

**Town of Schodack
Town Board Meeting
February 9, 2023**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Public Hearings- 7:05 PM - to seek public comment on Proposed Local Law No. 3 of 2023 Amending Chapter 151 entitle Noise in the Town of Schodack.

7:15 p.m. - to seek public comment on Proposed Local Law No. 4 of 2023 Amending Chapter 90 entitle Building Code Administration in the Town of Schodack by deleting and repealing Chapter 90 and replacing it with a new chapter to provide for administration and enforcement of the New York State Uniform Fire Prevention and Building Code.

Watch via livestreaming <https://townhallstreams.com/towns/schodack>

Public Comment

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

2023-93 WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on February 9, 2023 at 7:05 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 3 of 2023 Amending **Chapter 151 entitled Noise in the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on January 30, 2023 and advertised in the January 30, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on February 9, 2023 at 7:05 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 3 of 2023 (P3-2023) to be known as Local Law 1 of 2023 Noise in the Town of Schodack, and

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

2023-94 **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on February 9, 2023 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 4 of 2023 Amending **Chapter 90 entitled Building Code Administration in the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk’s Sign Board on January 30, 2023 and advertised in the January 30, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on February 9, 2023 at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 4 of 2023 (P4-2023) to be known as Local Law 2 of 2023 Building Code Administration in the Town of Schodack, and

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

2023-95 **WHEREAS**, pursuant to the franchise agreement between Time Warner Cable (“TWC”) (now known as Charter Communications) and the Town of Schodack, TWC/Charter pays the Town a fee for a special franchise to operate its cable television business in the public right-of-way, and

WHEREAS, for the year 2022 TWC/Charter paid the Town of Schodack \$93,383.92 in franchise fees, and

WHEREAS, TWC/Charter was levied a total of \$2,945.93 in Town taxes on five special franchise properties, and

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

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

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

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

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

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

WHEREAS, the Town has received a request for the credit on property taxes assessed in 2023 from the franchise fees paid during 2022,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of \$2,945.93 to Rensselaer County Bureau of Finance based on the 2022 TWC/Charter Utility report on said franchise properties assessed within the Town of Schodack.

- 2023-96** Amend resolution 2022-347 as adopted on December 8, 2022 as follows Amend adopted on January 6, 2022 to reflect an not to exceed amount of **\$16,500.00** as follows: Appoint Girvin & Ferlazzo, P.C. as Labor Counsel to the Town, pursuant to retainer agreement dated January 3, 2022. This authorization shall not exceed ~~\$10,000.00~~ **\$26,500.00** without further board approval. [A-fund fund balance]
- 2023-97** Authorize Supervisor Peter to execute and administer a shared services agreement by and between the Town of Schodack and Rensselaer County dated January 1, 2023
- 2023-98** Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2022 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.

2023-99 Authorize Supervisor Peter to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub 654a copier on the third floor at the Town Hall, ID # 770GF, for the period February 2, 2023 to February 1, 2024 for \$1,166.88 annually. Contract includes 168,000 copies annually with an overage charge of \$0.00767 per copy.

2023-100 Authorize Supervisor Peter to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for both the Konica Minolta Bizhub 284E copier in the Town Clerk's office, ID#731FL and for the Muratec MFX 3530 printer for Justice Court, ID#227FN, combined contract, for the period February 24, 2023 to February 23, 2024 for \$591.02 annually. Contract includes 30,660 copies annually with an overage charge of legal \$0.01932 per copy.

2023-101 **WHEREAS**, pursuant to the requirement of the New York State Alcoholic Beverage Control (ABC) Law, an applicant for a license to sell alcoholic beverages at retail for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

WHEREAS, notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the ABC Board, and

WHEREAS, the Town of Schodack has on the 30th day of January, 2023 received notice that Ryan Hoffman, owner of the business known as Pizza Trail, LLC is applying for an on-premises liquor license, and

WHEREAS, the Town Clerk circulated a notice of said application to the Schodack Town Board, the Schodack Police Department and the Schodack Building Department and no adverse comments or recommendations of any kind were received,

WHEREAS, pursuant to Alcohol Beverage Control Law §64(2A), an applicant must give the municipality thirty (30) day notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Schodack, that with respect to the application submitted by Ryan Hoffman doing business as Pizza Trails at 1685 US Rt. 9, Schodack, New York for a license to sell alcoholic beverages at retail for on-premises consumption, the Schodack Town Board does express a favorable opinion, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Schodack hereby waives the thirty (30) day notice period in regard to Pizza Trails LLC at 1685 US Rt. 9, Schodack, New York allowing an earlier submission of the liquor license application.

- 2023-102** Authorize refund of building permit fee in the amount of \$250.00 to SG Dharma Burns LLC for Building Permit Application, as Valarie Feldman, withdrew her request of a certificate of compliance inspection.
- 2023-103** Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 5 of 2023 to amend Chapter 219 of the Schodack Town Code to permit residential garages in Highway Commercial Zones in the Town of Schodack. Said hearing to be held on Thursday, February 23, 2023 at the Schodack Town Hall at 7:05 p.m.
- 2023-104** Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 6 of 2023 to amend Chapter 175 entitled Water Regulations of the Schodack Town Code in the Town of Schodack. Said hearing to be held on Thursday, February 23, 2023 at the Schodack Town Hall at 7:15 p.m.
- 2023-105** **WHEREAS**, Laberge Group, a duly licensed Engineering firm permitted to practice in the State of New York had previously been retained to prepare Contract Documents for the Water Plant Bridge(Project) which will install a replacement bridge span for that destroyed in July 2021, as well as remove the temporary bridge span, and
- WHEREAS**, Laberge Group has prepared the required Contract Documents necessary for the Projects, and
- WHEREAS**, the Board does hereby accept and approve the Contract Documents for bidding, and
- WHEREAS**, the Contract Documents inform potential bidders that the Town has not yet received all required governmental approvals and the Town will not be responsible for any costs incurred by any Bidder if the Town is unable to award the Project, and the
- NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is authorized to advertise for construction bids for the Project using the Contract Documents approved by the with a bid opening date of March 9, 2023 at 11:00 A.M.
- 2023-106** **WHEREAS**, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievement of those who have given so generously to their community, exemplifying the ideals and values cherished by this great Town, and
- WHEREAS**, Laura Nardone Palmer has distinguished herself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to her position of Assistant Comptroller in the Town of Schodack, and
- WHEREAS**, Laura grew-up in Peekskill, New York and attended Hendrick Hudson High School, and

WHEREAS, Laura became a long-time resident of the Town of Schodack shortly after graduating from Siena College where she had studied accounting, and

WHEREAS, Laura began her career in the capital district as a full-time Tax Officer with Key Bank, NA, and

WHEREAS, in 2000 and 2001 Laura Palmer served the Town of Schodack as a Budget Officer, and

WHEREAS, on December 23, 2002 the Town Board of the Town of Schodack authorized the hiring of Laura Palmer as Comptroller in Training, and

WHEREAS, Laura assumed the position of Comptroller in Training on January 1, 2003 and position of Assistant Comptroller on January 1, 2004 as has served faithfully in this role under Supervisors: Eileen Natoli, Beth Secor, Dennis Dowds, David Harris and Charles Peter, until her retirement on February 16, 2023, and

WHEREAS, from early on, Laura demonstrated her commitment to the community by serving as a member of Sacred Heart Church, and

WHEREAS, Laura has been known for practically living at Town Hall, often arriving well before anyone else and staying late to tie-out the latest excel sheets she has been working on, making sure every service tap, curb box, nut, bolt and appurtenance are properly assigned to the fund it should be, and

WHEREAS, Laura has demonstrated her love of family by being the proud mother of Ryan, Michaela and Mathew; mother-in-law to Katie, Joe and Angela; super proud Oma to Michael, Patrick, Carmella and Jonathan and a loving and devoted wife of Keith ("Tee"), additionally, she often shares her love for family, gatherings, desserts and gardening with her coworkers and friends,

WHEREAS, it surely comes as no surprise, she will greatly miss her fellow employees, along with having snacks readily available in her drawer, reading contracts and analyzing map, plans and reports

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Laura Nardone Palmer, who has given herself to this community in so many ways and distinguished herself throughout her career bringing great pride to her family, her peers, her associates and her community by being a person of commitment, integrity and an impressive role model for all, and be it

FURTHER RESOLVED, that the Legislative Body of the Town of Schodack will pause in its deliberations on the 9th day of February 2023 to acknowledge and honor Laura Palmer, upon her retirement, for her 20 plus years of service

to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to her.

2023-107 Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-0107 to 23-0266 on Abstract No. 2023-02, in the amount of \$2,088,368.09, including the claims paid \$58,884.10.

2023-108 Authorize the January 2023 budget modifications, interfund loans and interfund transfers as provided in document dated February 2023 and recommended by the Comptroller.

Motion to Adjourn

Pursuant to the regulation of the Americans with Disabilities Act (Public Law 101-336), the Town of Schodack will provide auxiliary aids or special services for persons with disabilities. Please notify the Town Clerk's Office at 477-7590 so arrangements can be made for requested services.

Please forward correspondence regarding Town matters to:
Supervisor Charles J. Peter
Town of Schodack, 265 Schuurman Road
Castleton-on-Hudson, New York 12033-9622
or call the Supervisor at 518-477-7918

1/9/2018 1:52 PM