

**Town of Schodack  
Town Board Meeting  
September 14, 2023**

Public Session – 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

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

Public Comment on resolutions

Discussion items:

1. Pratt/ Building, Planning and Zoning Departments
2. Village of Castleton support resolution
3. Moratorium on battery storage
4. Paving parking lot at Town Hall
5. Copier for Assessor's Office

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

**2023-238** Ratify and affirm replacement of transmission and clutch in the 2002 International Roll-off as per quote dated August 1, 2023 from W & W Truck Transmission Repair Service, Inc. in an amount not to exceed \$9,798.51.

**2023-239** Ratify and affirm amending resolution 2023-167 as adopted on May 11, 2023 to reflect Additional roads to be paved as follows: To approve the 2023 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on: **Edinburgh Drive, Scotland Lane, Hunters Road**, Morey Park Road, Morey Park Hill, Sailors Lane, Ferndale Road, Phillips Road, Briarwood Drive, Huckleberry Road, Simons Road and Old Coach Drive and portions of Burden Lake and Clove Road. Further, Crack Fill/Single Chip Seal treatments shall be applied on: Shufelt Road, Bame Road, Irish Hill Road and portion of Burden Lake Road (150 to No. Schodack Road). Crack Fill Only to be applied to: Sand Road

**2023-240** Authorize Supervisor Peter to execute and administer a contract with PCI Utility Billing, a third-party payment vendor used by Catalis Tax & Cama, Inc. software to enable the Receiver of Taxes to accept credit and/or debit card payments for water and sewer payments. As per contract, there will be user charge of 2.75% added to the payment amount per credit card transaction and/or \$2.95 user charge added to each debit card transaction.

**2023-241** Authorize Chief Natale to purchase of 13 ft x 16 ft Hardtop Wood Gazebo Item No. A102008110 from Home Depot to be installed at the shooting range in an amount not to exceed \$2,449.99.

**2023-242** Resolved that the 2023 Budget Presentation Meeting will be held Monday, October 2, 2023 at 5 p.m. Further, the following schedule was set to review the 2024 Tentative Budget:

Tuesday,	October 17, 2023	6 p.m.
Wednesday,	October 18, 2023	6 p.m.
Thursday,	October 19, 2023	6 p.m.

**2023-243** Authorize Supervisor Peter to execute and administer 2023-2024 Snow and Ice Agreement with Rensselaer County Department of Engineering and Highways for reimbursement for snow and ice removal on Stony Point Road.

**2023-244** **WHEREAS**, it is the privilege and duty of the American people to commemorate the anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities, and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as *Constitution Week*,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Schodack does hereby proclaim the week of September 17 through 23 as *Constitution Week* and urges all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

**2023-245** **WHEREAS**, Chapter 174 & 176 of the Town of Schodack Code (Sewer Regulations) provides for capital costs to be allocated to each parcel of property within the sewer district based on the assessed valuation, units or front footage of property along which sewer mains are constructed or a combination of these methods as approved by the Town Board, and

**WHEREAS**, The Town Board defined the basis, through the adoption of Resolution No. 2019-117 on March 14, 2019, on which capital costs are to be allocated that is in accordance with the districts' legal formation and/or method by which the capital costs were approved, and

**NOW THEREFORE BE RESOLVED** that the Town Board of the Town of Schodack updates the definitions of an equivalent dwelling unit (EDU), for all Town Sewer Districts, as follows:

Town of Schodack/Village of Castleton

Sewer District Property Class Codes

Sewer Equivalent Dwelling Unit (EDU) Schedule

Property Class Code per Assessor's Manual and Property Description

Capital-O&M EDU

200	<b>Residential Dwellings</b>		1 EDU per dwelling unit-additional units may be assigned for incidental commercial usage
300	<b>Vacant Land-no O&amp;M EDU for Vacant Properties</b>	*	<b>Residential parcels</b> - 1 EDU per buildable lot or lots greater than 10,000 sq. ft. where connection is feasible. <b>Commercial parcels</b> - For large parcels, EDU's may be assigned to vacant Properties based upon the assessed value per acre at the discretion of the Board.
400	<b>Commercial Properties</b>	**	1 EDU
410	<b>Living Accommodations</b>		
411	Apartments	**	1 EDU per dwelling unit (VOC)
416	Mobile Home Park	**	1 EDU per dwelling unit
480	<b>Multi-Use Structures</b>		
482	2-3 story structure with 1st Floor Commercial and upper floor apartments/offices	**	EDU(s) based upon main floor use of structure plus an additional EDU for each dwelling/office
484	1 Story multi-use	**	EDU(s) based upon commercial use of structure plus an additional EDU for each dwelling/office
600	<b>Community Services</b>		
612	Schools-day		1 EDU per 20 students/staff
633	Homes for the Aged-Nursing Home		.75 EDU per bed
682	Recreation Facilities-bike path, Nature Trail w/o sewer		Exempt
695	Cemetery		Exempt
800	<b>Public Services</b>		Exempt
900	<b>Wild, Forested Conservation Land &amp; Public Parks</b>		Exempt

**Commercial Property Class Codes with public water connections (excluding Sewer District #6)** not specifically identified above, in general, will be assigned 1 EDU plus additional EDU's for every 40,000 gallons, or portion thereof, of water usage in excess of 40,000 gallons per year at the discretion of the Board. Entities using over 1 million gallons/year may be assigned units on a separate basis.

**Sewer Districts without public water connections** will be assigned EDU's based upon the above table or, if necessary, in accordance with the use of the property, excluding the component for water usage.

**Sewer District #6 properties** shall use EDU's calculated per annual Resolution for all Town Water Districts.

**2023-246 WHEREAS**, Chapter 175 of the Town of Schodack Code (Water Regulations) provides for capital costs to be allocated to each parcel of property within the water district based on the assessed valuation, units or front footage of property along which water mains are constructed or a combination of these methods as approved by the Town Board, and

**WHEREAS**, the Town Board defined the basis, through the adoption of Resolution No. 2013-218 on October 24, 2013, on which capital costs are to be allocated that is in accordance with the districts' legal formation and/or method by which the capital costs were approved, and

**NOW THEREFORE BE RESOLVED** that the Town Board of the Town of Schodack updates the definitions of an equivalent dwelling unit (EDU), for all Town Water Districts, as follows:

<b>Property Type</b>	<b>Property Code</b>	<b>Equivalent Dwelling Unit (EDU) Assigned</b>
<i>A typical property is defined as a single family residence with estimated annual water usage of 72,000 gallons or less.</i>		
Exempt Properties	Varies, 315,822, 971	Cemetery without water use, underwater land, catch basins, access roads, water and/or sewer district owned parcels, water supply, wetlands and homeowner associations.
<b>Residential Properties</b>		
Vacant Land	311	0.75 EDU
Vacant Land - Rural 10 acres or less	314	0.50 EDU (less than .10 acres, then 0 EDU)
Vacant Land - Rural over 10 acres	322	1.00 EDU
1 family w/ no water main on the road	210	0.0 EDU
1 family year round residence w/ curb stop, w/ easement or flag lot, dwelling > 600 feet from curb stop	210	0.50 EDU
1 family, with acreage	210	1.00 DU
1 family year round residence w/accessory apartment	215	1.50 EDU
2 family	220	2.00 EDU
3 family	230	3.00 EDU
With acreage, Multi-purpose	240,280,281	Based on property specifics using definitions contained herein, except water usage is not a component. (i.e. 1 family plus 1 apartment = 1.50 EDU)
With Incidental Commercial Use. Incidental Commercial use is defined as a residence which has been partially converted or adapted for commercial use with the primary use being residential.	283	2.00 EDU (1 EDU for Residential plus EDU for Commercial) The residential component may increase based on property specifics using definitions contained herein (i.e. 1 family plus 1 apartment = 1.50 EDU). Additional units

		will be added based upon actual water usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in Excess of 72,000 gallons for usage greater than the first 72,000 gallons. *
With small improvement	312	1.00 EDU

<u>Property Type</u>	<u>Property Code</u>	<u>Equivalent Dwelling Unit (EDU) Assigned</u>
<b>Commercial Vacant Land Properties</b>		
Vacant Land; Commercial Vacant with small improvement; Agricultural Vacant Land	330,331,105	An assessed value per acre of less than or equal to \$10,000 shall have an EDU value of .25, an assessed value per acre greater than \$10,000 and less than or equal to \$25,000 shall have an EDU value of .50, and an assessed value per acre greater than \$25,000 shall have an EDU value of .75; then dividing the total assessed value of the property by \$20,000 (2017-AAV) to determine the units of assessment and then multiplying the EDU value by the units of assessment, rounded up to the nearest quarter. AAV-Average Assessed Value is calculated annually based upon the average assessed value per acre of residential vacant property in property code no. 311 for all Town Water Districts. Should properties become water users, additional units will be

		added based upon actual usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
Parking Lots, Mining/Quarry	438, 720	1.0 EDU. Should properties become water users, additional units will be added based upon actual usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
<b>Commercial Residential Properties</b>		
Apartments, Mobile Home Parks	411, 416	1.0 EDU; plus 0.50 EDU per apartment/mobile home; plus 0.50 EDU for each excess 36,000 gallons or portion thereof in excess of the total of the EDUs per apartment/mobile home times 72,000 gallons.*
Hotel, Motel	414, 415	1.0 EDU; plus 1.00 EDU per 3 rooms Or portion thereof; plus 1/3 of 1.00 EDU for each excess 24,000 gallons used or portion thereof in excess of the total of the EDUs per 3 rooms times 72,000 gallons.*
<b>Commercial Properties</b>		
Commercial Properties as listed: Restaurants, Diner/Luncheonettes, Fast Food Franchises, Motor Vehicle Service, Auto Dealers – Sales & Service, Auto Body/ Tire/ Related Auto, Automatic Car Wash, Mini Warehouse (self storage), Lumber Yards, Trucking Terminals, Other Storage/ Warehouse/ Distribution Facilities, Retail Services, Neighborhood Shopping Centers, Drive-In Branch Bank, Office Building, Professional Building, Dog Kennel/ Veterinary Clinic, Multiple Use, Converted Residence, One Story Small Structure, One Story Small Structure – Multi Occupancy, Minimart, Schools, Other Educational Facilities, Religious, Benevolent & Moral Associations, All Other Health	421, 422, 426, 430, 431, 433, 434, 442, 444, 447, 449, 450, 452, 462, 464, 465, 472, 480, 481, 483, 484, 485, 486, 612, 615, 620, 632, 642, 651, 652, 662, 682, 700, 870	1.0 EDU; plus 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^

Facilities, Governmental Highway Garage, Governmental Office Building, Police & Fire Protection, Recreational Facility, Industrial, Electric & Gas	
* Based upon actual water consumption for the period July 1 – June 30 preceding the adoption of the assessment roll, or ^ Based upon estimated water consumption for non-connected properties per DEC design flow guidelines as follows: .01 gallon/square foot/day for Warehouse/Storage Facilities or .1 gallon/square foot/ day for Office/Retail Facilities discounted by 50% of estimated water usage.	

- 2023-247** Waive the requirement pursuant to Chapter 177§1 of the Code of the Town of Schodack to hold Water Rate hearings on or before October 20<sup>th</sup> each year, in order to schedule said hearings at a special meeting at a later date to be determined.
- 2023-248** Waive the requirement pursuant to Chapter 176§4 of the Code of the Town of Schodack to hold Sewer Rent hearings on or before October 20<sup>th</sup> each year, in order to schedule said hearings at a special meeting at a later date to be determined.
- 2023-249** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 1. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2023-250** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 3. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2023-251** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of the capital charges for Water District Number 101. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

- 2023-252** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 2a. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2023-253** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 8. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2023-254** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 9. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2023-255** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the Assessment rolls for Capital Charges for Consolidated Sewer District Number 1. Said hearing shall be held on Thursday, October 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2023-256** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 5. Said hearing shall be held on Thursday, October 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2023-257** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 6. Said hearing shall be held on Thursday, October 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2023-258** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 8. Said hearing shall be held on Thursday, October 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2023-259** Authorize Town Clerk to publish legal notice of hearing to seek public input relative to the 2023 Preliminary Budget and proposed fees for 2023 to be held on Thursday, October 26, 2023 at 7:30 p.m. at the Schodack Town Hall, 265



Schuurman Road as soon thereafter as the above sewer district hearing is concluded.

**2023-260** Adopt the fee schedule for Fall Clean-Up Days (October 12, 13 & 14) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16")	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors ( <b>limit of 2 items per household</b> )	FREE
Propane Tanks	FREE
Furniture ( <b>limit of 3 items per household</b> )	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

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

**2023-261** **WHEREAS**, the Town of Schodack was the recipient of a Community Development Block Grant (CDBG) award administered by the New York State Office of Community Renewal; and

**WHEREAS**, participation in this program requires two public hearings; the first being to seek direction and comments on the application for funding and the second to allow the public an opportunity to comment on its implementation; and

**WHEREAS**, the Town held the first of two required public hearings on the 2021 Public Infrastructure project on February 11, 2021, prior to submitting its application; and

**WHEREAS**, the Town has implemented much of the CDBG funded 2021 Public Infrastructure project activities, making it appropriate for holding the required second public hearing; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Members of the Town Board of Schodack: That the Town Clerk is hereby authorized to publish a Notice of Public Hearing to be held on September 28, 2023 at 7:05 p.m. at the Town Offices to provide an opportunity for the Town to:

- a. Provide the citizens of the Town with information about the performance and status of activities for the ongoing NYS CDBG project #1039PW29-21, Schodack Battisti Drinking Water Improvements.
- b. Provide citizens adequate opportunity to participate in the review of the performance and status of activities for the ongoing project.

**2023-262** Authorize Supervisor Peter to provide a letter of support to the Village of Castleton in regard to the dedicated River Access to the waterfront in the Village of Castleton.

- 2023-263** Amend resolution 2023-153 as adopted on April 13, 2023 as follows: Appoint Erika Pratt as Planning/Zoning Secretary on a full-time basis at the hourly rate of ~~\$20.00~~ effective ~~May 15, 2023~~. [This is a budgeted item. B-3620, B-8010 & B-8020]
- 2023-264** Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 9 of 2023 to determine extending a moratorium for Battery energy storage systems in the Town of Schodack. Said hearing to be held on Thursday, September 28, 2023 at the Schodack Town Hall at 7:15 p.m.
- 2023-265** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-1330 to 23-1514 on Abstract No. 2023-09, in the amount of \$1,896,680.54, including the claims paid \$156,551.32.
- 2023-266** Authorize the August 2023 budget modifications, interfund loans and interfund transfers as provided in document dated September 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