

**Town of Schodack  
Town Board Meeting  
February 14, 2019**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

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

**2019-080)** Authorize Supervisor Harris to execute an annual maintenance agreement for the period of January 1 through December 31, 2019 with B & L Control Service Inc. for assistance, service and chemical products to treat the heating and cooling loops and cooling tower in an amount not to exceed \$3,715.00 for Town Hall, 265 Schuurman Road.

**2019-081)** **WHEREAS**, the Town of Schodack Town Board, has determined that it is desirable and in the public interest to act as Lead Applicant to undertake the necessary activities for the submittal of an application under the Department of State 2019 Local Government Citizens Re-Organization Empowerment Grant (CREG) Reorganization Planning Program to be titled, Town of Schodack Sewer District Consolidation, and

**WHEREAS**, the Town of Schodack Town Board hereby authorizes the Supervisor to submit the grant application, and

**WHEREAS**, the Supervisor will serve as the Lead Applicant Contact Person to execute all financial and/or administrative processes relating to the grant program; and

**WHEREAS**, the intent of the proposed project is to provide the Town of Schodack with financial assistance for sewer district consolidation as services and responsibilities are transferred to the Town of Schodack, and to execute all the steps that will complete the re-organization, and

**WHEREAS**, the amount of funds to be requested from the 2019 Local Government Citizens Re-Organization Empowerment Grant (CREG) Reorganization Planning Program are not to exceed \$23,500, and

**WHEREAS**, the Town of Schodack hereby commits to providing the 50% local cash match of \$11,750 or less should less funds be expended; and

**IT IS HEREBY RESOLVED:** that the Town of Schodack is the Lead Applicant in an application for financial assistance under the 2019 Local Government Citizens Re-Organization Empowerment Grant (CREG) Reorganization Planning Program for a Town of Schodack Sewer District Consolidation.

**2019-082)** Amend resolution 2019-07 as adopted on January 10, 2019 to reflect hourly rates as follows: Adopt the following 2019 annual salaries schedule

|                                  |    |                      |                  |
|----------------------------------|----|----------------------|------------------|
| Secretary to the Supervisor      | \$ | <del>43,959.00</del> | \$24.15/per hour |
| Deputy Town Clerk                | \$ | <del>37,197.00</del> | \$20.44/per hour |
| Secretary to Director of P/Z     | \$ | <del>32,702.00</del> | \$17.97/per hour |
| Secretary to Building Department | \$ | <del>30,993.00</del> | \$17.03/per hour |
| Ice & Snow Manager at Town Hall  |    |                      | \$20.31/per hour |

**2019-083)** Authorize the appropriation of the Federal Forfeiture Reserve Fund in the a total amount not to exceed \$16,651.00 for purchase of 18 Body cameras per quote dated October 31, 2018 from Axon Enterprises, Inc.

**2019-084)** Authorize the purchase of 18 Body cameras from Axon Enterprises not to exceed \$20,764.00. [\$4,113.00 budgeted and \$16,651.00 contingent upon resolution 2019-083]

**2019-085)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

| <u>Owner</u>                                  | <u>Location</u> | <u>No. of Units</u> |
|---|-----------------|---------------------|
| Rapin-Plant, John & Mary Joy                  | 3804 US 20      | 1                   |
| Clow, Robert                                  | 739 Co. Rt. 7   | 1                   |
| Field, George                                 | 85 Veering Rd.  | 1                   |
| Beberwyk, MaryAnn                             | 7 Beberwyk Way  | 1                   |
| Leavenworth Trailer Park<br>c/o Buck, Clemens | 1477 Bame Rd.   | 17                  |

**2019-086)** **WHEREAS**, the town of Schodack has undertaken a review of Chapter 174, Article XI and Chapter 176, Article I of the town of Schodack Town Code; and

**WHEREAS**, based upon the review of the aforesaid chapters and articles certain revisions will be required to Chapter 174, Article XI and to Chapter 176, Article I of the town of Schodack Town Code; and

**WHEREAS**, the revisions to Chapter 174, Article XI and to Chapter 176, Article I of the town of Schodack Town Code require the adoption of two local laws; and

**WHEREAS**, the town board is desirous of scheduling public hearings to consider the revisions to Chapter 174, Article XI and to Chapter 176, Article I of the town of Schodack Town Code.

**NOW, THEREFORE, IT IS:**

**RESOLVED**, the town board of the town of Schodack hereby schedules a public hearing to consider adoption of Local Law Number 1 amending Chapter 174, Article XI of the town of Schodack Town Code which public hearing shall be held on March 14, 2019 at 7:10 p.m. at Schodack Town Hall, 265 Schuurman Road, Castleton, New York, and it is further

**RESOLVED**, the town board of the town of Schodack hereby schedules a public hearing to consider adoption of Local Law Number 2 amending Chapter 176, Article I of the town of Schodack Town Code which public hearing shall be held on March 14, 2019 at 7:20 p.m. at Schodack Town Hall, 265 Schuurman Road, Castleton, New York, and it is further

**RESOLVED**, the town clerk of the town of Schodack is hereby requested to publish notice of the public hearings at least five days prior to the public hearings in the town's newspaper of record, on the town clerk's bulletin board and on the town's website, and it is further

**RESOLVED**, that proposed Local Law Number 1 and proposed Local Law Number 2 are attached hereto and made a part hereof and are incorporated herein by reference.

**2019-087) WHEREAS**, the Town of Schodack presently has enacted Chapter 174, Article XI, within the Town of Schodack Town Code, and

**WHEREAS**, the Town Board of the Town of Schodack is presently deliberating amending the aforesaid Chapter 174, Article XI of the Town of Schodack Town Code, and

**WHEREAS**, in connection with the amendment to Chapter 174, Article XI of the Town of Schodack Town Code certain environmental review may be necessitated under 6 NYCRR Part 617.

**NOW, THEREFORE, IT IS:**

**RESOLVED**, that the Town Board of the Town of Schodack is hereby designated as lead agency with respect to the amendment to Chapter 174, Article XI of the Town of Schodack Town Code pursuant to 6 NYCRR Part 617 of the State Environmental Quality Review Act.

**2019-088) WHEREAS**, the Town of Schodack presently has enacted Chapter 176, Article I, within the Town of Schodack Town Code, and

**WHEREAS**, the Town Board of the Town of Schodack is presently deliberating amending the aforesaid Chapter 176, Article I of the Town of Schodack Town Code, and

**WHEREAS**, in connection with the amendment to Chapter 176, Article I of the Town of Schodack Town Code certain environmental review may be necessitated under 6 NYCRR Part 617.

**NOW, THEREFORE, IT IS:**

**RESOLVED**, that the Town Board of the Town of Schodack is hereby designated as lead agency with respect to the amendment to Chapter 176, Article I of the Town of Schodack Town Code pursuant to 6 NYCRR Part 617 of the State Environmental Quality Review Act.

- 2019-089)** Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2018 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.
- 2019-090)** Authorize Supervisor Harris to execute and administer the Monitoring Service Contract with Rocket Monitoring Services to perform data collection and monitoring services on the Commercial AdvanTex® AX100 – TCOM Control Panel located in Sewer District No. 8 for a cost not to exceed \$1,200.00 and to provide monitoring on the VeriComm Panel located in Sewer District No. 5 for a cost not to exceed \$300.00.
- 2019-091)** Authorize Supervisor Harris to execute a purchase agreement with Eastern Copy Products, LLC. for one (1) Xerox WorkCentre 3335DNI copier for use in Justice Court room in the amount of \$579.00. [Budget line A1110.2]
- 2019-092)** 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, 2019 to February 1, 2020 for \$1,008.00 annually. Contract includes 168,000 copies annually with an average charge of \$0.006 per copy.
- 2019-093)** 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 Records Management, ID#227FN, combined contract, for the period February 2, 2019 to February 1, 2020 for \$486.21 annually. Contract includes 30,660 copies annually with an average charge of \$0.01588 per copy.
- 2019-094)** Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox WorkCentre 3335DNI copier for Justice Court at the Town Hall, ID # XER3335DNI, for the period February 2, 2019 to February 1, 2020 for \$384.00 annually. Contract includes 25,596 copies annually with an average charge of \$0.015 per copy.

**2019-095)** Authorize Nadine Fuda, Director of Planning and Zoning and David Calarco, Zoning Board Chairman to attend the New York Planning Federation Conference in Bolton Landing, New York, April 28-30, 2019. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town at a cost of \$744.00 each, at an estimated total cost of \$1,487.00, as budgeted.

**2019-096)** 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 2018 TWC/Charter paid the Town of Schodack \$93,232.38 in franchise fees, and

WHEREAS, TWC/Charter was levied a total of \$4,481.08 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 2018 from the franchise fees paid during 2018,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of \$4,481.08 to Rensselaer County Bureau of Finance based on the 2018 TWC/Charter Utility report on said franchise properties assessed within the Town of Schodack.

**2019-097)** WHEREAS, by local law #3 of the year 1997 and amended by local law # 2 of the year 1998 and further amended by local law # 2 of 2007, and pursuant to

Section 458-b of the New York State Real Property Tax Law, the Town Board authorized a limited real property tax exemption for ALT veterans; and

WHEREAS, per section A of 197-12.1 the exemption was limited to 15% of the assessed value of such property and exemption shall not exceed ~~\$27,000~~ \$45,000; and

WHEREAS, per section B of 197-12.1 Veteran whom served in a combat theater or combat zone operations would be exempt from taxation to extent of 10 % of the assessed value and exemption shall not exceed ~~\$18,000~~ \$30,000; and

WHEREAS, per section C of 197-12.1 In addition Veteran whom served in a compensation rating would be exempt from taxation to extent of 50 % of the assessed value and exemption shall not exceed ~~\$90,000~~ \$150,000; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board shall authorize Town Clerk to publish a legal notice for a public hearing to seek public comment and hold a public hearing on proposed Local Law 3 of the year 2019, to authorize the extension of such exemption to the extent authorized by State Law. Said hearing to be held on Thursday, March 14 at 7:40 p.m. at the Schodack Town Hall, 265 Schuurman Road.

**2019-098)** WHEREAS, Governor Andrew Cuomo released his Fiscal Year 2019-20 Executive Budget on January 15; and

WHEREAS, the FY 2019-20 Executive Budget is a proposed \$176 Billion spending plan; and

WHEREAS, the Executive Budget contains language to make permanent the cap on real property tax levy increases of two percent due to sunset in the year 2020; and

WHEREAS, New York State towns, villages and cities scheduled to receive Aid and Incentives to Municipalities (AIM) payments that are less than two percent of their local FY 2017 expenditures, as reported to the State Comptroller, will be removed from the program; and

WHEREAS, if the Executive proposal is enacted, more than \$60 million in funding to towns, villages and cities in New York will be eliminated; and

WHEREAS, more than 1300 villages, towns and cities will be impacted, including the town of Schodack, the Village of Castleton-on-Hudson; and

WHEREAS, the town of Schodack would stand to lose \$69,789 in state AIM payments; and

WHEREAS, the village of Castleton-on-Hudson would stand to lose \$13,422 in state AIM payments; and

WHEREAS, the proposed AIM payment cut to Schodack would result in a 1.82% tax increase; and

WHEREAS, the extreme winter recovery will stand to lose \$41,825 in payments which will result in a 2.88% increase in taxes; and

WHEREAS, aid to localities for local roads and bridges under the state's Consolidated Local Street & Highway Improvement Program (CHIP) was maintained at 2018-19 levels in the Executive Budget; now therefore be it

RESOLVED, that the Schodack Town Board, and with support of the Castleton-on-Hudson Village Board respectfully call on Governor Cuomo to restore AIM payments to the 1300 villages, towns, and cities negatively impacted in his 30-Day Amendments to the Executive Budget and state legislative leaders negotiate to make AIM payments permanent to the state's local governments; and therefore, be it further

RESOLVED, that the Town Clerk is hereby directed to send certified copies of this resolution to Governor Andrew Cuomo, New York State Senator Daphne Jordan, New York State Assemblyman Jake Ashby, Rensselaer County Legislators, Village of Castleton-on-Hudson Mayor Schmidt, and New York State Division of the Budget Director Robert Mujica.

- 2019-099)** Authorize Supervisor Harris to execute contract adjustment with William J. Keller & Sons Construction Corp. for pump station, generator and Chemical feed building for Town of Schodack Sewer District 1- Extension 1, representing an addition of \$63,620.00 to Contract Price. The original contract award with change orders was in the amount of \$986,380.00. The adjusted contract authorization to an amount not to exceed \$1,050,000.00.
- 2019-0100)** To concur that the Planning Board be designated lead agency for the Stewarts Shops Corp. project.
- 2019-0101)** Authorize Supervisor Harris to execute and administer professional services agreement with Thomas MD Jones, for the year 2019, to provide information technology services to the Town Police Department at an hourly rate of \$50.00.
- 2019-0102)** Appoint Daniel Garvansites as Ice and Snow Manager for Town Hall at hourly as set forth in resolution 2019-082, effective immediately.
- 2019-0103)** To concur that the New York State Department of Environmental Conservation be designated lead agency for the Mined Land Reclamation permit – Wm J. Keller & Sons Realty Corporation.
- 2019-0104)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #19-0117 to 19-0\_\_\_ on Abstract No. 2019-02, in the amount of \$\_\_\_\_\_, including the claims paid (\$\_\_\_\_\_) since the previous town board meeting.

**2019-0105)** Authorize the January 2019 budget modifications, interfund loans and interfund transfers as provided in document dated February 2019 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

DRAFT