

Town of Schodack Town Board Meeting February 11, 2021

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Public Hearing: 7:05 p.m. - to seek public comment on proposed Local Law No. 1 of 2021 establishing an additional qualification for eligibility to hold an Elective Office in the Town of Schodack.

Public Hearing 7:10 p.m. -relative to Program year 2020 CDBG funding to:

- a. Provide the citizens of the Town with adequate information concerning the amount of funds available for proposed community development activities, the range of activities that may be undertaken and other important program requirements.
- b. Provide citizens adequate opportunity to participate in the development of the application, any revisions, changes or amendments to the application, prior to the submittal.

Public Hearing 7:20 p.m. -relative to Program year 2021 CDBG funding to:

- a. Provide the citizens of the Town with adequate information concerning the amount of funds available for proposed community development activities, the range of activities that may be undertaken and other important program requirements.
- b. Provide citizens adequate opportunity to participate in the development of the application, any revisions, changes or amendments to the application, prior to the submittal.

Presentation- Police reform committee

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

Public Comment - Join Zoom Meeting

<https://us02web.zoom.us/j/83659230814?pwd=T1prV25paFc4MDFIV3Y4bjBGWG9kUT09>

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

2021-085) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said Town on February 11, 2021, at 7:05 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law #1 of 2021 relating to establishing an additional qualification for eligibility to hold an Elective Office in the Town of Schodack; and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on February 1, 2021 and advertised in the February 1, 2021 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on February 11, 2021 at 7:05 p.m. at the Schodack Town Hall and all interested parties were permitted an opportunity to submit comment on behalf of, or in opposition to, said proposed local law or any part hereof, and

WHEREAS, that the 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 hereby adopts Proposed Local Law Number 1 of 2021 (P1 of 2021) to be known as Local Law #1 of 2021 of the Town of Schodack, and

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

2021-086) WHEREAS, the U.S. Housing and Community Development Act of 1974 (P.L. 93-383), as amended, provides for the development of viable urban communities by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low and moderate income; and

WHEREAS, said Act authorizes the Secretary of Housing and Urban Development (HUD), through the New York State Office of Community Renewal to make grants to units of general local government to help finance Community Development Programs under Section 103 (a)(1) of Title I; and

WHEREAS, under said legislation, eligible applicants in the case of municipalities, are required to authorize an official representative to file the application and to provide the Secretary with certain assurance of compliance with applicable laws and regulations under Title I of said Acts; and

WHEREAS, it is desirable to conduct and hold a public hearing pursuant to the HUD Act to obtain the views of the citizens on Community Development needs, to establish priorities, and subsequently to develop the application, programs and any amendments or revisions thereto; and

NOW, THEREFORE, IT IS RESOLVED, by the Members of the Town Board: That the Town Clerk is hereby authorized to publish a Notice of Public Hearing to be held on **February 11, 2021 at 7:10 p.m.** at the Town Offices to provide an opportunity for the Town to:

- a. Provide the citizens of the Town with adequate information concerning the amount of funds available for proposed community development activities, the range of activities that may be undertaken and other important program requirements.
- b. Provide citizens adequate opportunity to participate in the development of the application, any revisions, changes or amendments to the application, prior to the submittal.

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute and file an application on behalf of the Town of Schodack with the New York State Office of Homes and Community Renewal for a community development grant pursuant to Title I of the Housing and Community Development Act of 1974, as amended; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized and designated as the representative and to act as such in connection with the application to provide additional information as may be required including all understandings and assurances contained in the application; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to execute any contract and/or agreement with the New York State Office of Homes and Community Renewal in connection with the Application and his designee is further authorized to request and expend funds from the U.S. Government pursuant to said contract and/or agreement; and;

BE IT FURTHER RESOLVED, to the extent all or any actions hereby authorized have been executed and/or performed by the Supervisor all are hereby ratified and confirmed and this Resolution take affect immediately.

2021-087) WHEREAS, the U.S. Housing and Community Development Act of 1974 (P.L. 93-383), as amended, provides for the development of viable urban communities by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low and moderate income; and

WHEREAS, said Act authorizes the Secretary of Housing and Urban Development (HUD), through the New York State Office of Community Renewal to make grants to units of general local government to help finance Community Development Programs under Section 103 (a)(1) of Title I; and

WHEREAS, under said legislation, eligible applicants in the case of municipalities, are required to authorize an official representative to file the application and to provide the Secretary with certain assurance of compliance with applicable laws and regulations under Title I of said Acts; and

WHEREAS, it is desirable to conduct and hold a public hearing pursuant to the HUD Act to obtain the views of the citizens on Community Development needs, to establish priorities, and subsequently to develop the application, programs and any amendments or revisions thereto; and

NOW, THEREFORE, IT IS RESOLVED, by the Members of the Town Board: That the Town Clerk is hereby authorized to publish a Notice of Public Hearing to be held on **February 11, 2021 at 7:20 p.m.** at the Town Offices to provide an opportunity for the Town to:

- a. Provide the citizens of the Town with adequate information concerning the amount of funds available for proposed community development activities, the range of activities that may be undertaken and other important program requirements.
- b. Provide citizens adequate opportunity to participate in the development of the application, any revisions, changes or amendments to the application, prior to the submittal.

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute and file an application on behalf of the Town of Schodack with the New York State Office of Homes and Community Renewal for a community development grant pursuant to Title I of the Housing and Community Development Act of 1974, as amended; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized and designated as the representative and to act as such in connection with the application to provide additional information as may be required including all understandings and assurances contained in the application; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to execute any contract and/or agreement with the New York State Office of Homes and Community Renewal in connection with the Application and his designee is further authorized to request and expend funds from the U.S. Government pursuant to said contract and/or agreement; and;

BE IT FURTHER RESOLVED, to the extent all or any actions hereby authorized have been executed and/or performed by the Supervisor all are hereby ratified and confirmed and this Resolution take affect immediately.

2021-088) **WHEREAS**, the Town of Schodack (hereinafter “Town”) will apply for funds and anticipates funds to be awarded through the Community Development Block Grant (CDBG) from the U.S. Department of Housing and Urban Development, as administered by the State of New York for a Public Infrastructure Project, PY 2020 Town of Schodack Batistti Drinking Water Improvement Project CFA #104754; and

WHEREAS, the Town Council of the Town of Schodack (hereinafter “Town Board”) as the anticipated recipient of the grant award is required to designate a Certifying Officer for the purpose of signing required documents pertaining to this grant; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby designate Supervisor David B. Harris as the Town’s Certifying Officer for the purpose of signing required documents pertaining to this anticipated grant (CFA #104754).

2021-089) Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2020 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.

2021-090) Ratify and affirm authorizing acceptance of Proposal date 5/7/2020 with Lexipol for Annual Subscription of Law Enforcement Policy Manual and Daily Training Bulletins for the period of January 1, 2021 through December 31, 2021 in an amount not to exceed \$7,665.00.

2021-091) Authorize Supervisor Harris to execute and administer Quit Claim deed in accordance with Section 212-a in the Highway Law for abandoned paper road relative to Old McClellan Road to James Tucker Mayo an Carolyn Lee Pincus further described in metes and bounds descriptions dated November 10, 2020. Further authorize Supervisor Harris to execute and administer TP 584 and RP-5217 in conjunction with Quit Claim Deed transfer.

2021-092) Pursuant to Article 7 Section 140 of the Highway Law, the Highway Superintendent hereby appoints Steven Rivers, subject to final approval by the Rensselaer County Civil Service Commission, as an Operator 2, at an hourly rate as set forth in the Year 2021 adopted budget. Said appointment is effective as of February 16, 2021.

2021-093) All Civil Service requirements having been met for the position of Police Officer, the Town hereby appoints Wally Lodin to the position of full-time Police Officer effective February 12, 2021 at 2nd year level salary as set forth in the Collective Bargaining Agreement between the Town of Schodack and Schodack Police Department, United Public Service Employees Union (UPSEU) dated January 1, 2020 through December 31, 2023.

2021-094) Ratify and affirm to authorize the Town Clerk to execute and administer a contract with New York Industries for the Disabled (NYSID) for a partnership price concurrence agreement with Image Data for document scanning services for building permit large format plans at \$2.29 per image at a cost not to exceed \$2,519.00. Project cost is budgeted in Records Management budget. Project was approved by Town Board September 26, 2019, completed in 2020, originally billed by NYSID in 2020 and should be payable from 2020 funds.

2021-095) 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 2020 TWC/Charter paid the Town of Schodack \$95,550.91 in franchise fees, and

WHEREAS, TWC/Charter was levied a total of \$4,149.17 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 2019 from the franchise fees paid during 2020,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of \$4,149.17 to Rensselaer County Bureau of Finance based on the 2020 TWC/Charter Utility report on said franchise properties assessed within the Town of Schodack.

2021-096) Authorize Supervisor Harris 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, 2021 to February 1, 2022 for \$1058.40 annually. Contract includes 168,000 copies annually with an overage charge of \$0.00696 per copy.

2021-097) Authorize Supervisor Harris 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, 2021 to February 23, 2022 for \$536.06 annually. Contract includes 30,660 copies annually with an overage charge of \$0.01752 per copy.

2021-098) Concur that the Planning Board be designated lead agency for the Green Dale Community Solar County Route 32 project.

2021-099) Ratify and affirm authorization the appropriation of the General Fund Capital Reserve Balance in the amount of \$82,703.91 as follows:

Garland & Co repair to the Town Hall Roof Res 2020-315, not to exceed \$179,978

2021-0100) Authorize the transfer of inter-fund loan balance of \$10,000 from Castleton Water District #7 to the General Fund.

2021-0101) Authorize the appropriation of General Fund Capital Reserves in an amount not to exceed \$97,274.09 as follows:

Garland & Co repair to the Town Hall Roof Res 2020-315, not to exceed \$97,274.09 of the total proposed total \$179,978.

2021-0102) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #21-0113 to 21-0303 on Abstract No. 2021-02, in the amount of \$2,199,117.85, including the claims paid (\$188,443.23) since the previous town board meeting.

2021-0103) Authorize the January 2021 budget modifications, interfund loans and interfund transfers as provided in document dated February 2021 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 David Harris
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