

Town of Schodack Town Board Meeting March 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:

2022-117) Approve listing the following as surplus vehicle and authorize Kenneth Holmes to post said items on www.AuctionsInternational.com at no cost to the Town. (Bidders must be registered to bid. Cost of registration is \$10.00):

- 1) 2002 International Dump Truck – Highway VIN 1HTGGAXT92H507051
- 2) 2001 Chevy Van – Police VIN 1GCHG39R811202100

2022-118) Ratify and affirm authorizing Kerrie D. Joiner, Human Resource Manager to post internally the part-time position of Confidential Assistant to Police Chief for the Town of Schodack and allow the Supervisor to advertise in the official Town newspaper as necessary.

2022-119) Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on Proposed Local Law No. 2 of 2022 Amending Chapter 27 entitled Ethics in the Town of Schodack. Said hearing to be held on Thursday, March 24, 2022 at the Schodack Town Hall at 7:05 p.m.

2022-120) Authorize Shawn Zinzow and Kenneth Holmes Water Operators to attend 43rd Annual New York Rural Water Association's Technical Conference, May 23rd through May 25th at the Turning Stone Conference Center, Verona, NY. All

appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town per the 2022 adopted Town Budget, with are estimated cost of \$1,316.00.

2022-121) Authorize Kerrie Joiner, Human Resource Manager to attend SHRM Conference in Verona, New York, September 11-13, 2022. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town an estimated total cost of \$965.74, as budgeted. [This is a budgeted item. A1430.4]

2022-122) Authorize Supervisor Peter to submit a 211 Waiver Application for Police Chief John Hourigan to the New York State Civil Service Commission for approval.

2022-123) Authorize Supervisor Peter to contract with musicians to perform at the 2022 Music in the Park as follows:

Peaceful Country Band	June 7 th (rain date 6/8/22)	\$575.00
Gone Grey	June 14 th (rain date 6/15/22)	\$500.00
Triskele	June 21 st (rain date 6/22/22)	\$900.00
Kyle Bourgault Band	June 28 th (rain date 6/29/22)	\$800.00
Yankee Doodle Band	July 5 th (rain date 7/6/22)	\$600.00
Jarod	August 2 nd (rain date 8/3/2022)	\$500.00
Scarlette Fever	August 9 th (rain date 8/10/22)	\$600.00
Pete and Friends	August 16 th (rain date 8/16/22)	\$500.00

2022-124) Authorize the Town Supervisor to retain the services of Empire State Appraisal Consultants to prepare an updated appraisal report with respect to Town property located at 1777 Columbia Turnpike, at a cost not to exceed \$1,400.

2022-125) Concur that the Schodack Central School District be designated lead agency for the Schodack Central School Capital Improvement project.

2022-126) **WHEREAS**, Greenbush Lodging, LLC and the Town of Schodack are desirous of having certain assessment issues resolved as to property owned by Greenbush Lodging, LLC in the Town of Schodack, and

WHEREAS, a settlement proposal resolving tax certiorari litigation was recommended by the Vincelette Law Firm, special counsel to the Town of Schodack, and reviewed by the Schodack Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2021 tax certiorari proceeding filed by Greenbush Lodging, LLC in which the 2021 assessed value of the subject properties shall be reduced as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Prior Assessed Value</u>	<u>New Assessed Value</u>	<u>Reduction</u>
2021	178.-3-6.222	\$2,950,000	\$2,441,200	\$508,800

Real Property Tax Law §727 shall apply, with the exception of RPTL §727(2)(a), and the assessments shall remain unchanged for the 2022, 2023 and 2024 assessment rolls.

and it is further

RESOLVED, that Greenbush Lodging, LLC shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision;

and it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Greenbush Lodging, LLC and the Town of Schodack as to the above referenced assessment.

2022-127) WHEREAS, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievement of those who have given so generously to their community, exemplifying the ideals and values cherished by this great Town, and

WHEREAS, Nadine Fuda has distinguished herself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to her position of Director to Planning and Zoning in the Town of Schodack, and

WHEREAS, Nadine has been lifetime resident of the Town of Schodack, a member of the Castleton Boat Club and graduated from Schodack Central Schools, and

WHEREAS, Nadine began her career in private sector and was hired on May 17, 2004 as an Planning and Zoning Assistant for the Town of Schodack, and

WHEREAS, from early on, Nadine demonstrated her commitment and dedication to the town by her exhausting efforts to attract businesses and residents to Schodack, and

WHEREAS, Nadine was promoted to the rank of Director of Planning and Zoning on January 1, 2007 (resolution 2006-501) and is recognized for her knowledge of construction and the history of the Town, and

WHEREAS, Nadine is well known for her wit and sentiments and having a barometer when it came to co-workers, she often sensed when they were going through a difficult period and offer kind words and support, and

WHEREAS, notably, Nadine spent her last day on the job busily preparing for the next planning board meeting, and

WHEREAS, Nadine as has served faithfully in this role under Supervisors: Beth Secor, Dennis Dowds, David Harris and Charles Peter, and

WHEREAS, Nadine has demonstrated her love of family by being a wife to Charles (Corky) and mother to Charles Jr. (Little Corky) and Ashley, Mother-in-law to Michael and Julianne and Grandmother of Michael, Brooklyn, Michaley and River and often shares her love of family, boating (yachting), traveling, clamming and fishing with her coworkers and friends,

WHEREAS, it surely comes as no surprise, she will greatly miss sharing the escapades of her adventures, as we will miss hearing of them.

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Nadine Fuda, who has given herself to this community in so many ways and distinguished herself throughout her career 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 March 2022 to acknowledge and honor Nadine Fuda, upon her retirement, for her 17 plus years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to her upon her return to the area after her extended post retirement vacation in Florida.

2022-128) WHEREAS, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievement of those who have given so generously to their community, exemplifying the ideals and values cherished by this great Town, and

WHEREAS, Karen Sue Justus has distinguished herself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to her position of Sole Assessor in the Town of Schodack, and

WHEREAS, Karen has been a 30 year plus resident of the Town of Schodack and a member of the Castleton Boat Club, and

WHEREAS, Karen began her career in private sector and was hired on May 23, 2005 as the Assistant to the Assessor for the Town of Schodack, and

WHEREAS, from early on, Karen demonstrated her commitment and dedication to the town by her attention to detail and her skills at sizing up buildings large and small, and

WHEREAS, Karen rose to the rank of Sole Assessor on May 12, 2017 (resolution 2017-144) and is recognized for her ability to fairly evaluate properties in the town, and

WHEREAS, Karen is well known for her style, compassion and fairness, and

WHEREAS, notably, Karen spent her last day on the job reviewing Star exemption paperwork and preparing the office for her successor, and

WHEREAS, Karen as has served faithfully in this role under Supervisors: Beth Secor, Dennis Dowds, David Harris and Charles Peter, and

WHEREAS, Karen has demonstrated her love of family by being a wife to Vinnie Justus and Aunt to a host of nieces and nephews and often shares her love for traveling, especially to Florida, being on the boat or at the Boat Club and her flair for style and fashion with her coworkers and friends,

WHEREAS, it surely comes as no surprise, she will greatly miss sharing the escapades of her adventures, as we will miss hearing of them.

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Karen Sue Justus, who has given

herself to this community in so many ways and distinguished herself throughout her career 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 March 2022 to acknowledge and honor Karen Sue Justus, upon her retirement, for her 16 plus years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to her upon her return to the area after her extended post retirement vacation in Florida.

2022-129) WHEREAS, Goold Miller Properties, LLC and the Town of Schodack are desirous of having certain assessment issues resolved as to property owned by Goold Miller Properties, LLC in the Town of Schodack, and

WHEREAS, a settlement proposal resolving tax certiorari litigation was recommended by the Vincelette Law Firm, special counsel to the Town of Schodack, and reviewed by the Schodack Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2021 tax certiorari proceeding filed by Goold Miller Properties, LLC in which the agricultural exemptions will be granted for the 2021 assessed values of the subject properties resulting in taxable values as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Prior Assessed Value</u>	<u>New Taxable</u>
2021	199.-3-17.312	\$47,800	\$1,003
2021	199.-3-29.12	\$10,000	\$1,827
2021	199.-3-50	\$47,800	\$1,003
2021	199.-3-51	\$47,800	\$1,003
2021	199.-3-52	\$67,700	\$2,688
2021	199.-3-53.1	\$59,600	\$1,239
2021	199.-3-53.2	\$47,800	\$ 972

2021 199.-3-53.3 \$61,800 \$1,717

Real Property Tax Law §727 shall apply, and petitioner will be required to submit the appropriate exemption application each year, on or before the taxable status date of March 1.

and it is further

RESOLVED that Goold Miller Properties, LLC shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision;

and it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Goold Miller Properties, LLC and the Town of Schodack as to the above referenced assessment.

2022-130) Authorize Supervisor Peter to execute and administer the Termination of Stormwater Control Facility Maintenance Agreement terminating the Stormwater Control Facility Maintenance Agreement entered into between the Town of Schodack and Scannell Properties # 262, LLC.

2022-131) Authorize Supervisor Peter to execute and administer the Stormwater Control Facility Maintenance Agreement between the Town of Schodack and the current owners of the real property located at 1835 US Route 9, Castleton, New York 12033 (Tax Map No. 200.-6-1.3), as more specifically identified in said agreement.

2022-132) Authorize Supervisor Peter to execute and administer National Railroad Passenger Corporation License Agreement for construct, use, maintenance, and repair of one 2” low pressure sewer pipeline and 8” force main sewer pipeline both encase in one 24” steel casing under the Railroad tracks in the vicinity Maple Hill Road for a sum not to exceed \$36,750.00, contingent on Village of Castleton execution of easements for adjoining properties.

2022-133) Authorize Supervisor Peter to execute and administer National Railroad Passenger Corporation License Agreement for construct, use, maintenance, and repair of one 12” water main pipeline encase in one 24” steel casing under the Railroad tracks vicinity of Maple Hill Road for a sum not to exceed \$36,750.00, contingent on Village of Castleton execution of easements for adjoining properties.

2022-134) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #22-0299 to 22-0462 on Abstract No. 2022-03, in the amount of \$529,596.67, including the claims paid \$99,154.96.

2022-135) Authorize the February 2022 budget modifications, interfund loans and interfund transfers as provided in document dated March 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