

**Town of Schodack
Town Board Meeting
February 23, 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. 5 of 2023 Amending Town Code Chapter 219 § 99(A)(1) in the Town of Schodack to allow private garages or carports as permitted accessory use to nonconforming residential properties located in Highway commercial districts.

7:15 p.m. - to seek public comment on Proposed Local Law No. 6 of 2023 Amending Chapter 175 entitle Water Regulations of the Town Code in the Town of Schodack.

Presentation - 7:30 p.m. Frank Dingman, President of Rensselaer County Conservation Alliance

Public Comment- Board Resolutions Only

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

1. Music in the Park - Bands
2. Shredding and Household Hazardous Waste Days
3. Viking Gym
4. Youth Advisory group
5. Auctions International
6. Police – Updates
7. 10% Firefighter tax break
8. Fall Festival on October 15th at Schodack Island State Park
9. (LWRP) Local Water Front Revitalization Project
10. New York Rural Water Conference – B. Brahm and C. Halvax to attend
11. Open discussion

On-going

12. Police Union Contract
13. Rt 9 Water/Sewer infrastructure updates

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

2023-109 Ratify and affirm appointing Martha Reed as Assistant to Assessor, at an hourly rate of \$21.00 effective February 20, 2023.

2023-110 Appoint Perry Natale as Police Chief, at an annual salary of \$97,000.00 effective February 27, 2023.

2023-111 Authorize Supervisor Peter to submit a 211 Waiver Application for Police Chief Perry Natale to the New York State Civil Service Commission for approval.

2023-112 WHEREAS, a map, plan and report has been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schodack relating to the establishment of Consolidated Water District 101, Extension No. 8 in the Town of Schodack, County of Rensselaer, State of New York; and

WHEREAS, in connection with the creation of the Consolidated Water District 101, Extension No. 8 the Town of Schodack will need to review the environmental impact, if any, associated with the creation of the aforesaid District.

NOW, THEREFORE, IT IS:

RESOLVED, that the town board of the Town of Schodack be designated as lead agency with respect to the environmental review associated with the creation of the Consolidated Water District 101, Extension No. 8 pursuant to Part 617 of the State Environmental Quality Review Act; and it is further

RESOLVED, that the town supervisor be authorized to sign any and all documents associated with the environmental review regarding the creation of Consolidated Water District 101, Extension No. 8 pursuant to Part 617 of the State Environmental Quality Review Act.

2023-113 **WHEREAS**, a map, plan and report has been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schodack relating to the establishment of Consolidated Water District 101, Extension No. 8 in the Town of Schodack, County of Rensselaer, State of New York; and

WHEREAS, in connection with the creation of Consolidated Water District 101, Extension No. 8 the Town of Schodack will need to review the environmental impact, if any, associated with the creation of the aforesaid Extension.

WHEREAS, such map, plan and report was prepared by Laberge Group Ltd., competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Consolidated Water District 101, Extension No. 8,

the general plan of Consolidated Water District 101, Extension No. 8, and the various expenses to be charged for real property located within the Extension; and

WHEREAS, the establishment of Consolidated Water District 101, Extension No. 8, requires compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations of the Department of Environmental Conservation, Part 617, State Environmental Quality Review Act, and the Town of Schodack has previously established that the Town Board act as lead agency in a coordinated review with the Involved Agencies and Interested Agencies for the review of plans and environmental impact, if any, of the proposed Consolidated Water District 101, Extension No. 8; and

WHEREAS, the Involved Agencies and Interested Agencies have been informed of the adoption by the Town of Schodack of a resolution dated December 8, 2022 in which the Town Board declared its intent to serve as Lead Agency in a coordinated manner with the Involved Agencies and Interested Agencies; and

WHEREAS, the Involved Agencies and Interested Agencies have either consented to the Schodack Town Board acting as the Lead Agency for this project or have not responded within the required time frame to object to the Lead Agency designation by the Schodack Town Board.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Schodack as lead agency has determined that the establishment of Consolidated Water District 101, Extension No. 8 as described in the map, plan and report prepared by Laberge Group Ltd. is a Type 1 Action and that establishment of the proposed Consolidated Water District 101, Extension No. 8 will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of Schodack be authorized to execute the Long Form Environmental Assessment Form with respect to the determination that the establishment of Consolidated Water District 101, Extension No. 8 is a Type 1 Action and that the establishment of Consolidated Water District 101, Extension No. 8 will not result in any significant adverse environmental impacts;
2. Based on its examination of the EAF, the criteria set forth in Sections 617.6 and 617.7 of the regulations, and such further investigation as the town board has deemed appropriate, no potential significant adverse environmental impacts are known;
3. Consent to proceed with the establishment of Consolidated Water District 101, Extension No. 8 will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;
4. A negative declaration is to be signed by the supervisor;
5. The Town Clerk of the Town of Schodack is hereby directed to cause to be filed and circulated the negative declaration in accordance with the requirements of SEQRA, a copy of the negative declaration shall be maintained in the Office of the Town Clerk in a file that will be readily

accessible to the public, and the clerk shall mail copies, return receipt requested, to:

Office of the Commissioner
Department of Environmental Conservation
625 Broadway
Albany, New York 12233
and
Environmental Notice Bulletin
NYSDEC – Attn: Jack Nasca
625 Broadway, 4th Floor
Albany, New York 12233-1750

6. All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

2023-114

WHEREAS, a map, plan and report relating to the establishment of Town of Schodack Consolidated Water District 101, Extension No. 8 prepared by Laberge Group, Ltd., competent engineers, duly licensed by the State of New York, in manner and detail as determined by the Town Board of the Town of Schodack has been filed with the Town Clerk of the Town of Schodack in accordance with the requirements of the Town Law; and

WHEREAS, an Order was adopted by the Town Board of the Town of Schodack on December 8, 2022, reciting the filing of the map, plan and report, the boundaries of the proposed water district extension, the improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office in said Town for public inspection, and all other matters required by law to be stated; and

WHEREAS, the order set January 12, 2023, at 7:05 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, as the date, time and place of the public meeting to consider the map, plan and report, and to hear all persons interested in the subject, and to take action as required and authorized by law; and

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

WHEREAS, a hearing on the matter was held by the Town Board on the 12th day of January, 2023 beginning at 7:05 p.m. and the matter being fully discussed and all interested persons having been duly heard.

NOW, THEREFORE, IT IS RESOLVED AND DETERMINED:

- That the Notice of Public Hearing was published and posted as required by law and is otherwise sufficient;
- That all property and property owners within the limits of the proposed water district extension are benefitted thereby;

- That all property and property owners benefitted are included within the limits of the proposed water district extension;
- That it is in the public interest to establish said Town of Schodack Consolidated Water District 101, Extension No. 8;
- That the estimated cost of hookup fees shall equal Three Hundred and 00/100 (\$300.00) Dollars plus the purchase of an approved water meter; all constructions costs from the structure to the water tap are the responsibility of the property owners;
- That Rensselaer County is funding the capital costs for this project and as a result there will be no additional debt incurred by Consolidated Water District 101 with respect to the creation of this water district extension;
- That nine parcels located within the proposed Consolidated Water District 101, Extension 8 shall participate with the repayment of the existing debt within the aforesaid Consolidated Water District 101 based upon the equivalent dwelling unit methodology in effect for Consolidated Water District 101 in the first year following the creation of this water district extension;
- That one parcel located in this water district extension is unimproved and vacant, and as a result operation and maintenance expenses for 2023 for the remaining eight parcels located within the proposed Consolidated Water District 101, Extension 8 for the first year shall equal Forty-Five and 00/100 (\$45.00) Dollars per quarter for the first 18,000 gallons of water consumed and Three Dollars and 00/100 (\$3.00) Dollars per 1,000 gallons over 18,000 gallons in the first year following the creation of this water district extension, or shall be in accordance with the rates approved by the Town Board should connection not occur within 2023;
- That pursuant to Section 209-f of the Town Law, approval of the New York State Comptroller will not be required for establishing Consolidated Water District 101, Extension 8 because Rensselaer County is paying all capital costs associated with the creation of this water district extension and since no additional debt through the issuance of bonds, notes, certificates or other evidences of indebtedness will be incurred or paid by the town therefor and that no debt service is proposed to be assumed pursuant to subdivision 12 of Section 198 of the Town Law; and it is

FURTHER RESOLVED AND DETERMINED that the establishment of Town of Schodack Consolidated Water District 101, Extension No. 8, as set forth in the map, plan and report be approved and that the requested improvements be constructed and the necessary easements be obtained; and it is

FURTHER RESOLVED AND DETERMINED that this resolution shall be subject to a permissive referendum in the manner provided in Article Seven of the Town Law.

2023-115 Addendum from Richard Laberge Authorize Supervisor Peter to execute and administer Addendum Number 2020051-03 for professional services from the Laberge Group to assist the Town of Schodack for the NYSEFC (NYWIIA) Grant - Battisti Project in an amount not to exceed \$20,000.00.

2023-116 Appoint Barclay Damon LLP as Bond Counsel with fees in accordance with letter dated **December 19, 2013**.

2023-117 **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 23, 2023 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 5 of 2023 Amending **Chapter 219 § 99(A)(1) entitled Nonconforming uses in the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on February 13, 2023 and advertised in the February 13, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on February 23, 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 5 of 2023 (P5-2023) to be known as Local Law 2 of 2023 Nonconforming uses 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.

2023-118 **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 23, 2023 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 6 of 2023 Amending **Chapter 175 entitled Water Regulations in the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on February 13, 2023 and advertised in the February 13, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on February 23, 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 6 of 2023 (P6-2023) to be known as Local Law 3 of 2023 Water Regulations 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.

2023-119 Authorize Kerrie Joiner, Human Resource Manager to post internally the full-time positions of Secretary to Planning/Zoning/Building Departments for the Town of Schodack and allow the Supervisor to advertise in the official Town newspaper as necessary.

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