

**Town of Schodack
Town Board Meeting
June 25, 2020**

Public Session - 7 p.m. via livestreaming only
<https://townhallstreams.com/towns/schodack>

Call to Order

Pledge of Allegiance

Roll Call

Public Hearing – 7:10 p.m. - 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.

Presentations via Zoom –

Eric Hischmann, P.E., Clough Harbour & Associates, LLP on behalf of Stewart's Shops

Jim Muscato, Esq. Young / Sommer LLC on behalf of Cedar Hill Solar

Steven P. Hart, P.E., HART ENGINEERING on behalf of Reliable Properties LLC

Public Comment on **Board Resolution Only-**

Important - Please email comment(s) prior [by 6:30 p.m.] to the meeting deb.curtis@schodack.org

Items to be discussed:

1. COVID 19 –discussions
2. Possible Upcoming Training Sessions various departments Justice-Syracuse (September), Assistant to Assessor Syracuse (August) and Fire Investigation Unit-Montour Falls (November)
3. Open discussion

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

2020-194) WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12A of the Town Law of the State of New York, relating to Sewer District No. 6, Sewer District Extension No. 7, in the

Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office for public inspection; and

WHEREAS, said map, plan and report was prepared by Clough Harbour & Associates, LLP, (Eric Hirschmann, P.E.), competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Sewer District Extension, general plan of the Sewer District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities, together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the improvements proposed include, but are not limited to, the installation of 550 linear feet of 8 inch SDR26 PVC gravity sewer main; 130 linear feet of 4 inch sewer lateral; 160 linear feet of 6 inch sewer lateral; the installation of two new precast concrete manholes; surface restoration and select backfill, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, said project will require 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

WHEREAS, the Town of Schodack Planning Board was designated as the lead agency in a coordinated review with the Town of Schodack Town Board; and

WHEREAS, the underlying project is the demolition of an existing Sunoco gas station and the construction of a new Stewart's shop and convenience store with self-service gasoline; and

WHEREAS, in connection with this proposed project the Town of Schodack Planning Board in its role as lead agency in a coordinated review concluded that the project will not have a significant impact on the municipal sanitary sewer system; and

WHEREAS, the Town of Schodack Planning Board in its role as lead agency in its coordinated review issued a negative declaration with respect to the demolition of the existing Sunoco gas station and the construction of a new Stewart's shop and convenience store with self-service gasoline.

NOW, THEREFORE, IT IS RESOLVED: That the Town of Schodack Town Board hereby affirms that the Town of Schodack Planning Board act as lead agency in a coordinated review under the State Environmental Quality Review Act with respect to the proposed project defined within this Resolution.

2020-195) WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12A of the Town Law of the State of New

York, relating to the establishment of Town of Schodack, Sewer District #6, Extension #7 in the Town of Schodack, County of Rensselaer, State of New York, and has been filed in the Town Clerk's Office; and

WHEREAS, said map, plan and report was prepared by Clough Harbour & Associates, LLP, (Eric Hirschmann, P.E.), competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed District Extension and the general plan of the proposed District Extension; 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; and

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

Schedule "A"

BOUNDARY DESCRIPTION OF THE PROPOSED TOWN OF SCHODACK SANITARY SEWER DISTRICT #6 EXTENSION #7

From a survey conducted by ALTA/NSPS at 1811 Columbia Turnpike in the Town of Schodack in Rensselaer County, NY, the property boundaries were described as such:

Beginning at an iron rod located along the easterly line of Route 9 and 20, also known as the Columbia Turnpike, said point being the intersection formed by said easterly line of Columbia Turnpike and lands now or formerly owned by Mayakis Associates LLC on the south, and the lands now or formerly of Stewart's Shops Corp. on the North;

Thence from said point of beginning and along the aforesaid Columbia Turnpike, the following three courses: 1) North 31°30'30" West, 77.53 feet to a point; 2) North 22°50'30" West, 129.44 feet to a point and 3) North 33°10'40" West, 100.00 feet to a point;

Thence along the lands now or formerly of the Town of Schodack and Continuing along the lands now or formerly of Rensselaer County, the following two courses: 1) North 56°49'20" East, 300.19 feet to a point and 2) South 86°27'40" East, 181.55 feet to a point;

Thence along the westerly line of Ferndale Road, along a curve to the right having a radius of 975.00 feet, an arc length of 237.85 feet and bearing a chord of South 07°44'16" West, 237.26 feet to a point; Thence along the first mentioned division line, South 53°44'24" West, 316.27 feet to the point or place of beginning

WHEREAS, the District Extension improvements include, but are not limited to, 550 linear feet of 8 inch SDR26 PVC gravity sewer main; 130 linear feet of

4 inch sewer lateral; 160 linear feet of 6 inch sewer lateral; the installation of two new precast concrete manholes; surface restoration and select backfill; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of One Hundred Thirteen Thousand (\$113,000.00) Dollars; and all details as to the cost of construction are set forth in the aforesaid map, plan and report; and

WHEREAS, pursuant to Section 209(f) of the Town Law, approval of the New York State Comptroller will not be required for establishing this District Extension inasmuch as the town shall not finance the cost of the improvements nor pay or assume debt service associated with this District Extension; 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 costs of full operation and maintenance for the typical property within the District Extension are estimated at \$7.50 per 1,000 gallons of sanitary sewer effluent for an annual estimated cost of Two Thousand Four Hundred Sixty-Four (\$2,464.00) Dollars with the charges to vary in relation to the amount of benefit provided to the premises; and

WHEREAS, the initial connection fee shall equal Eleven Thousand Two Hundred Fifty (\$11,250.00) Dollars; and

WHEREAS, the subject typical property shall be assigned six equivalent dwelling units on an annual basis; and

WHEREAS, the determination of annual operation and maintenance charges shall be based on a benefit basis.

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, 265 Schuurman Road, Castleton, New York 12033, in said Town, on the 9th day of July, 2020, at 7:30 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.

2020-196) Concur that the Planning Board be designated lead agency for the Cedar Hill Solar Phillips Road Farm Community Solar project.

2020-197) Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on Cedar Hill Solar Farm, Tax Map Parcel 178-8-29.1 Phillips Road for the purpose of considering PD districting for the applicant's plan in accordance with the procedures established by the Town Law. Said hearing to be held on Thursday, July 9, 2020 at 7:45 p.m. at the Schodack Town Hall.

2020-198) WHEREAS, Applicant Reliable Properties LLC 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 3.5 acres and located on U.S. Route 9, Castleton, NY (Tax Map No. 220.-2-12); and

WHEREAS, a public hearing in connection with said application was duly noticed and held on June 25, 2020; and

WHEREAS, the application and project has been reviewed by the Town's engineering firm, which by letter dated June 1, 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 "2" in the letter from Laberge Group dated June 1, 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.

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 B. Harris
Town of Schodack, 265 Schuurman Road
Castleton-on-Hudson, New York 12033-9622
or call the Supervisor at 518-477-7918

June 25, 2020 15:08