

**Town of Schodack
Town Board Meeting
June 8, 2023**

Public Session – 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Public Hearing 7:05 pm - to consider increasing the maximum cost of the improvements for Battisti Water District No. 10 \$2,735,010 pursuant to Section 209-h of the Town Law of the State of New York.

Public Hearing 7:10 pm - to seek public comment on Proposed Local Law No. 8 of 2023 Amending Chapter 151 entitle Noise in the Town of Schodack

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:

2023-187 Ratify and affirm authorizing Supervisor Peter to execute and administer Change Order Number Q0929-004 dated May 25, 2023 with Schindler Elevator to update Fire Recall System for a cost not to exceed \$23,986.00.

2023-188 Ratify and affirm monthly expenditure with Spectrum Cable of a monthly cost of \$110.00 for a dedicated internet connection for the Fire Recall System.

2023-189 **WHEREAS**, a map, plan and report had originally been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York, and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Battisti Water District No. 10 in the Town of Schodack, County of Rensselaer, State of New York had previously been filed in the town clerk's office; and

WHEREAS, said 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 water district and the general plan of the proposed water district; and

WHEREAS, by resolution dated July 9, 2020 the Town Board of the Town of Schodack approved the creation of Battisti Water District No. 10 with the maximum cost of improvements equaling \$1,790,000; and

WHEREAS, on November 17, 2021, the town board of the Town of Schodack received approval from the Office of the State of Comptroller to create Battisti Water District No. 10 with the maximum cost of improvements to equal \$1,790,000; and

WHEREAS, thereafter on December 9, 2021 the Town Board of the Town of Schodack resolved and determined to establish Battisti Water District No. 10; and

WHEREAS, the resolution and determination establishing Battisti Water District No. 10 was recorded in the Rensselaer County Clerk's Office on January 11, 2022; and

WHEREAS, after the final resolution and determination establishing Battisti Water District No. 10 was recorded in the Rensselaer County Clerk's Office it was determined that the maximum cost of the improvements for the project increased from \$1,790,000 to \$2,735,010; and

WHEREAS, in connection with the increase in the maximum cost of the improvements for Battisti Water District No. 10 the Laberge Group, Ltd., competent engineers, prepared an addendum to the original map, plan and report; and

WHEREAS, within the original map, plan and report filed in connection with the creation of Battisti Water District No. 10, the annual user costs for the typical property equaled \$696; and

WHEREAS, although the maximum cost of the improvements has increased to \$2,735,010, the first year annual cost for the typical property within Battisti Water District No. 10 is decreasing from \$696 to \$651; and

WHEREAS, the current threshold amount established by the New York State Office of the State Comptroller for the creation of water districts or extensions does not require Comptroller approval if the first year annual costs to the typical property is less than \$1040; and

WHEREAS, despite the increase in cost to the improvements the proposed first year annual cost of \$651 to the typical property owner within Battisti Water District No. 10 is less than the threshold amount of \$1040 established by the Office of the State Comptroller; and

WHEREAS, the town board of the Town of Schodack scheduled a public hearing pursuant to Section 209-h of the Town Law to be held on June 8, 2023 at 7:05 p.m. at Schodack Town Hall, 265 Schuurman Road, Castleton, New York 12033; and

WHEREAS, at the designated time and place the town board of the Town of Schodack conducted the public hearing at which time all interested parties were heard; and

WHEREAS, the public hearing was thereafter closed.

NOW, THEREFORE, IT IS RESOLVED AND DETERMINED:

1. That it is the public interest to authorize the increase in the maximum cost of the improvements for Battisti Water District No. 10 from \$1,790,000 to \$2,735,010; and it is further
2. That the permission of the Office of the State Comptroller is not required to approve the increase in the cost to the improvements inasmuch as the cost to the typical property in the amount of \$651 is less than the threshold amount of \$1040 as determined by the Office of the State Comptroller for 2023; and it is further
3. That this resolution is subject to permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

2023-190

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 June 8, 2023 at 7:10 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 8 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 May 29, 2023 and advertised in the May 31, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on June 8, 2023 at 7:10 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 8 of 2023 (P8-2023) to be known as Local Law 6 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.

- 2023-191** Authorize Supervisor Peter to execute and administer an easement on tax Map No. 199.-6-10 in consideration of \$4,300.00 to install a sewer line along the front of their property near their well site.
- 2023-192** Authorize Supervisor Peter to execute and administer the Annual Certification - Section 8 Housing Choice Voucher Program.
- 2023-193** Authorize the agreement between the Town of Schodack and Verizon for seasonal charges for the 13 cellular telephones to be used for the Town of Schodack Youth and Recreation summer program at a cost of \$4.99 per phone per month, plus per minute \$0.25, and 200 text messages per phone. Verizon mobile to mobile and nights and weekends are unlimited. Estimated charges are approximately 1235 calls or \$75.00. Rates per NYS Contract No. PS63766. Service will incur a total of approximately 6 weeks of billing or approximately \$182.00 in charges Said phones to be utilized by the Camp Directors for the duration of the camp. (As budgeted A7310.4)
- 2023-194** Authorize the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

Assistant Directors: Andrew Brunner, Jessica Dryzmala and Riley Donovan

Assistant Directors and Summer School Coordinator: Tara O'Grady-Day

Art and Crafts Director: Victoria Roberts

Bus Aides: Taylor Aubin, Gavin Haller, Dillon Halvax, Brynn Honsinger, Andrew Lensink and Ruby Theordore-Begany

Facilities and Waterfront Director: Patrick Austin

Camp Nurses: Andrea Cavagnaro and Heather Brewer

Counselors: Kate Ackerman, Anthonly Basile, Leila Bates, Tyler Bedell, Ben Brewer, Kate Brodzinski, Christopher Bulan, Zachary Chittenden, Adam Cogliandro, Brenden Creaser, Jake Donovan, Olivia Eaton, , Zachary Geottinger, Alyssa Gray, Deyanna Haughton, Kaiya Hibbs-Sanger, Henry Hickok, Eva Hirschhoff, William Kotary, Evan Lorenzo, Kaeden Leonidas, Austin Lensink, Stephen Macyowskie, Samantha Manning, Tyler Marino, Alyssa Martin, Kayla Morris, Avery Morse, Gianna Morse, Xavier Pearsall, Julia Reickert, Mason Smith, Layla Squires, Gerald Stalker, Abby Szklenka, Frank Thomas and Jack Wildermuth.

EMT for the Park: Rebecca Hall

Lifeguard:

Site Directors: Jillian Austin, Eric Beihler, Alysia Kolb and April Smith

STEM Instructor: Bryan VanVliet

STEM Assistant: Connor Mead

STEM Counselor: Callie Rae Haller and Jennifer Schank

Special Needs Counselor: Daniel Bently and Alexandra Stuto

Summer Soccer Instructor:

Summer Volleyball Instructor:

Substitute Counselors:

Transportation Director: Sarah Lussier

WSI: Tim Christiansen

[All at the Salary/Hourly rates per as set forth in resolution 2022-344].

2023-195 **WHEREAS**, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and

WHEREAS, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the audit report submitted for Building Department Funds and Town Clerk Funds for the fiscal years 2022.

2023-196 **WHEREAS**, Ethan Maier, son of Kurt and Regina Maier, on the 4th of June in the year two thousand twenty-three, was awarded the rank of Eagle Scout, the highest rank a boy can achieve in scouting; and

WHEREAS, Ethan started his journey in scouting as a Bobcat in 2011, with Pack 253, and

WHEREAS, Ethan has earned the Arrow of Light award the highest Cub Scout honor, and

WHEREAS, Ethan is a member of Boy Scout Troop 53, and has earned 28 Merit Badges in his 7 years of Boy Scouting, and

WHEREAS, Ethan has served the troop as Senior Patrol Leader, Patrol Leader, Quartermaster, Instructor and is now registered as Assistant Scoutmaster, and

WHEREAS, as his Eagle Scout project, with the assistance of other Scouts, Scout leaders, and family and friends, cleared an area for handicap access near a pond, build a handicap picnic table and a bench, at The Stride Center, in Chatham, New York, and

WHEREAS, Ethan a senior at Maple Hill High School, where he is a member of the Wrestling Team, and will be attending UAlbany this fall to study Emergency Preparedness, Cybersecurity & Homeland Security, and

WHEREAS, Ethan participated in Drama Club and is an active volunteer with Kiwanis.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack commends and congratulates Ethan Maier upon the auspicious occasion of being awarded the rank of Eagle Scout, Boy Scouts of America; and

BE IT FURTHER RESOLVED that Supervisor Peter will transmit a copy of this resolution, suitably engrossed to Ethan Maier.

2023-197 Amend 2023 Transfer/Recycling Station Rules and Regulations regarding tires as follows:

5c) **Tires (subject to limit of 10 tires total annually)**

Car and light truck	\$4.00 each or 2 punches
Tires with rims	\$6.00 or 3 punches
Large tires	*PRICED BY SIZE*

**** Dirty tires will be subject to approval for acceptance by the Transfer Station Director or his Designee****

2023-198 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 C308 copier at the Police Station, for the period June 4, 2023 to June 3, 2024 for \$635.22 annually. Contract includes 42,000 b/w copies and 3,000 color copies annually with an overage charge of \$0.00940 and \$0.08042 respectively per copy.

2023-199 Amend resolution 2023-94 as adopted on February 9, 2023 to reflect an increase as follows: Amend resolution 2022-055, as adopted on January 6, 2022, to reflect and not to exceed amount of ~~\$16,500.00~~ **\$26,500.00** 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~~ **\$36,500.00** without further board approval. [A-fund fund balance]

2023-200 Authorize Kerrie D. Joiner, Human Resource Manager to post internally the full-time position of Operator I/Operator II at the Highway Department and authorize advertising in the official Town newspaper as necessary.

2023-201 **WHEREAS**, the Town of Schodack from time to time has felt compelled to advocate and take a stance on issues of importance under consideration by various legislative bodies, whether local or national, which would have a direct impact on the Town of Schodack and its residents, and

WHEREAS, the New York State Legislature is currently considering amendments to the Town Law, the Village Law, the County Law, and the Municipal Home Rule law to require certain local elections outside of New York City to be moved from odd-numbered years to even-numbered years, and

WHEREAS, the justification for such amendments is stated as to achieve cost savings and to reduce voter confusion, and

WHEREAS, this proposed legislation, in our opinion, will only cause greater voter confusion by adding additional races to already crowded calendar of state and federal elections, and

WHEREAS, local races will cease to get a spotlight and be overshadowed by larger races for State or Federal offices, thus reducing voter engagement on critical matters of local importance, and

WHEREAS, the suggested cost savings will likely not be achieved due to the number of offices such as County Court Judge, Surrogate Court Judge, County Clerk, and Sheriff not being subject to this proposed legislation, and

WHEREAS, this proposed legislation is being considered and advanced at the end of session with little to no input from the local municipalities or the residents it impacts, and is opposed by the New York State Association of Counties;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack affirms its support for the principles of Municipal Home Rule, the preservation of New York State Counties, Towns and Villages to establish and control their elected officials' terms of office and elections, and states its opposition to this legislation currently under consideration by the New York State Legislature, and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Schodack is hereby directed to transmit certified copies of this Resolution to Governor Kathy Hochul, State Senator Jacob Ashby, and State Assemblyman Scott Bendett.

2023-202 Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-0791 to 23-0923 on Abstract No. 2023-06, in the amount of \$217123.93 including the claims paid \$47,479.27.

2023-203 Authorize the May 2023 budget modifications, interfund loans and interfund transfers as provided in document dated June 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 518 477-7590 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