

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

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Public Hearing 7:10 p.m. to consider adoption of Local Law Number 2 amending Chapter 174, Article XI of the town of Schodack Town Code

Public Hearing 7:20 p.m. to consider adoption of Local Law Number 3 amending Chapter 176, Article I of the town of Schodack Town Code

Public Comment

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

2019-110) Amend Resolution 2019-07 as adopted on January 10, 2019 to reflect hourly rates as follows: Adopt the following 2019 annual salaries schedule
Building Inspector \$ ~~56,482.00~~ \$30.87/per hour

2019-111) Amend resolution 2018-165 as adopted on May 24, 2018 reflect a not to exceed amount of \$18,957.13 as follows: Authorize Supervisor Harris to execute and administer Spill Remediation Plan as prepared by Northeastern Environmental Technologies Corporation (NETC) in conjunction with New York State Department of Environmental Conservation Stipulation #STIP R4-473 Corrective Action Plan for Spill No. 1704922 at Schodack Highway, 3776 US Route 20, Nassau, NY, in amount not to exceed ~~\$17,025.00~~ **\$18,957.13**, and

Further authorize Optional Groundwater Treatment Services as needed as per Northeastern environmental Technologies Corp. fee schedule dated March 12, 2018 subject to approval by Town Attorney as to form

2019-112) **WHEREAS**, the Town of Schodack and the Village of Castleton entered into an Intermunicipal agreement dated November 21, 2013 for the Village's water system to interconnect with the Town's water system, allowing the Village to purchase water from the Town, and

WHEREAS, section VI(i) of said agreement allows for an annual increase in the rate charged to the Village in correlation to the consumer price index average published in January each year, and

WHEREAS, the consumer price index average published in January 2019 was 2.44% and the current rate charged to the Village is \$4.20 per 1,000 gallons of water,

NOW THEREFORE IT BE RESOLVED, that effective January 1, 2019 the rate charged to the Village of Castleton for the purchase of water shall be \$4.30 per 1,000 gallons.

2019-113) IT IS RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Schodack as lead agency has determined that the Amendment to Chapter 174, Article XI to the Town of Schodack Town Code is an Unlisted Action and that the proposed Amendment to Chapter 174, Article XI to the Town of Schodack Town Code will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of Schodack be authorized to execute the Short Environmental Assessment Form with respect to the determination that the Amendment to Chapter 174, Article XI of the Town of Schodack Town Code will not result in any significant adverse environmental impacts;
2. Based on its examination of the EAF, the criteria set forth in Sections 617.6 and 617.7 of the regulations, and such further investigation as the town board has deemed appropriate, no potential significant adverse environmental impacts are known;
3. Approval of the Amendment to Chapter 174, Article XI of the Town of Schodack Town Code will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;
4. A negative declaration is to be signed by the supervisor;
5. The Town Clerk of the Town of Schodack is hereby directed to cause to be filed and circulated the negative declaration in accordance with the requirements of SEQRA, a copy of the negative declaration shall be maintained in the Office of the Town Clerk in a file that will be readily accessible to the public, and the clerk shall mail copies, return receipt requested, to:
Office of the Commissioner
Department of Environmental Conservation
625 Broadway
Albany, New York 12233
and
Environmental Notice Bulletin
NYSDEC – Attn: Jack Nasca
625 Broadway, 4th Floor
Albany, New York 12233-1750
6. All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

2019-114) IT IS HEREBY,

RESOLVED, that Local Law Number 2 of the Town of Schodack amending Chapter 174, Article XI, Cost Allocation and Billing Provisions, of the Town of Schodack Town Code is approved, and it is further,

RESOLVED, that a copy of Local Law Number 2 of the Town of Schodack amending Chapter 174, Article XI is attached hereto and made a part hereof, and it is further,

RESOLVED, that the town clerk is directed to file a certified copy of Local Law Number 2 with the New York State Department of State.

2019-115) IT IS RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Schodack as lead agency has determined that the Amendment to Chapter 176, Article I to the Town of Schodack Town Code is an Unlisted Action and that the proposed Amendment to Chapter 176, Article I to the Town of Schodack Town Code will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of Schodack be authorized to execute the Short Environmental Assessment Form with respect to the determination that the Amendment to Chapter 176, Article I of the Town of Schodack Town Code will not result in any significant adverse environmental impacts;
2. Based on its examination of the EAF, the criteria set forth in Sections 617.6 and 617.7 of the regulations, and such further investigation as the town board has deemed appropriate, no potential significant adverse environmental impacts are known;
3. Approval of the Amendment to Chapter 176, Article I of the Town of Schodack Town Code will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;
4. A negative declaration is to be signed by the supervisor;
5. The Town Clerk of the Town of Schodack is hereby directed to cause to be filed and circulated the negative declaration in accordance with the requirements of SEQRA, a copy of the negative declaration shall be maintained in the Office of the Town Clerk in a file that will be readily accessible to the public, and the clerk shall mail copies, return receipt requested, to:

Office of the Commissioner
Department of Environmental Conservation
625 Broadway
Albany, New York 12233

and

Environmental Notice Bulletin
NYSDEC – Attn: Jack Nasca
625 Broadway, 4th Floor
Albany, New York 12233-1750

6. All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

2019-116) IT IS HEREBY,

RESOLVED, that Local Law Number 3 of the Town of Schodack amending Chapter 176, Article I, Sewer Rents, of the Town of Schodack Town Code is approved, and it is further,

RESOLVED, that a copy of Local Law Number 3 of the Town of Schodack amending Chapter 176, Article I is attached hereto and made a part hereof, and it is further,

RESOLVED, that the town clerk is directed to file a certified copy of Local Law Number 3 with the New York State Department of State.

2019-117) WHEREAS, the town of Schodack has caused the Sewer Equivalent Dwelling Unit Schedule to be revised, and

WHEREAS, a copy of the Sewer Equivalent Dwelling Unit Schedule is attached hereto and made a part hereof, and is incorporated herein by reference,

NOW, THEREFORE, IT IS:

RESOLVED, the Sewer Equivalent Dwelling Unit Schedule attached hereto and made a part hereof, and incorporated herein by reference is hereby adopted by the town board of the town of Schodack, and it is further

RESOLVED, the Sewer Equivalent Dwelling Unit Schedule is effective as of the date of this resolution and will remain in full force and effect until further action by the town board of the town of Schodack.

**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	Residential Dwellings	1 EDU per dwelling unit-additional units may be assigned for incidental commercial usage
300	Vacant Land-no O&M EDU for Vacant Properties	* Residential parcels - 1 EDU per buildable lot or lots greater than 10,000 sq. ft. where connection is feasible. Commercial parcels - 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	Commercial Properties	** 1 EDU
410	Living Accommodations	
411	Apartments	** 1 EDU per dwelling unit (VOC)
416	Mobile Home Park	** 1 EDU per dwelling unit
480	Multi-Use Structures	
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	Community Services	
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	Public Services	Exempt
900	Wild, Forested Conservation Land & Public Parks	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.

* **Residential Vacant Property** may be exempt if considered unimprovable.

Large Commercial Vacant Property may be exempt if considered unimprovable or may be assigned EDU's based upon the following conditions:

< \$10,000 assessed value /acre	- 0 EDU per \$20,000 of assessed value
> \$10,000 assessed value/acre but < \$25,000	- .50 EDU per \$20,000 of assessed value
> \$25,000 assessed value/acre value	- 1 EDU per \$20,000 of assessed value

** **Commercial Properties with water connection (excluding Sewer District #6)** may receive additional EDU's for every 40,000 gallons, or portion thereof, of water usage in excess of 40,000 gallons/year, at the discretion of the Board.

2019-118) Authorize Supervisor Harris to contract with musicians to perform at the 2019 Music in the Park as follows:

Peaceful Country Band	June 4 th (rain date 6/5/19)	\$500.00
Gone Grey	June 11 th (rain date 6/12/19)	\$400.00
Triskele	June 18 th (rain date 6/19/19)	\$800.00
Absofreakinlutely	June 25 th (rain date 6/26/18)	\$800.00
Yankee Doodle Band	July 2 nd (rain date 7/3/18)	\$600.00

2019-119) Authorize Supervisor Harris to execute ASCAP License Agreement, subject to review and approval as to form by Attorney to the Town, and authorize payment not to exceed \$400.00 for the licensing fee to ASCAP.

2019-120) Ratify and affirm authorizing Jordan Harrington, Police Officer to attend Advanced Crash Management, March 10-15, 2019 in Westchester County, New York, at an estimated cost for lodging (\$675.00) and an estimated cost for meals (\$250.00) for a total estimated cost not to exceed \$925.00 [This is a budgeted item. A3120.4]

2019-121) Authorize Jordan Harrington, Police Officer to attend Technical Crash Management, April 15-19, 2019 in Westchester County, New York, at an estimated cost for lodging (\$675.00) and an estimated cost for meals (\$250.00) for a total estimated cost not to exceed \$925.00 [This is a budgeted item. A3120.4]

2019-122) Authorize Supervisor Harris to transmit a request to Rensselaer County Legislature to relevy outstanding fees of \$49,053.00 for tax map number 190.-4-2 on their January 2020 tax bill for demolition and cleanup of said property.

2019-123) **WHEREAS**, Sheila Golden, Director of Youth and Recreation, has recommended that the Summer Swim Program take place at the Sidney Albert Albany Jewish Community Center (SAAJCC) in Albany and stated the advantages of using this pool facility,

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves the use of the pool at the Sidney Albert Albany Jewish Community Center (SAAJCC) for the summer camp program, subject to review as to form by the Attorney to the Town, and

BE IT FURTHER RESOLVED to authorize Sheila Golden, Director of Youth and Recreation, to execute a contract with Sidney Albert Albany Jewish Community Center (SAAJCC) for use of the swimming pool facility for Summer Recreation Program from July 8 to August 2, 2019 for the Schodack Youth and Recreation Department in an amount not to exceed \$4,950.00. A deposit of \$1,950.00 shall be payable by June 3, 2019 and the remaining \$3,000.00 shall be paid by July 1, 2019.

2019-124) 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>
Bunker Hill Farms, LLC c/o Margaret Hutchinson	117 Bunker Hill Rd.	1
Davis III, John H. Rensselaer Estates c/o DCJ Enterprises, LLC	1516 Rt. 9 23-65 Teddie Blvd.	1 53
Brown Cow Opportunities c/o Brian Chittenden	759 Schodack Landing Rd.	1
Cedar Acres c/o Garden Homes Mgmt.	16 Hoags Corners Rd.	21
Creekside Park c/o DCJ Enterprises, LLC	5-77 Creekside Circle	5
Washburn, David & Francesca LaRosa	65 Washington Ave.	1
Skarzynski, Jerry & Kim	402 Waterbury Road	1

2019-125) **WHEREAS**, the “Think Differently” initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs; and

WHEREAS, our state and communities are stronger because of our diversity and differences; and

WHEREAS, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

WHEREAS, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

WHEREAS, it is important to promote and provide guidance to those with special needs on how to access publically supported services available to them in the community; and

WHEREAS, it is important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers; and

WHEREAS, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

WHEREAS, adopting the “Think Differently” initiative is an important statement that our Town officials and residents can make to show their support for the differently-abled children and adults with special needs and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack, encourages residents and business owners to adopt the “Think Differently” initiative so that all are better prepared to communicate with, provide for, and support those living on the Autism Spectrum and with special needs.

- 2019-126)** Authorize Debra Curtis, Town Clerk, to attend the annual New York State Town Clerk’s Association Conference in Syracuse, New York, May 5 through May 8, 2019. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town per the 2019 adopted Town Budget, which are estimated to be \$722.00, as budgeted [A1410.4]
- 2019-127)** Appoint Craig Crist, Esq., as Attorney for the Zoning Board of Appeals at a remuneration of \$13,165.00.
- 2019-128)** Authorize Supervisor Harris to execute and administer the Intermunicipal Agreement for Sewer Service by and between the Town of Schodack and the Village of Castleton-on-Hudson.
- 2019-129)** Authorize Supervisor Harris to execute and administer the Poll Site Agreement by and between the Town of Schodack and Rensselaer County Board of Elections.
- 2019-130)** Authorize purchase of Ammunition per quote dated March 5, 2019 from AmChar Wholesale Inc. in an amount not to exceed \$6,055.84.
- 2019-131)** Authorize Director of Transfer Station to purchase one (1) Wastequip Model 206742NE 40-yard roll-off and one (1) Top tube Upgrade Kit ROC201 per quote # WQ-10108139 dated March 6, 2019 from Wastequip for use at the transfer station in an amount not to exceed \$6,026.00.
- 2019-132)** **WHEREAS**, Castleton Cemetery Association maintains Horizon View Cemetery in the Town of Schodack, and

WHEREAS, Horizon View Cemetery held burials as early as 1974 and was incorporated in 1855 as part of the Castleton Cemetery Association, and

WHEREAS, the Castleton Cemetery Association wishes to erect an Historical Marker to commemorate the rich local history and historical past located in its cemetery, and

WHEREAS, the cost of the Historical marker is \$1,200 and the Castleton Cemetery Association have each agreed to pay 1/2 of the cost to purchase the historical marker, and

WHEREAS, the Castleton Cemetery Association has asked the Town Board of Schodack to also pay 1/2 of the cost of said marker

NOW, THEREFORE BE IT RESOLVED that the Town Board agrees to pay for 1/2 of the cost to purchase the historical marker to be placed at the Horizon View Cemetery on Brookview Station Road for a cost not to exceed \$600.00.

2019-133) Amend resolution 2019-05 as adopted January 10, 2019 as follows: Designate the following banks as depositories for all Town funds for the calendar year 2019: Key Bank, N.A., ~~National Union Bank of Kinderhook~~ M & T Bank and Pioneer.

2019-134) Authorize Supervisor Harris to execute a purchase agreement and an annual maintenance agreement, including parts and labor with Eastern Copy Products, LLC. for one (1) Konica Bizhub copier for use in on the second floor (Assessor & Receiver of Tax Offices) at the Town Hall in the purchase amount of \$2,160.00 and maintenance for the period April 1, 2019 to April 1, 2020 for \$384.48 annually. Contract includes 42,720 copies annually with an overage charge of \$0.009 per copy. [Budget lines A1330.4 and A1355.4]

2019-135) To concur that the Planning Board be designated lead agency for the Giovanni Mcura/Eden Renewables Elmbrook Farm Community Solar project.

2019-136) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #19-0316 to 19-0505 on Abstract No. 2019-03, in the amount of \$1,979,299.02, including the claims paid (\$1,694,407.12) since the previous town board meeting.

2019-137) Authorize the February 2019 budget modifications, interfund loans and interfund transfers as provided in document dated March 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