLAN
RTE 9 BUSINESS PARK
PDZ OVERLAY

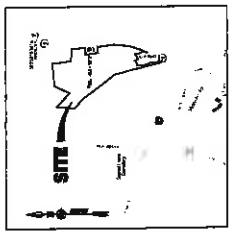
TOWN OF SCHODACK
PLANNING & ZONING



CONSENT TO BE BOUND BY THE TERMS AND CONDITIONS OF THE ZONING REGULATIONS AND ORDINANCES OF THE TOWN OF SCHODACK, NEW YORK.



OWNER/APPLICANT: DONALD J. ROY & MORTLAND DONALD J. ROY & MORTLAND 1949 FERRIS ROAD CASTLETON, NY 12023
OVERALL PARCEL AREA: 25 ACRES
MINIMUM ROAD FRONTAGE: 50'



RESERVE COUNTY HEALTH DEPARTMENT
TOWN OF SCHODACK PLANNING BOARD

06049



**PLANNING & ZONING
TOWN OF SCHODACK**

265 Schuurman Road
Castleton-on-Hudson, New York 12033

Phone: (518) 477-7938

Fax: (518) 477-7983

March 2, 2021

Supervisor David Harris
Schodack Town Board Members
Schodack Town Hall
265 Schuurman Road
Castleton, NY 12033

Re: Hart Business Park
US Rte. 9
Town of Schodack
SEQR Lead Agency

Dear Supervisor and Town Board Members:

Enclosed is a Long Environmental Assessment Form for the above project. A copy of the concept plan is also enclosed

This is a Type 1 Action, The Schodack Planning Board wishes to undertake a coordinated review, Schodack Planning Board desires to declare itself as lead agency at a future meeting.

Please indicate if you object or concur at your earliest convenience.

Thank you.

A handwritten signature in blue ink, appearing to read "Nadine Fuda".

Nadine Fuda
Director of Planning and Zoning
Town of Schodack

Enclosure

cc: Richard Laberge, P.E., Planning Board Engineer
Craig Crist: Planning Board Attorney
Steven Hart, P.E. Engineer



**PLANNING & ZONING
TOWN OF SCHODACK**

265 Schuurman Road
Castleton-on-Hudson, New York 12033

Phone: (518) 477-7938

Fax: (518) 477-7983

March 2, 2021

Supervisor David Harris
Schodack Town Board Members
Schodack Town Hall
265 Schuurman Road
Castleton, NY 12033

Re: Scannell Properties #508 LLC.
Rte. 150
Town of Schodack
SEQR Lead Agency

Supervisor and Town Board,

Enclosed is a full Environmental Assessment Form for the above project and copy of the concept plan is enclosed

This is a Type 1 Action. The Schodack Planning Board wishes to undertake a coordinated review.

Schodack Planning Board desires to declare itself as lead agency at a future meeting. Please indicate if you object or concur at your earliest convenience. In addition, we look forward to your comments.

Thank you.
Nadine Fuda

A handwritten signature in blue ink, appearing to read "Nadine Fuda".

cc: Richard Laberge, P.E., Planning Board Engineer
Craig Crist Esq., Planning Board Attorney
McFarland Johnson, Inc.

SPECIAL PERMIT / SITE PLAN APPLICATION

Town of Schoodack- Planning Board
285 Schuurman Road, Castleton, NY 12033
Phone: 518-477-7938; Fax 518-477-7993; Nadine.fuda@schoodack.org

FILE # 2021-5

CONCEPT MEETING: Monday March 1, 2021

APPLICATION RECEIVED ON 2-24-21

LOCATION OF PROPERTY Along Route 150, between Route 20 and Interstate 90
TAX MAP # T/A 189.-10-40.131 & TA 189.-10-40.132 ZONE PD-3 ACRES 32.5+- & 23.5+- ROAD FRONTAGE (ft.) 1,479 feet
ENG/SURVEY FIRM McFarland Johnson, Inc. TELEPHONE (518) 580-9380 Fax / Email sboisvert@mjinc.com
EXISTING USE(S) Vacant

INTENDED USE(S) 278,670 square foot Sales Distribution Center

WILL DEVELOPMENT BE PHASED? YES _____ NO X IF YES, ATTACH LETTER OF EXPLANATION.

WILL YOU BE SEEKING A SITE DEVELOPMENT PERMIT BEFORE FINAL APPROVAL? YES X NO _____

WHEN PRELIMINARY APPROVAL IS GRANTED, THE BUILDING INSPECTOR WILL BE NOTIFIED. A SITE DEVELOPMENT PERMIT WILL BE ISSUED BY THE BUILDING INSPECTOR WHEN ALL PAPERWORK IS IN ORDER.

** IS THIS PROPERTY IN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION? YES _____ NO X

** ARE THE BOUNDARIES OF THIS PARCEL WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT? YES _____ NO X IF YOU ANSWERED YES TO EITHER OF THE ** QUESTIONS, ADDITIONAL INFORMATION MAY BE REQUIRED.

ATTACH: EAF, Application fee, Survey/Site Plan Maps (min. 10), appropriate fees, letter of intent, must be submitted 10 days before initial review.

Application is Heresby Made to the Planning Office. The Applicant or Owner agrees to comply with all applicable laws, Ordinances, Regulations of the Town of Schoodack and New York State for approval of the application.

WHO WILL BE REPRESENTING YOUR APPLICATION AT THE PLANNING BOARD MEETINGS? Steve Boisvert c/o McFarland Johnson
Date 02/24/2021 Scannell Properties #508, LLC.
c/o Daniel Madrigal

MAILING ADDRESS 8801 River Crossing Blvd, Suite 300, Indianapolis, IN 46240

TELEPHONE# (763) 331-8853

Date 02/24/2021 OTHER# _____ Email danielm@scannellproperties.com

Snook Materials Group LLC.
Roderick J. Valente

See Attached Letter
PROPERTY OWNER'S Signature

MAILING ADDRESS 1 Madison St #300, Troy, NY 12180

TELEPHONE# (518) 432-4470

OTHER# _____ Email rodody@rjvalente.com

Nadine Fuda, Director / Denise Mayrer -Chairperson / Craig Crist, Attorney / Richard Laberge, P.E.
Wayne Johnson / John LaVole /Stephanie Leonard / Lawrence D Angelo /Andrew Aubin / James D. Shaughnessy/
7/15/20

**Full Environmental Assessment Form
Part 1 - Project and Setting**

RECEIVED

FEB 24 2021

TOWN OF SCHODACK
PLANNING & ZONING

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Scannell Properties Sales Distribution Center		
Project Location (describe, and attach a general location map): Tax Map ID #189-10-40.131, 189-10-40.132; Town of Schodack, Rensselaer County, New York		
Brief Description of Proposed Action (include purpose or need): The project involves the development of approximately 56 acres of land along south side of NYS Route 150 located in the Town of Schodack, New York. The project is a 278,670 square foot sales distribution center with 78 loading docks, 294 trailer spaces and approximately 442 employee parking spaces. It includes utility extensions, landscaping and off site highway improvements along Route 150.		
Name of Applicant/Sponsor: Scannell Properties #508, LLC c/o Daniel Madrigal		Telephone: 763-331-8853
		E-Mail: danielm@scannellproperties.com
Address: 8801 River Crossing Boulevard, Suite 300		
City/PO: Indianapolis	State: Indiana	Zip Code: 46240
Project Contact (if not same as sponsor; give name and title/role): McFarland Johnson - Steven Boisvert, PE (Agent for Applicant)		Telephone: (518) 580-9380
		E-Mail: sboisvert@mjinc.com
Address: 60 Railroad Place, Suite 402		
City/PO: Saratoga Springs	State: New York	Zip Code: 12866
Property Owner (if not same as sponsor): Snook Materials Group, LLC c/o Roderick Valente		Telephone: (518) 432-4470
		E-Mail: info@rjvalente.com
Address: 118 Button Road		
City/PO: Waterford	State: New York	Zip Code: 12188

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Extension of Water & Sewer Districts	April 2021
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Schodack Planning Board-Site Plan, SEQRA, Special Use Permit	February 2021
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Schodack DPW - Water and Sewer Connection	April 2021
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rensselaer County Health Department-Site Plan Review, Water and Sewer District Extension	April 2021
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rensselaer County Planning Board - 239M Review	April 2021
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - SPDES General Permit, Sewer District Extension NYS DOT - Curb Cut, SHPO - Sign Off NYS DOH - Water/Sewer Extension	April 2021
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (~~city, town, village or county~~) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

A small portion of the property lies within the Town Well Head Protection Area

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
PD-3 Planned Development

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? East Greenbush Central School District

b. What police or other public protection forces serve the project site?
Town of Schodack Police Department

c. Which fire protection and emergency medical services serve the project site?
Schodack Valley Fire Company

d. What parks serve the project site?
Schodack Town Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Sales Distribution Center

b. a. Total acreage of the site of the proposed action? _____ 55.978 +/- acres
b. Total acreage to be physically disturbed? _____ TBD acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 55.978 +/- acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? 1

iv. Minimum and maximum proposed lot sizes? Minimum 56 acres Maximum 56 acres

e. Will the proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: _____ 12 months

ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
• Anticipated completion date of final phase _____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential use. Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures 1
 ii. Dimensions (in feet) of largest proposed structure: 45 +/- height; 239 width; and 775 length
 iii. Approximate extent of building space to be heated or cooled: 278,670 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: Temporary Stormwater Detention
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify:

Stormwater Runoff
 iii. If other than water, identify the type of impounded/contained liquids and their source.
 iv. Approximate size of the proposed impoundment. Volume: TBD million gallons; surface area: TBD acres
 v. Dimensions of the proposed dam or impounding structure: TBD height; TBD length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
Excavation for Pond

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet Yes No
 viii. Will the excavation require blasting?
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
If Yes:

i. Total anticipated water usage/demand per day: _____ TBD gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
If Yes:

- Name of district or service area: Town of Schodack Water District Extension of #SW 101
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: 850 +/- LF of 12" watermain along Route 150
- Source(s) of supply for the district: Schodack Terrace Aquifer

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
If Yes:

- i. Total anticipated liquid waste generation per day: _____ TBD gallons/day
- ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
If Yes:

- Name of wastewater treatment plant to be used: East Greenbush Wastewater Treatment Plant
- Name of district: Town of Schodack Sewer District No. 6 Extension
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No

- Do existing sewer lines serve the project site?
- Will a line extension within an existing district be necessary to serve the project?

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

850 +/- LF of 8" pvc sewer pipe along Rt. 150

Yes No

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

Yes No

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 31+/- acres (impervious surface)

_____ Square feet or 56+/- acres (parcel size)

ii. Describe types of new point sources. Impervious Surfaces, Roof Leaders, Stormwater Management Detention Pond Outlet

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

On-site Stormwater Management Facilities and Structures

- If to surface waters, identify receiving water bodies or wetlands: _____
Moordener Kill

Yes No
 Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?

Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

emissions from delivery trucks

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

emissions from temporary power generation, delivery trucks, earth moving equipment, potentially temporary heating of the building

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

potentially a natural gas back up electric generator and natural gas roof top HVAC units

Yes No

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing 0 Proposed 736 Net increase/decrease + 736

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
TBD - Proposed 3 access points: truck entrance, truck exit and employee driveway

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
TBD

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

Via grid/ local utility

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 6 am - 8 pm*
- Saturday: 8 am - 7 pm*
- Sunday: None
- Holidays: None

ii. During Operations:

- Monday - Friday: 24 Hours
- Saturday: 24 Hours
- Sunday: 24 Hours
- Holidays: 24 Hours

*Except during continuous concrete pours

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:
i. Provide details including sources, time of day and duration:
Noise levels will increase during construction periods as noted in D.2(l)

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
If yes:
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Area lights on poles and wall mounted light fixtures. Lights will be directed to parking areas and pedestrian access ways.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
If Yes:
i. Product(s) to be stored _____
ii. Volume(s) _____ per unit time _____ (e.g., month, year)
iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
If Yes:
i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
If Yes:
i. Describe any solid waste(s) to be generated during construction or operation of the facility:
• Construction: _____ 3 +/- tons per _____ 1 month +/- (unit of time)
• Operation : _____ 1 +/- tons per _____ 1 month +/- (unit of time)
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
• Construction: Recycling wood, paper, and cardboard
• Operation: Recycling paper and cardboard
iii. Proposed disposal methods/facilities for solid waste generated on-site:
• Construction: To be hauled off-site by a private hauler in a legal manner
• Operation: To be hauled off-site by a private hauler in a legal manner

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
- Forest Agriculture Aquatic Other (specify): Inactive gravel mine

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	31.0	+ 31.0
• Forested	46.35	TBD	TBD
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.15	TBD	TBD
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>Inactive Gravel Mine</u>	9.50	0	- 9.50

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? Varies, >6.5 feet

b. Are there bedrock outcroppings on the project site? Yes No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

<u>Pits, gravel</u>	<u>75 %</u>
<u>Hoosic gravelly sandy loam</u>	<u>25 %</u>
_____	_____ %

d. What is the average depth to the water table on the project site? Average: 6.56 +/- feet

e. Drainage status of project site soils: Well Drained: 75 % of site
 Moderately Well Drained: 25 % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 95.2 % of site
 10-15%: 1.2 % of site
 15% or greater: 3.6 % of site

g. Are there any unique geologic features on the project site? Yes No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 863-61818 Classification C & C (TS)
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters Approximate Size 0.05 acres
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
If yes, name of impaired water body/bodies and basis for listing as impaired: see Included wetland report

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
If Yes:

i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site: _____
Birds, Amphibians (Frogs & Toads) _____

n. Does the project site contain a designated significant natural community? Yes No

If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:
• Currently: _____ acres
• Following completion of project as proposed: _____ acres
• Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No

If Yes: see included endangered species report
i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

If Yes: see included endangered species report
i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No

i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No

If Yes:
i. Nature of the natural landmark: Biological Community Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No

If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No see included SHPO letter

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

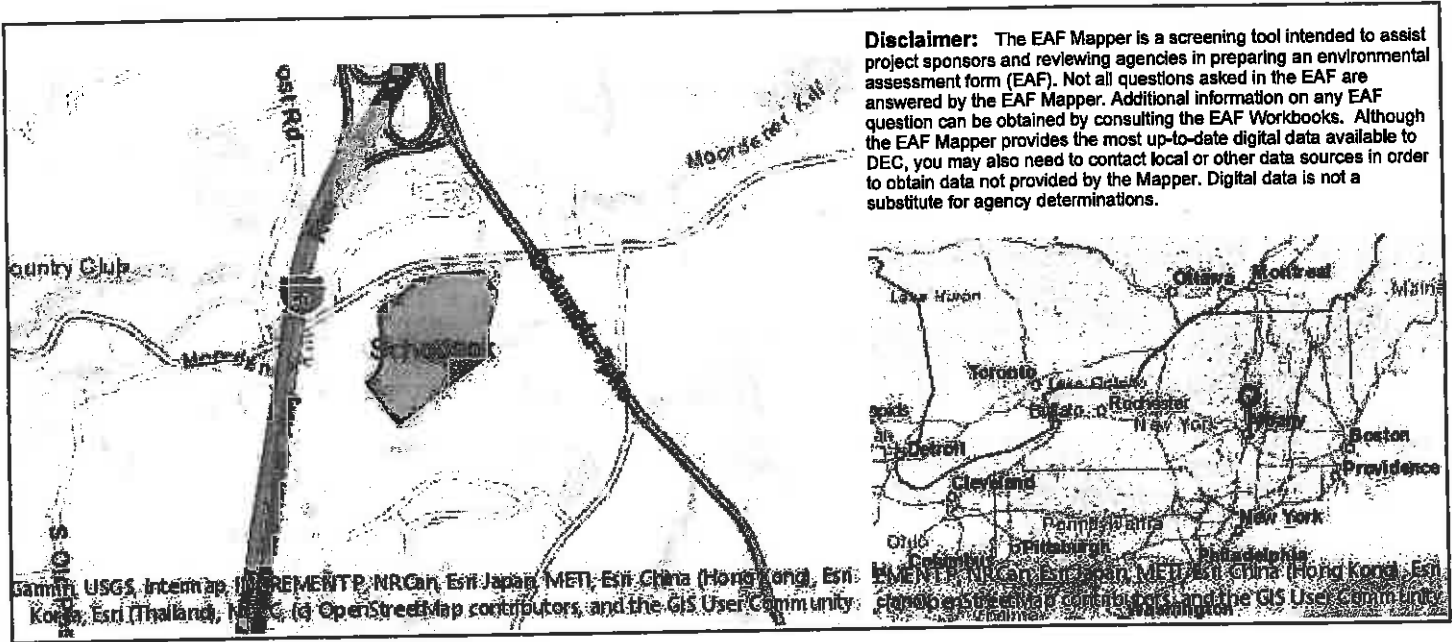
Applicant/Sponsor Name McFarland Johnson c/o Steven Boisvert

Date 02/24/2021

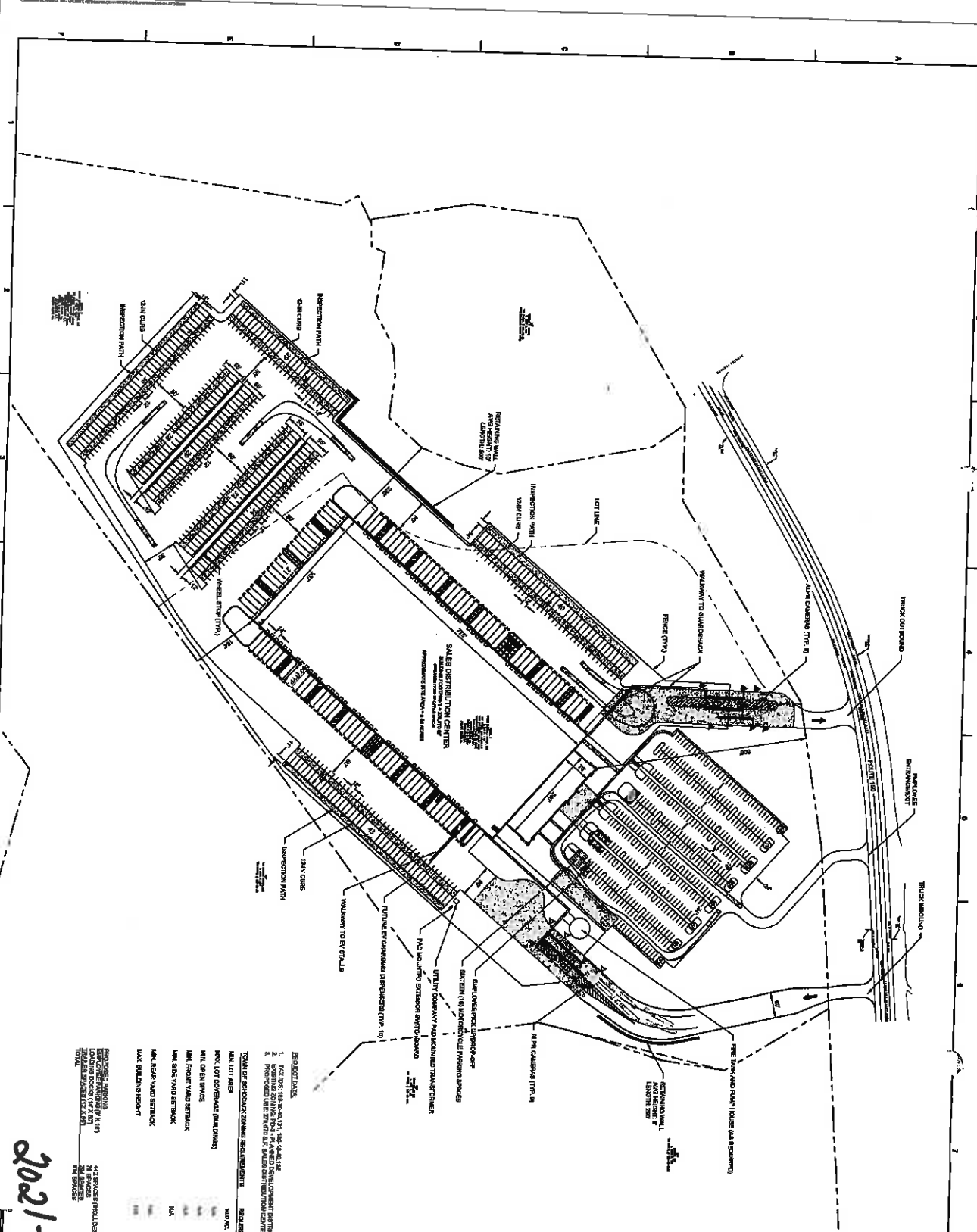
Signature 

Title Division Director

PRINT FORM



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	863-618
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.



PROPOSED

DESCRIPTION	AREA (AC)	PROPOSED
MAX. LOT COVERAGE (MAXIMUM)	14.0	14.0
MIN. OPEN SPACE	4.0	4.0
MIN. FRONT YARD SETBACK	N/A	40.0 FT.
MIN. SIDE YARD SETBACK	N/A	10.0 FT.
MIN. REAR YARD SETBACK	N/A	10.0 FT.
MAX. BUILDING HEIGHT	42.0 FT.	42.0 FT.

EXISTING

DESCRIPTION	AREA (AC)	EXISTING
MAX. LOT COVERAGE (MAXIMUM)	14.0	14.0
MIN. OPEN SPACE	4.0	4.0
MIN. FRONT YARD SETBACK	N/A	40.0 FT.
MIN. SIDE YARD SETBACK	N/A	10.0 FT.
MIN. REAR YARD SETBACK	N/A	10.0 FT.
MAX. BUILDING HEIGHT	42.0 FT.	42.0 FT.

2021-5

RECEIVED
FEB 24 2021

TOWN OF SCHODACK
PLANNING & ZONING

CLIENT:
SCANNELL PROPERTIES

PROJECT:
SCHODACK NEW YORK
SCANNELL SALES DISTRIBUTION CENTER

McFarland Johnson
DRYDEN OFFICE
300 W. STATE ST.
DRYDEN, NY 13826
PH: 607-438-1234
WWW.MCFARLANDJOHNSON.COM

PROJECT ALTERNATE
CONCEPT PLAN

CONCEPT PLAN

C-01

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

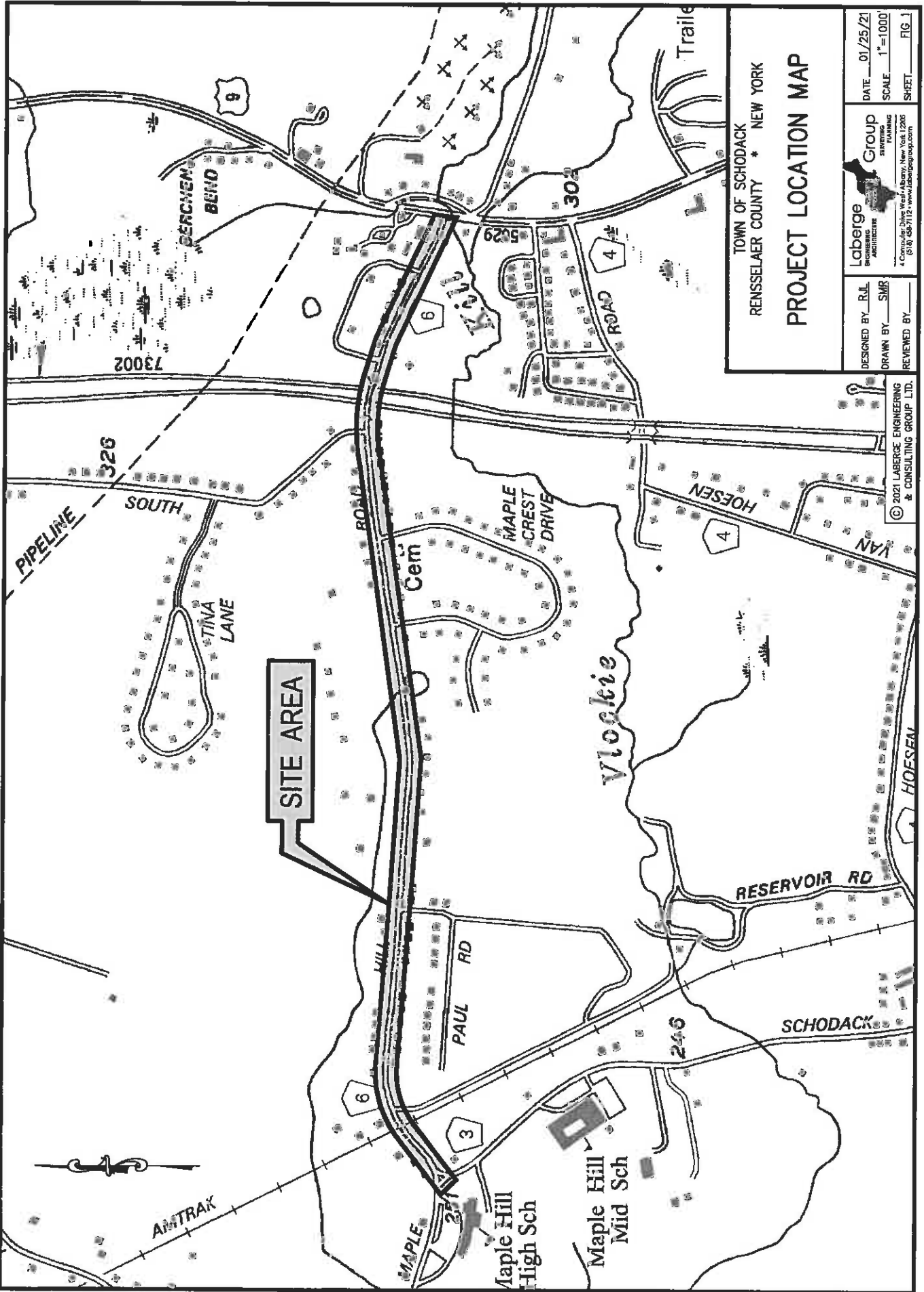
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Maple Hill Road Sewer Improvement			
Project Location (describe, and attach a location map): Maple Hill Road, Town of Schodack, Rensselaer County, New York			
Brief Description of Proposed Action: Sewer district extension and construction of a pump station and force main along Maple Hill Road from South Schodack Road to U.S. Route 9.			
Name of Applicant or Sponsor: Town of Schodack Town Board c/o David Harris, Town Supervisor		Telephone: 518-477-7918 E-Mail: david.harris@schodack.org	
Address: 265 Schuurman Road			
City/PO: Castleton		State: New York	Zip Code: 12033
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDEC, NYSDOH, Rensselaer County Highway			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.75± acres	
b. Total acreage to be physically disturbed?		1.5± acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.75± acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify: _____				
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____				
10. Will the proposed action connect to an existing public/private water supply?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing potable water: Not applicable. _____				
11. Will the proposed action connect to existing wastewater utilities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If No, describe method for providing wastewater treatment: _____				
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Town of Schodack (Richard F. Laberge, P.E.)</u> Date: <u>February 10, 2021</u>		
Signature: <u></u> Title: <u>Town Consulting Engineer</u>		



TOWN OF SCHODACK
RENSSELAER COUNTY * NEW YORK

PROJECT LOCATION MAP

DESIGNED BY: <u>RLL</u>	 Laberge Group ENGINEERING PLANNING	DATE: <u>01/25/21</u>
DRAWN BY: <u>SMR</u>		SCALE: <u>1"=1000'</u>
REVIEWED BY: _____		SHEET: <u>[6]</u>

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* Computer Aided Drafting, Albany, New York 12205
(518) 488-7112 - www.labergengroup.com

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: **Maple Hill Sewer**
 Date: _____

**Short Environmental Assessment Form
 Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Schodack Town Board _____
 Name of Lead Agency _____ Date _____

David Harris _____
 Print or Type Name of Responsible Officer in Lead Agency Town Supervisor _____
 Title of Responsible Officer _____

 Signature of Responsible Officer in Lead Agency *[Signature]*
 Signature of Preparer (if different from Responsible Officer)

PRINT FORM

2021-113



WATER TREATMENT CONSULTANTS
& MANUFACTURER REPRESENTATIVES
1448 Saratoga Road, Ballston Spa 12020
(518) 273-0500 (518) 273-0545(f)
BandLcontrol@gmail.com

This Services agreement is made on the 1st day of January 2021 by and between B & L Control Service Inc. of 1448 Saratoga Road, Ballston Spa, New York and Town of Schodack of 265 Schuurman Road, Castleton-on-Hudson, New York (hereinafter "client" or "Owner"). B & L Control Service Inc. and client agree as follows:

1. Scope of Services: Services will be rendered by B & L Control Service Inc. (hereinafter B & L") for client for property located at 125 Harry Howard Avenue, Hudson, New York. A minimum of five service visits will be rendered during this time period to supply below marked chemical and services, as specified herein, to client's system(s). Services requested by client and to be provided by B & L include the following; B&L Control Service Inc. agrees to check on equipment function, supply chemicals when needed, provide chemical readings, make necessary equipment and supply changes or modifications at the request of and with authorization from client and provide written recommendations to appropriate facility personnel with regard to such equipment and supply. B&L Control Service Inc. cannot and will not be held responsible for recommendations made to client that are not promptly and properly implemented and followed by client. While B&L Control Service Inc. is a consultation and services company, we cannot be held responsible for the client's equipment or chemicals function, effectiveness, or failure between our visits to client's property. Please see schedule of services to be provided on schedule A. For cooling tower, evaporative and condenser water, and any open water system(s) to be treated with biocide please see the attached maintenance schedule which is an integral part of this contract.

Please Provide Site contact name and number: _____

Please check this box if Saturday access is available for routine service visits. Please provide Saturday access site contact if different from M-F Contact.

2. Term of Services : This signed agreement will start effective January 1, 2021 for a period of one year(s) and end effective December 31, 2021 for the total sum of \$3,715.00. If contract is for more than one year, the applicable payment schedule is attached. This agreement is subject to amendment and renegotiation if acceptance is not received within 10 days of the date set forth above. Any request for an estimate of time in which the services above are to be completed shall be made in writing.

3. Compensation: The authorized person or representative signing this agreement agrees and gives consent for the above named client being responsible for payment. Client agrees to pay B & L Control Service Inc. compensation for services rendered in the amount[s] specified above.

a. Additional Fees: The above listed fee for services does not include extra work (as defined in the attached Standard Terms and Conditions of Agreement). Fees and expenses associated with "extra work" are in addition to the fee set forth above and will be separately invoiced.

b. Change Orders: All changes to the scope of services must be requested, in writing, by client in advance of the work being performed by B & L Control Service Inc. Client agrees to pay for any additional services, equipment or chemicals requested in any change order or provided on service ticket signed by any agent or representative of B & L Control Service Inc.

c. Payment Due: Contract will be billed in full at the start of the specified term. Should the client wish to pay semi-annually or quarterly, the client must contact the office to arrange a payment schedule. Any remaining balance unpaid at the completion of the specified term is subject to interest and penalty charges. B & L Control Service Inc. accepts cash, most major

Initial: _____



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credit cards, check or ACH payments.

4. Exclusions from Services Provided: The scope of services provided by B & L Control Service Inc. is specified in the above described services and does not include the parts and equipment deemed necessary for the successful function of the system that B & L is treating. Any such parts and equipment will be billed separately from the fees described in this contract unless otherwise noted below. Parts or equipment included in this contract:

If the client desires services which are not within the scope of services outlined above, the client agrees to the Change Order provisions above and agrees to pay further fees for any such additional services rendered.

5. Permits and Licensing: B & L Control Service Inc. is a registered pesticide applicator business. Pesticides / biocides applied will be those registered with the State of New York and applied by registered pesticide applicators. B&L Control Service Inc. will not be held responsible for discharges from and or permitting of client's equipment or systems. It is the responsibility of the facility owner to obtain proper approval and/or permits for the discharge of pesticide / biocide chemical through effluent discharge, emissions or other means.

6. Authorization for execution: The undersigned warrants he/she has authority to sign as, or on behalf of, the Client. If the undersigned does not have such authority, it is agreed that he/she will be personally responsible for any breach of this agreement and for payments required hereunder. In the event of any breach of this agreement or warranty, reasonable attorney's fee shall be included in any judgment rendered and Client understands and consents to such inclusion of fees.

This agreement represents the complete and integrated agreement between the parties and supersedes all prior agreements, may be amended only in writing and is binding upon the parties, their successors, assigns and legal representatives.

This Agreement, as signed by the client or client's representative, includes the following Standard Terms and Conditions incorporated herein by this reference, and to which the client agrees to be bound.

Date

Client Representative Signature

Print name and Title

(____) Initial here to authorize B & L Control Service Inc. to obtain payment of any fees due from your credit card. B & L Control Service Inc. will contact you to obtain the necessary information.

Date

B&L Control Service Inc. Representative

Print name and Title

Initial: _____



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STANDARD TERMS AND CONDITIONS OF AGREEMENT

1. **EXTRA WORK:** Extra work may include, but not be limited to, the replacement and/or repair of equipment and/or part. All extra work will be authorized by Client in writing prior to commencement by B & L Control Service Inc.
2. **DELAY:** Any delay, default, or termination in or of the performance of any obligation of B & L Control Service Inc. under this Agreement caused directly or indirectly by strikes, accidents, acts of God, shortage or unavailability of labor, materials, power or transportation through normal commercial channels, failure of client or client's agents to furnish information or to approve or disapprove B & L Control Service Inc.'s work promptly, late, slow or faulty performance by client, other contractors or governmental agencies, the performance of whose work is precedent to or concurrent with the performance of B & L Control Service Inc. work, or any other acts of the client or any other Federal, State, or local government agency, or any other cause beyond B & L Control Service Inc.'s reasonable control, shall not be deemed a breach of this Agreement. The occurrence of any such event shall suspend the obligations of B & L Control Service Inc. as long as performance is delayed or prevented thereby, and the fees due hereunder shall be equitably adjusted, as agreed by B & L Control Service Inc.
3. **TERMINATION:** The obligation to provide further services under this Agreement may be terminated by either party upon seven (7) days written notice in the event of substantial and material failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. In the event of any termination, B & L Control Service Inc. shall be paid for all services rendered to the date of termination, as well as for all reimbursable expenses and termination expenses. For purposes of this section, the failure of the Client to pay B & L Control Service Inc. within thirty (30) days of receipt of an invoice shall be considered a substantial and material failure. In the event of a substantial and material failure on the part of the Client, B & L Control Service Inc., in addition to the right to terminate set forth in this paragraph, may also elect to suspend work until the default in question has been cured. No delay or omission on the part of B & L Control Service Inc. in exercising any right or remedy hereunder shall constitute a waiver of any such right or remedy on any future occasion.
4. **INDEMNIFICATION:** Client shall indemnify, defend and hold B & L Control Service Inc. harmless for any and all loss, cost, expense, claim, damage, suit, injury or liability of any nature arising from: (a) existing condition of machinery, pipes, mechanical units, client's equipment, etc.; (b) job site conditions and performance of work by others; (c) inaccuracy of data or information supplied by Client; and (d) work performed on infrastructure or machinery supplied by others, unless said loss was solely caused by B & L Control Service Inc.'s own negligence.
5. **LITIGATION:** Should litigation be necessary to collect any portion of the amounts payable hereunder, then all costs and expenses of litigation and collection, including, without limitation, fees, court costs, and attorney's fees (including such costs and fees on appeal), shall be the obligation of the Client. This Agreement is to be governed by the laws of the State of New York.
6. **ARBITRATION:** Client and B & L Control Service Inc. agree to make every effort to resolve all claims, disputes or controversies arising out of, or in relation to the interpretation, application or enforcement of this agreement through arbitration. The parties further agree that the Client will require that all contractors, subcontractors, and material-persons, and their insurers and sureties whose fees, services or materials exceed five thousand dollars (\$5,000), as a condition for participation in the project and agreement to perform labor or services, shall agree to the use of arbitration to resolve any disputes.
7. **RISK ALLOCATION:** The Client agrees that B & L Control Service Inc.'s liability for all damages, including consequential damages, to the Client for any cause whatsoever in connection with this project, and regardless of the form of action, whether in the breach of this agreement or in tort, including negligence, shall be limited to B & L Control Service Inc.'s total fee for services rendered on the project.

Initial: _____



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8. **INSURANCE:** B & L Control Service Inc. shall procure and maintain throughout the period of this Agreement, at B & L Control Service Inc.'s own cost, insurance for protection from claims under worker's compensation, temporary disability and other similar insurance required by applicable State and Federal laws. Certificates for all such policies of Insurance shall be provided to the Client upon written request. B & L Control Service Inc. shall not be responsible for any loss, damage or liability beyond the amount limits and conditions of such insurance.
9. **SUCCESSORS AND ASSIGNS:** Neither Client nor B & L Control Service Inc. shall assign, sublet, or transfer any rights under or interest in (including, but without limitation, moneys that may become due or moneys that are due) this agreement without the written consent of the other, except to the extent that any assignment, subletting or transfer is mandated by law or the effect of this limitation may be restricted by law.
10. **NOTICES:** All notices called for by this agreement shall be in writing and shall be deemed to have been sufficiently given or served when presented personally or when deposited in the mail, postage prepaid, certified and return receipt requested.
11. **SITE CONDITIONS:** Client shall provide B & L Control Service Inc. with any information regarding potential hazards or whether personal protective measures are required when working on site(s) associated with this agreement. B & L Control Service Inc. personnel shall be afforded the opportunity to review any health and safety plans available for the site(s) that they will be working on. Owners and/or agents should monitor their system(s) at the frequency recommended and are responsible for taking action to have their systems properly operated when and as needed, and to contact B & L if service is required. Client should contact us either by email, phone or fax to let us know about spillage, empty containers, operation malfunction or other failures or alarms so that service can be timely provided.
12. **RIGHT OF ENTRY AND CLEARANCE:** The Client agrees to furnish the right of entry to the project site for B & L Control Service Inc. or its representatives and warrants (if the site is not owned by Client) that permission has been granted pursuant to the scope of services.
13. **OTHER AGENCIES:** It is understood by both parties that acceptance of this Agreement in no way constitutes any guarantee of quantitative performance as it pertains to the procurement of approvals or permits required from any governing agency in the course of execution of this Agreement. Furthermore, although the timely execution of work is the responsibility of B & L Control Service Inc., this Agreement in no way guarantees the timeliness of any action required from a reviewing or permitting agency.

Initial: _____



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Schedule A

A detailed list of services to be provided by B & L Control Service Inc. to client is set forth below:

- Provide scale and corrosion inhibitor for closed loop water system(s)
Check freeze protection of glycol closed system(s)
Free laboratory testing of glycol systems available upon request.**

To include the following selected systems. (Check all that apply)

- Chilled
 - Hot water heating
 - Heat Pump Loop
 - Preheat
 - Reheat
 - Heat Recovery
 - Other – Tower Glycol – Ethylene Glycol
- Glycol Loop(s) (Always billed additional unless otherwise noted)**
- _____ at \$ _____ per gallon*
 - _____ gallons included at above per gallon price,
additional to be billed as needed. *Per gallon price subject to change due
to market fluctuations without notice.

- Provide scale, corrosion and total bacteria control using biocides for
cooling tower / Open Evaporative Pan Water Loop(s)
Formula 1150, Stabrom 909, Aquacar 714**

It is the responsibility of the owner or its agents to give adequate advanced notice to B&L of the system(s) seasonal status changes. For example: when the system is filled with water at beginning of cooling season or when the water is drained for winter.

For positive legionella samples that need chemical disinfection and additional treatment and/or require a mini Wisconsin, an additional charge of \$950.00 will be assessed per disinfection needed. No warranties or guarantees of success will be given. This disinfection of the open evaporative water system will include one follow up legionella samples.

Legionella samples are to be taken at 60-90 day intervals by B&L Control Service Inc. Contract price includes results from the collection of up to four samples, which will be analyzed by a New York State approved laboratory. Any additional samples needed will be billed in addition to the contract price at \$250.00 per sample. (Must be checked to be included)

Inspection of system(s) are to be performed at 60-90 day intervals as per NYS Law (Must be checked to be included)

Annual compliance review is required by November 1st of each year. Compliance reviews will be completed at time of customer request. A

Initial: _____



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compliance review is an evaluation of the customer's compliance with NYSDOH Cooling Tower Regulations 10 NYCRR § 4-1.8.3. Only complete compliance will result in cooling tower certification. If you are unsure of what compliance items must be met for certification, please request a copy of our Compliance Review Packet. B&L Control Service Inc. does not guarantee certification of cooling towers.

Initial: _____