

**Town of Schodack
Town Board Meeting
June 11, 2020**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Joining us via Zoom: Anthony E. Guidarelli, Business Development/Construction Specialist,
Curtis Lumber

Richard Laberge, President, Laberge Group

Discussion -

Public Hearing 7:05 p.m. to consider petition and the map, plan and report for Proposed Sewer District # 6 Extension #6 and to hear all persons interested in the subject thereof as is required or authorized by law

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

Public Comment – will be received via emails up to 6:30 p.m. on Thursday, June 11th
Deb.curtis@Schodack.org

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

2020-177) WHEREAS, a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schodack relating to the establishment of Sewer District No. 6, Extension No. 6, in the Town of Schodack, County of Rensselaer, State of New York; and

WHEREAS, such map, plan and report was prepared by Advance Engineering & Surveying, PLLC, competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Sewer District No. 6, Extension No. 6, the general plan of Sewer District No. 6, Extension No. 6, and the various expenses to be charged for real property located within the District Extension; and

WHEREAS, the establishment of the Sewer District No. 6, Extension No. 6 requires compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations of the Department of Environmental Conservation, Part 617, State Environmental Quality Review Act and the Town of Schodack has previously established that the Town Board act as lead agency for

the review of plans and environmental impact, if any, of the proposed Sewer District No. 6, Extension No. 6.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town Board of the Town of Schodack as lead agency has determined that the establishment of Sewer District No. 6, Extension No. 6 as described in the map, plan and report prepared by Advanced Engineering & Surveying, PLLC, is an Unlisted Action and that establishment of the proposed Sewer District No. 6, Extension No. 6 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 establishment of Sewer District No. 6, Extension No. 6 is an Unlisted Action and that the establishment of the Sewer District No. 6, Extension No. 6 will not result in any significant adverse environmental impacts;

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;

Consent to proceed with the establishment of Sewer District No. 6, Extension No. 6 will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;

A negative declaration is to be signed by the supervisor;

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

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

2020-178) **WHEREAS**, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of Sewer District No. 6, Extension No. 6 in the Town of Schodack, County of Rensselaer, State of New York, has heretofore been filed in the Town Clerk's Office; and

WHEREAS, a map, plan and report relating to the establishment of the proposed Sewer District No. 6, Extension No. 6 prepared by Advance Engineering & Surveying, PLLC, competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, has been filed with the Town Clerk of Schodack, in accordance with the requirements of the Town Law; and

WHEREAS, an order was adopted by the Town Board of the Town of Schodack on May 28, 2020, reciting the filing of the map, improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office for public inspection, and all other matters required by law to be stated; and

WHEREAS, the order set June 11, 2020 at 7:05 p.m. at Schodack Town Hall, 265 Schuurman Road, Castleton, New York as the date, time and place of the public meeting to consider the map, plan and report, and to hear all persons interested in the subject thereof, and to take such action as required and authorized by law; and

WHEREAS, such order was published and posted as required by law; and

WHEREAS, a hearing on the matter was held by the Town Board on the 11th day of June, 2020, beginning at 7:05 p.m. and the matter being duly discussed and all interested persons having been duly heard; and

WHEREAS, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a meeting of the Town Board conducted on the 11th day of June, 2020 at Schodack Town Hall; and

WHEREAS, the Town Board on June 11, 2020 approved the creation of Sewer District No. 6, Extension No. 6.

NOW, THEREFORE, IT IS RESOLVED AND DETERMINED:

- (a) That the petition is signed and acknowledged or proved as required by law and complies with requirements of Town Law Section 191 as to sufficiency of signers and is otherwise sufficient and the notice of public hearing was published and posted as required by law, and it is otherwise sufficient;
- (b) That all property and property owners within the proposed district extension are benefited thereby;
- (c) That all the property and property owners benefited are included within the limits of the proposed district extension;
- (d) That it is in the public interest to establish Sewer District No. 6, Extension No. 6;
- (e) That the first year cost of debt repayment for the typical property is \$0; operation and maintenance expenses for the typical property within the district extension for the first year of operation is One Thousand Twenty Six and 56/100

Dollars (\$1,026.56); and connection fees equal Ten Thousand Eight Hundred Eighty-Eight and 00/100 Dollars (\$10,888.00).; and it is further,

RESOLVED AND DETERMINED, that the establishment of Sewer District No. 6, Extension No. 6, as set forth in the map, plan and report, be approved and that the requested improvements be constructed, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district extension shall be known and designated as Sewer District No. 6, Extension No. 6 in the Town of Schodack, and shall be bounded and described as set forth on Schedule "A" attached hereto; and it is further

SCHEDULE "A"

Description

Sewer District #6

Sanitary Sewer Extension No. 6

Lands now or formerly of Parkview at Ticonderoga LLC

All that tract or parcel of land situate, lying in the Town of Schodack, County of Rensselaer, State of New York, (being tax map parcel 189.00-4-1) on the easterly side of Columbia Turnpike (Routes 9 & 20) and being shown on a plan titled "Map of Survey showing Boundary and Topography, prepared for Curtis Lumber Company, Inc.", dated December 14, 2011, as prepared by W.J. Rourke, P.L.S. and being more particularly bounded and described as follows:

Beginning at a point in the easterly highway boundary of Columbia Turnpike (Routes 9 & 20) at its intersection with the division line between lands now or formerly of Center Square Properties LLC on the north and lands now or formerly of Parkview at Ticonderoga LLC on the south; thence from said point of beginning along said division line North 67°-54'-57" East, 182.87 feet to a point in the division line between lands of the aforementioned Parkview at Ticonderoga LLC on the west and south and lands now or formerly of Schodack Realty Associates LLC on the east and north; thence along said division line South 24°-06'-00" East, 100.06 feet to a point and North 67°-54'-57" East, 562.35 feet to a point in the division line between lands of the aforementioned Parkview at Ticonderoga LLC on the west and north and lands of the People of the State of New York (Interstate Route 90) on the east and south; thence along said division line the following three (3) courses and distances:

- 1) South 02°-27'-14" East, 426.13 feet to a point; thence
- 2) South 03°-49'-49" West, 676.77 feet to a point; thence
- 3) North 88°-41'-10" West, 259.67 feet to a point in the aforementioned easterly highway boundary of Columbia Turnpike (Routes 9 & 20); thence along said easterly highway boundary the following three (3) courses and distances:
 - 1) North 25°-32'-46" West, 348.09 feet to a point; thence
 - 2) North 27°-25'-11" West, 562.32 feet to a point; thence
 - 3) North 21°-02'-24" West, 99.64 feet to the point and place of beginning.

RESOLVED AND DETERMINED, that the Town Clerk of the Town of Schodack shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Rensselaer County Clerk's Office and in the office of the state department of audit and control at Albany, New York; and it is further

RESOLVED AND DETERMINED, that the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of Forty-Four Thousand Four Hundred Fifty and 00/100 Dollars (\$44,450.00).

NOW, upon motion of _____ and seconded by _____,

2020-179)

WHEREAS, a map, plan and report along with a petition duly signed and acknowledged in accordance with the requirements of Article 12 of the Town Law of the state of New York has been filed with the Town Clerk's Office for the creation of Battisti Water District #10, and;

WHEREAS, the Town Board upon district creation intends to 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 NYS Office of Community Renewal (OCR) to implement necessary improvements to the Battisti Water District #10 (hereinafter "Battisti Water Improvements") with a Consolidated Funding Application to be submitted at the appropriate time, and;

WHEREAS, the Town Board is required to review the proposed project in accordance with the New York State Environmental Quality Review Act (hereinafter "SEQRA").

NOW, THEREFORE, IT IS:

RESOLVED, that the Town Board declares its intent to serve as Lead Agency for the Town of Schodack Battisti Water Improvements and that the Unlisted Action be coordinated with the Involved Agencies and Interested Agencies pursuant to SEQRA; and, it is further

RESOLVED, the Town Board hereby classifies the Battisti Water Improvements as an Unlisted Action, pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617, and Part 1 and Part 2 of the SEQRA Short Environmental Assessment Form (EAF) have been prepared pursuant to the requirements set forth in SEQRA; and, it is further

RESOLVED, the following potential Involved and Interested Agencies have been identified:

Rensselaer County Highway Department
124 Bloomingrove Drive
Troy, New York 12180

NYS Department of Transportation
Region One,
50 Wolf Road
Albany, New York 12232

NYS Department of Health
1600 7th Avenue

Troy, New York 12180

**New York State Office of Parks,
Recreation and Historic Preservation**

Ruth L. Pierpont, Deputy Commissioner for Historic Preservation
Division for Historic Preservation
Peebles Island Resource Center
PO Box 189
Waterford, New York 12188-0189

NYS Department of Environmental Conservation

Division of Environmental Permits
Mr. Jeffrey Sama, Director
625 Broadway, 4th Floor
Albany, New York 12207

NYS Homes & Community Renewal

Office of Community Renewal
Andrew Griffin, Community Developer
Hampton Plaza
38-40 State Street, 4S
Albany, New York 12207-2804

Delaware Nation

Ms. Deborah Dotson, President
PO Box 825
Anadarko, OK 73005

Delaware Tribe of Indians

Ms. Susan Bachor, Preservation Representative (East Coast)
P.O. Box 64
Pocono Lake, PA 18347

St. Regis Mohawk Tribe

Mr. Darren Bonaparte, Acting Director, THPO
71 Margaret Terrance Memorial Way
Akwasasne, New York 13655

Stockbridge Munsee Community

Ms. Bonney Hartley, THPO
65 1st Street
Troy, New York 12180

and, it is further

RESOLVED, that the Town Board hereby authorizes circulation of the attached Notice to the other Involved and Interested Agencies, indicating the Town Board's intention to serve as Lead Agency, including circulation of a copy of the

submitted Part 1 and Part 2 EAF, pursuant to the requirements set forth in SEQRA.

2020-180) WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Battisti Water District #10 in the Town of Schodack, County of Rensselaer, State of New York has been filed in the Town Clerk's Office; and

WHEREAS, said map, plan and report was prepared by Laberge Group Ltd., competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed District and the general plan of the proposed District; and

WHEREAS, said map, plan and report shows the location and description of the public works which will be required and the lands or easements to be acquired including but not limited to, the purchase seven 8 inch valves, a maximum of eight 12 inch valves, a maximum of thirteen fire hydrant assemblies, 3,500 linear feet of 8 inch DIP, a maximum of 5000 linear feet of 12 inch DIP, directional drilling, associated construction material and traffic protection; and

WHEREAS, the boundaries of the proposed water district are as described in Schedule "A" annexed hereto; and

Town of Schodack
Rensselaer County, New York

Water District Boundary Description
Battisti Water District #10

The following is intended to describe the bounds of the proposed water district in the Town of Schodack, Rensselaer County, State of New York. This District is shown on the map entitled "Proposed Battisti Water District #10 Water District Boundary" prepared by Laberge Group, dated January 16, 2019. The parcels referred to in the following description are shown on the Town of Schodack Tax Map 210.01.

Beginning at a point located at the northwest corner of the intersection of Van Hoesen Road and N.Y.S. Route 9 at the southeasterly corner of Parcel 17(A);

Thence proceeding westerly along the northerly bounds of Van Hoesen Road to a point in its intersection with the easterly bounds of Northern Boulevard, said point also being the southwesterly corner of Parcel 33;

Thence southerly across Van Hoesen Road to a point at the intersection with the southerly line of Van Hoesen Road and the northeasterly corner of lot 2;

Thence southerly along the easterly bounds of lot 2 to the southeasterly corner of lot 2;

Thence westerly along the southerly line of lot 2 to the southwesterly corner of lot 2;

Thence northerly along the westerly bounds of lot 2 to a point in the southerly line of Van Hoesen Road, said point being the northwesterly corner of lot 2;

Thence northerly across Van Hoesen Road to a point at the intersection with the northerly line of Van Hoesen Road and the southeasterly corner of lot 34;

Thence westerly along the northerly bounds of Van Hoesen Road to a point in the easterly bounds of Orchard Road, said point also being the southwest corner of Parcel 43;

Thence westerly across Orchard Road to a point at the intersection with the northerly bounds of Van Hoesen Road, said point also being the southeasterly corner of Parcel 44;

Thence westerly along the northerly bounds of Van Hoesen Road to a point at the southwesterly corner of Parcel 44;

Thence northerly along the westerly bounds of Parcels 44, 45, 46, 47, 48, and 49 to a point in the southerly bounds of the westerly terminus of Orchard Road, said point also being the northwesterly corner of Parcel 49;

Thence northerly along the westerly terminus of Orchard Road to a point in the northerly bounds of Orchard road, said point also being the southwesterly corner of Parcel 52;

Thence northerly along the westerly bounds of Parcels 52, 53, and 2 to a point in the northwest corner of Parcel 2;

Thence easterly along the northerly bounds of Parcel 2 to a point in the easterly corner of Parcel 2, said point also being in the northerly terminus of the westerly bounds of a "paper street";

Thence easterly across the northern terminus of said "paper street" to the easterly bounds of said "paper street", said point also being the northwest corner of Parcel 1;

Thence easterly along the northerly bounds and southerly along the easterly bounds of Parcel 1 to a point in the southeast corner of said Parcel 1, said point also being the northwest corner of Parcel 3;

Thence easterly along the northerly bounds of Parcels 3, 4, and 7.1 to a point in the northeasterly corner of Parcel 7.1, said point also being in the northerly bounds of Loretta Lane;

Thence easterly along the northerly bounds of Loretta Lane to a point in the northwesterly corner of Parcel 14;

Thence easterly along the northerly bounds of Parcel 14 to a point in the westerly bounds of N.Y.S. Route 9, said point also being the northeasterly corner of Parcel 14;

Thence southerly along the westerly bounds of N.Y.S. Route 9 to a point in the northerly bounds of Orchard Road, said point also being the southeasterly corner of Parcel 15;

Thence southerly across Orchard road to a point in the southerly bounds of said road, said point also being the northeasterly corner of Parcel 16;

Thence southerly along the westerly bounds of N.Y.S. Route 9 to the point and place of beginning.

All Tax map parcel references are based upon those in use by the Rensselaer County Real Property Tax Service Agency in January, 2019.

WHEREAS, the maximum amount proposed to be expended by creation of the District is One Million Seven Hundred Ninety Thousand and 00/100 Dollars (\$1,790,000); and

WHEREAS, pursuant to Section 209(f) of the Town Law, approval of the New York State Comptroller may be required for establishing this District since debt may be issued or assumed by the town for the subject improvements as hereinafter set forth; and

WHEREAS, said map, plan and report describing said improvements is on file in the Town Clerk's Office for public inspection; and

WHEREAS, the first year cost of the annual debt service to finance the construction of the District improvements for typical properties within the District shall be determined by the ability to obtain grants to assist in decreasing the amount to be financed and the cost of financing; annual debt service will be spread across the properties in the District on a per equivalent dwelling unit basis ranging from a high of One Thousand Nine Hundred Ninety Nine and 00/100 Dollars (\$1,999.00), to One Thousand One Hundred Sixty One and 00/100 Dollars (\$1,161.00), to Eight Hundred and 00/100 (\$800.00), and to a low of Four Hundred Sixty Five and 00/100 Dollars (\$465.00); and

WHEREAS, operation and maintenance costs will equal approximately One Hundred Ten and 00/100 Dollars (\$110.00) per connection for the proposed district plus One Hundred Twenty One and 00/100 Dollars (\$121.00) per connection for the shared cost of water supply or approximately Two Hundred Thirty One and 00/100 Dollars (\$231.00) per connection for the first year of operation for the typical property; and

WHEREAS, water meters and individual pressure reducing valves for each individual service is estimated at Nine Hundred and 00/100 Dollars (\$900.00) per connection, per meter; and

WHEREAS, connection fees shall be waived by the town of Schodack for a period of one hundred eighty days after water service is made available, and if not connected within one hundred eighty days the connection fee to be paid by the property owner shall be Three Hundred and 00/100 Dollars (\$300.00).

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Schodack Town Hall in said Town, on the 9th day of July, 2020 at 7:05 p.m., local time, to consider said map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

2020-181) 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, on December 7th 2019 a live Evergreen Christmas Tree was transplanted from Castleton Christmas Tree Farm to Town Hall, and

WHEREAS, Dan Hersey of Castleton Christmas Tree Farm donated the Evergreen in memory and to recognize family members that had served the Town of Schodack, and

WHEREAS, Lewis Hudson served as Supervisor from 1944 to 1965, and

WHEREAS, Lewis is notably the longest termed Supervisor to serve the Town of Schodack, and

WHEREAS, Ruth Hudson served as Town Clerk from 1967 to 1973, and

WHEREAS, Lewis and Ruth both worked out of their home prior to Town Hall being erected at 1777 Columbia Turnpike, and

WHEREAS, they were remarkably the only married Elected couple to service the Town of Schodack

NOW, THEREFORE, BE IT RESOLVED that the Legislative Body of the Town of Schodack is moved to honor Lewis and Ruth Hudson who gave themselves to this community and distinguished themselves throughout their careers bringing great pride to their family, and be it

FURTHER RESOLVED, that the Legislative Body of the Town of Schodack will pause in its deliberation on the 11th day of June 2020 to acknowledge exception and dedication of this evergreen Christmas tree, donated by Dan Hersey of Castleton Christmas Tree Farm in recognition and memory of Lewis and Ruth Hudson.

- 2020-182)** Authorize the fire departments that service Schodack to color code the caps on all the town owned hydrants to meet ISO specifications. The cost as well as the labor will be borne by the individual departments.
- 2020-183)** Authorize Supervisor Harris to execute and administer an agreement with Nassau Fire Department to install a dry hydrant in a pond located behind the town highway garage.
- 2020-184)** Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on application submitted by Reliable Properties LLC to operate a clean landfill disposal at 950 NY Route 9 pursuant to §137 of Town Code of the Town of Schodack, the Town Board shall hold said public hearing on June 25, 2020 at 7:10 p.m. at the Town Hall, 265 Schuurman Road.

- 2020-185)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:
- | Owner | Location | No. of Units |
|-------------------------|--------------------|--------------|
| Davis III, John H. | 1516 Rt. 9 | 1 |
| Skarzynski, Jerry & Kim | 402 Waterbury Road | 1 |
- 2020-186)** Authorize Supervisor Harris to execute lease agreement with Pitney Bowes for mail system SendPRO P1000 with 5-pound scale and 100-departmental accounting for a period of 60-months at the monthly rate of \$300.00.
- 2020-187)** Amend resolution 2020-05 as adopted January 9, 2020 to add Bank of Greene County as follows: Designate the following banks as depositories for all Town funds for the calendar year 2020: Key Bank, N.A., National Union Bank of Kinderhook, ~~and~~ Pioneer and Bank of Greene County.
- 2020-188)** Authorize the Supervisor Harris to transfer a maximum amount of \$1,097,446.00 from the Key Bank Money Market at 0.08%, to Bank of Greene County Money Market at 0.55% to establish Municipal Finance relationship.
- 2020-189)** Amend resolution 2020-058 as adopted January 9, 2020 to increase not to exceed amount as follows: Appoint Girvin & Ferlazzo, P.C. as Labor Counsel to the Town, pursuant to retainer agreement dated January 3, 2020. This authorization shall not exceed ~~\$10,000.00~~ \$30,000.00 without further board approval.
- 2020-190)** Authorize an Inter-Fund Loan in the amount of \$15,000.00 from General Town-wide Fund (A) to Capital Project H047 Battisti Water Extension to cover legal and engineering costs.
- 2020-191)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #20-0739 to 20-0884 on Abstract No. 2020-06, in the amount of \$233,672.70, including the claims paid (\$142,672.65) since the previous town board meeting.
- 2020-192)** Authorize the May 2020 budget modifications, interfund loans and interfund transfers as provided in document dated June 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