

**Town of Schodack  
Town Board Meeting  
May 14, 2020**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Presentations via Zoom: Erin O'Brien – Teton Management  
Chris Stoud – Solar Project at Transfer Station

Discussion items:

1. Laberge Proposal for Transfer Station
2. Castleton Volunteer Ambulance - LOSAP

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

**Public Comment** – will be received via emails up to 6:30 p.m. on Thursday, May 14<sup>th</sup>  
[Deb.curtis@Schodack.org](mailto:Deb.curtis@Schodack.org)

- 2020-155)** Re-designate resolution 2020-138 as adopted on April 9<sup>th</sup> 2020 to resolution 2020-138A
- 2020-156)** Amend resolution 2020-152 as adopted on April 9 to reflect ending claims number as follows: Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #20-0423 to 20-~~0423~~ 0558 on Abstract No. 2020-04, in the amount of \$479,857.20, including the claims paid (\$360,228.10) since the previous town board meeting.
- 2020-157)** As per recommendation of Joseph Tremblay, Code Enforcement Officer amend Building & Zoning Permit Application Fees, Section 4 Miscellaneous Fees, subsection C Solar/Wind Generator, ii. Commercial as follows: rate for commercial solar to \$100 per 1,000 sq. ft for a maximum fee of \$25,000.00.
- 2020-158)** **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**, the Town of Schodack conducted a public hearing on April 7, 2020 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**, 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.

**2020-159)** To approve the 2020 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on Best Road, Brookview Station Road, Jensis Road, Silver Bridge Road. Further, Crack Fill/Single Chip Seal treatments shall be applied on Bunker Hill Road, Kingman Road and Rohloff Road.

**2020-160)** Appoint Dawne M. Kelly as part-time Board of Assessment Review Secretary with compensation of hourly rate as per 2020 Adopted Budget.

**2020-161)** Authorize and consent to the Superintendent of Highways filing a Declaration of Abandonment with respect to the highway and right-of-way consisting of that portion of Glaz Road extending south of Paul Road, and authorize the Town Supervisor to sign such Declaration on behalf of the Town Board.

**2020-162)** **WHEREAS**, Applicant Seasons East Landscape has applied for approval from the Town Board pursuant to Chapter 137 of the Town Code to import clean fill soil onto property consisting of 11.1 acres and located on U.S. Route 9, Castleton, NY (Tax Map No. 220.-9-10); and

**WHEREAS**, a public hearing in connection with said application was duly noticed and held on January 9, 2020; and

**WHEREAS**, the application and project has been reviewed by the Town's engineering firm, which by letter dated April 20, 2020 recommended that the Town Board issue a negative declaration under the State Environmental Quality Review Act ("SEQRA") with respect to the project, and recommended that the Town Board approve the project subject to the conditions set forth therein.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that the Town Board finds and concludes that the proposed project is classified as an Unlisted Action under SEQRA; finds and concludes that the proposed project will not result in any significant adverse impacts to the environment; and therefore issues a negative declaration pursuant to SEQRA for the reasons set forth in Part 3 of the Short Environmental Assessment Form prepared with respect to the project; and it is further

**RESOLVED**, that the Town Board hereby determines pursuant to Town Code Section 137-5 that it is in the public interest to grant such application; and it is further

**RESOLVED**, that such application is hereby GRANTED, subject to the following conditions:

1. The Applicant shall satisfy each of the conditions set forth as Items "1" through "4" in the letter from Laberge Group dated April 20, 2020; and
2. The Applicant shall comply with the regulations set forth in Town Code Section 137-6, except that the requirement of Section 137-6(H) that a bond be posted is hereby waived.

**2020-163)** WHEREAS, the Town Board is considering the adoption of a local law delegating to the Chief of Police of the Town of Schodack the authority and power to request and grant police assistance involving other local governments pursuant to New York State General Municipal Law Section 209-m and Section 119-o; and

WHEREAS, the Town Board wishes to schedule a public hearing to hear and consider public comment regarding the proposal local law.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, the Town Board hereby schedules a public hearing to be held on May 28, 2020 at 7:05 p.m. to consider adoption of Local Law No. 1 of 2020 delegating to the Chief of Police of the Town of Schodack the authority and power to request and grant police assistance involving other local governments pursuant to New York State General Municipal Law Section 209-m and Section 119-o; and it is further

RESOLVED, the Town Clerk is hereby requested to publish notice of the public hearing at least five days prior to the public hearing 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 No. 1 of 2020 is attached hereto and made a part hereof and are incorporated herein by reference.

**2020-164)** Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox Work Centre 5225p copier on the second floor (Assessor & Receiver of Tax Offices) at the Town Hall, ID # 973CH, for the period April 15, 2020 to April 14, 2021 for \$577.50 annually. Contract includes 12,000 copies annually with an overage charge of \$0.045 per copy.

**2020-165)** Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox VersaLink B405DN copier for Justice Court at the Town Hall, ID # 908FV, for the period April 15, 2020 to April 14, 2021 for \$423.30 annually. Contract includes 25,596 copies annually with an overage charge of \$0.01575 per copy.

**2020-166)** Authorize Supervisor Harris execute and administer Annual Web-site License and Service Agreement with CivicPlus, LLC for an annual cost not to exceed \$3,675.00

**2020-167)** **WHEREAS**, an application has been duly made to the Town Board of the Town of Schodack by Spectrum Northeast, LLC, locally known as Charter Communications, a partnership organized under the laws of the State of New York doing business at 20 Century Hill Drive Latham, NY 12110, and the holder of a cable television franchise in the Town of Schodack, for the approval of an agreement to renew the cable television franchise for an additional fifteen (15) years, which Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

**WHEREAS**, a public hearing was held in the Town of Schodack on March 12, 2020, at 7:10 p.m. and notice of the hearing was published in The Record on February 29, 2020 and March 5, 2020.

**NOW, THEREFORE**, the Town Board of the Town of Schodack finds that:

1. Charter Communications has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. The quality of the Charter Communications service, including signal quality, response to customer complaints and billing practices has been in light of community needs; and
3. Charter Communications has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
4. Charter Communications can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Town Board of the Town of Schodack hereby renews the cable television franchise in the Town of Schodack for fifteen (15) years commencing on the date of approval by the Public Service Commission, and authorizes the Town Supervisor to execute said cable television franchise on behalf of the Town.

**2020-168)** Authorize Supervisor Harris to accept and execute on behalf of the Town a Permanent Right of Way and Easement by and between Center Square Properties, LLC, and the Town of Schodack, subject to approval by the Town Attorney as to form.

**2020-169)** Authorize Supervisor Harris to execute and administer a professional services proposal dated May 11, 2020 from the Laberge Group to assist the Town Board with Battisti Water District Improvement Project for Planning and Grant Development and further. Authorize Supervisor Harris to execute and administer Addendum Number 2020051-00 for

professional services from the Laberge Group to assist the Town Board in development of grant applications in regard to the Battisti Water system services not to exceed \$17,000.00.

**2020-170)** Authorize Supervisor Harris to execute and administer Upgrade Order Agreement dated May 14, 2020 with Schindler Elevator Corporation to replace emergency light battery in a sum not to exceed \$985.00.

**2020-171)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #20-0559 to 20-0738 on Abstract No. 2020-05, in the amount of \$385,102.22, including the claims paid (\$210,363.09) since the previous town board meeting.

**2020-172)** Authorize the April 2020 budget modifications, interfund loans and interfund transfers as provided in document dated May 2020 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