

# Town of Schodack Town Board Meeting February 10, 2022

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Executive Session – Personnel Matters

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:**

- 2022-089)** Ratify and affirm authorizing Supervisor Peter to execute and administer the Memorandum of Agreement by and between the Town of Schodack and CSEA/Highway dated January 30 2022.
- 2022-090)** Authorize Supervisor Peter to execute and administer a shared services agreement by and between the Town of Schodack and Rensselaer County dated January 1, 2022
- 2022-091)** Authorize Supervisor Peter to execute and administer an agreement by and between the Town of Schodack, Schodack Realty and Schodack CML, LLC dated February 2022.
- 2022-092)** Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2021 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.
- 2022-093)** **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 2021 TWC/Charter paid the Town of Schodack \$93,748.03 in franchise fees, and

**WHEREAS**, TWC/Charter was levied a total of \$3,410.55 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 2020 from the franchise fees paid during 2021,

**NOW, THEREFORE, BE IT RESOLVED** to authorize payment of \$3,410.55 to Rensselaer County Bureau of Finance based on the 2021 TWC/Charter Utility report on said franchise properties assessed within the Town of Schodack.

**2022-094)** 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, 2022 to February 1, 2023 for \$1,111.32 annually. Contract includes 168,000 copies annually with an overage charge of \$0.00731 per copy.

**2022-095)** 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, 2022 to February 23, 2023 for \$562.87 annually. Contract includes 30,660 copies annually with an overage charge of \$0.01840 per copy.

**2022-096)** **WHEREAS**, a map, plan and report has been prepared in such manner and in such detail as is required by Article 12-A of the Town Law of the State of New York, relating to the establishment of Consolidated Water District 101, Extension No. 7 in the Town of Schodack, County of Rensselaer, State of New York, and has been filed in the Town Clerk's Office for public inspection; and

**WHEREAS**, said map, plan and report was prepared by Laberge Group, Ltd., competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Water District Extension and the general plan of the Water District Extension; and

**WHEREAS**, said map, plan and report shows the location and description of the public works which will be required and the lands or easements to be acquired; and

**WHEREAS**, the improvements proposed include, but are not limited to, the installation of a 12 inch class 52 DI water main for approximately 850 feet, the installation of two fire hydrants and guard valves, and the installation of eleven curb boxes, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

**WHEREAS**, said project will require 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

**WHEREAS**, the Town of Schodack Planning Board was designated as the lead agency with a coordinated review by the Town of Schodack Town Board.

**NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

1. The Town Board of the Town of Schodack shall participate in the coordinated review of this project with the Town of Schodack Planning Board to determine whether the aforesaid project poses any adverse environmental impacts to the environment.
2. If necessary, the town supervisor be authorized to sign any and all documents associated with the environmental review of the creation of

Consolidated Water District 101, Extension No. 7 pursuant to Part 617 of the State Environmental Quality Review Act.

**2022-097)** **WHEREAS**, a map, plan and report has been prepared in such manner and in such detail as is required by Article 12-A of the Town Law of the State of New York, relating to the establishment of the Consolidated Water District 101, Extension No. 7 in the Town of Schodack, County of Rensselaer, State of New York, and has 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 District Extension and the general plan of the proposed District Extension; and

**WHEREAS**, said map, plan and report shows the location and description of the public works which will be required and the lands or easements to be acquired; and

**WHEREAS**, the boundaries of the proposed water district extension are as described in Schedule "A" annexed hereto and made a part hereof; and

#### **SCHEDULE A**

All that piece or parcel of real property located within the Town of Schodack, County of Rensselaer containing approximately 300 acres and designated as 188.00-5-5.11.

**WHEREAS**, the proposed improvements to be constructed consist of the installation of a 12 inch class 52 DI water main for approximately 850 feet, the installation of two fire hydrants and guard valves, and the installation of eleven curb boxes; and

**WHEREAS**, the maximum amount proposed to be expended for the creation of the Water District extension is One Hundred Thirty Five Thousand Five Hundred and 00/100 Dollars (\$135, 500.00 ); and

**WHEREAS**, pursuant to Section 209(f) of the Town Law, approval of the New York State Comptroller will not be required for establishing this water district extension since debt shall not be issued or assumed by the town for any improvements to be constructed and further since the cost of improvements will be paid for in full by the developer; and

**WHEREAS**, said map, plan and report describing said improvements is on file in the Town Clerk's Office for public inspection; and

**WHEREAS**, the typical property within the water district extension shall be assigned one equivalent dwelling unit and shall incur capital charges in the amount of Two Hundred Thirty and 00/100 Dollars (\$230.00) for the first year of operation and shall incur operation and maintenance expenses in the amount of One Hundred Ninety Two and 00/100 Dollars (\$192.00) for the first year of operation; and

**WHEREAS**, the clubhouse facility shall be assigned four equivalent dwelling units and shall incur capital charges in the amount of Nine Hundred Twenty and 00/100 (\$920.00) Dollars for the first year of operation and shall incur operation and maintenance expenses in the amount of Five Hundred Forty Nine and 00/100 Dollars (\$549.00) for the first year of operation; and

**WHEREAS**, the cost to hook up to the water district extension equals Five Hundred Seventy-Five and 00/100 Dollars (\$575.00).

**NOW, IT IS HEREBY ORDERED**, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Schodack Town Hall in said Town, on the 24<sup>th</sup> day of February, 2022, at 7:05 p.m., local time, to consider said map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

**2022-098)** Amend resolution 2021-289 as adopted on December 9, 2021 as follows: Authorize renewal of the Town's liability insurance policy with NYMIR, including property, general liability, auto, inland marine, boiler & machinery, law enforcement and public officials effective January 1, 2022 with a Six Million Dollar Umbrella, single occurrence with a Twelve Million Dollar aggregate for the premium not to exceed ~~\$160,773.04~~ \$162,441.84.

**2022-099)** Authorize Supervisor Peter to execute and administer Addendum Number 2022009-00 dated January 19, 2022 for professional services from the Laberge Group, related to preparation of a Preliminary Engineering Report regarding options toad disinfection to the East Schodack WWTP in an amount not to exceed \$24,900.00.

**2022-0100)** **WHEREAS**, the Town Board of Schodack (Town Board) was notified by New York State Department of Environmental Conservation (NYSDEC) that the State Pollutant Discharge Elimination System (SPDES) permit authorizing the wastewater discharge from the East Schodack Sewer District #5 (Sewer District) requires disinfection be installed at the sewer treatment facility; and

**WHEREAS**, the Town of Schodack received a grant from the 2021 New York State Environmental Facilities Corporation (EFC) Wastewater Infrastructure Engineering Planning Grant Program to prepare the required engineering report and planning activities (project) for the Sewer District; and

**WHEREAS**, per 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations), under the State Environmental Quality Review Act (SEQRA), Section 617.5 provides that certain actions identified in subdivision (c) of that section are defined as Type II, which means that such actions are not subject to environmental review under the Environmental Conservation Law because such actions have been determined not to have a significant impact on the environment; and

**WHEREAS**, the Town Board will undertake the role of the Lead Agency for the review of this potential action and the consideration as to whether there is a potential for adverse impacts of this project in accordance with SEQRA;

**IT IS HEREBY RESOLVED**, that that the Schodack Town Board does hereby establish itself as the Lead Agency for the SEQRA review regarding the project; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby determine that the project is a Type II Action in accordance with 6 NYCRR Section 617.5(c)(24) and is therefore not subject to further review under 6 NYCRR Section 617; and

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Absent      Aye      Nay

Supervisor Charles Peter:  
Councilmember Michael Kenney:  
Councilmember Scott Swartz:  
Councilmember Jim Bult:  
Councilmember Tracey Rex:

**2022-0101) WHEREAS**, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievements of those who have given so generously to their community, exemplifying the ideas and values cherished by this great Town, and

**WHEREAS**, longevity of life is a blessing for an individual and for a community which benefits from the knowledge, creativity, and experiences this individual brings to all, and

**WHEREAS**, the town of Schodack recognizes with respect and admiration the contribution of senior citizen to our community, and

**WHEREAS**, Marjorie Judd was born in Connecticut on February 17, 1921 and after moving a few times, her family settled in Schodack Landing. She often spoke of spending time picking beans in the summer with her mother Mae Judd. She attended Castleton Union School, she met and married Earl Johnson who served on the Town Board of the Schodack and the School Board of Schodack Central Schools for many years, and

**WHEREAS**, Margie worked at Fort Orange Paper Company and then Sterling Winthrop until her retirement, and

**WHEREAS**, Margie and Earl raised their sons Earl Jr. and Richard in the Town of Schodack and now have 4 grandchildren, 15 great grandchildren and 2 great great grandsons, and

**WHEREAS**, Margie has been blessed with lots and lots of nieces and nephews that have been great to her in her senior years, and

**WHEREAS**, she has lived by the Golden Rule which entails, "treating people right". She is described by others as being independent, determined, resourceful, humble, kind, loving and grateful for everything people do for her. She is also described as being easy to get along with, someone who takes pride not only in her appearance but her property's appearance, and

**WHEREAS**, Margie is a woman of great faith who loves her church community, has served on the consistory at Dutch Reform Church of Schodack Landing, and

**WHEREAS**, Margie demonstrates her love and commitment to the community by serving as a poll worker on Election Day for years and as life member of the Schodack Landing Volunteer Fire Company Auxiliary since 1962, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislative Body of the Town of Schodack is moved to honor Marjorie Johnson, who has given herself to this community in so many ways and distinguished herself

throughout her careers 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 10th day of February 2022 to acknowledge and honor Marjorie Johnson for her long life and prosperity, upon her milestone birthday of one hundred years and wish her many more. A copy of this resolution, suitably engrossed, will be transmitted to her by the Supervisor.

- 2022-0102)** Appoint \_\_\_\_\_ as Building Inspector/ Code Enforcement Officer at a salary of \$\_\_\_\_\_, effective \_\_\_\_\_. Further, this is a provisional appointment which requires said appointee to take the next civil service exam offered for that title.
- 2022-0103)** Authorize Supervisor Peter to execute and administer the proposal dated January 14, 2022 from Garrison Fire & Rescue Corp. to install new valves and MSA Quick Connect Adaptors on 2 fills on Town of Schodack owned Air Bank (housed at Schodack Valley Fire Station) in an amount not to exceed \$1,570.00
- 2022-0104)** Amend resolution 2021-305 as adopted on December 29, 2021 as follows: Authorize purchase QNAP Diskless System Network Storage for server at the Police Department from Newegg ~~under state contract~~ in an amount of ~~\$2,819.99~~ 3,356.25 each. Funds to be encumbered from 2021 Police Department funds for be utilized in 2022.
- 2022-0105)** Appoint Bob Guyer as Temporary Dog Control Officer. The rate of payment shall be \$50.00 per call.
- 2022-0106)** Authorize Human Resources Manager to post internally and advertise publicly the position of Dog Control Officer and further authorize advertising in the official Town newspaper as necessary.
- 2022-0107)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #22-0112 to 22-\_\_\_\_\_ on Abstract No. 2022-02, in the amount of \$\_\_\_\_\_, including the claims paid \$\_\_\_\_\_.
- 2022-0108)** Authorize the January 2022 budget modifications, interfund loans and interfund transfers as provided in document dated February 2022 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

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