

**Town of Schodack
Town Board Meeting
June 27, 2019**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Public Hearing - 7:10 p.m. relative to the (CDBG) Community Development Block Grant Application to providing an opportunity for the Town to:

- a. Provide the citizens of the Town with adequate information concerning the amount of funds available for proposed community development activities, the range of activities that may be undertaken and other important program requirements.
- b. Provide citizens adequate opportunity to participate in the development of the application, any revisions, changes or amendments to the application, prior to the submittal.

Public Hearing - 7:20 p.m. - to seek public comment on application submitted by KarJAL Trucking and Excavation Contracting to operate a sanitary landfill disposal at 1191 Brookview Station Road pursuant to §137 of Town Code of the Town of Schodack

Public Comment on Board Resolution Only

Items to be discussed:

1. American Tower proposal(s) for continued site operations
2. TJA Clean Energy – Solar Paul Road
3. Libraries
4. Battisti Water Supply Co. [letter from Bob Keller]
5. Court Officer
6. Transfer Station – disposal of MSW and C&D
7. Building Department vehicle
8. Open discussion

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

2019-201) Refer the application of KarJAL Trucking and Excavation Contracting made

pursuant to Town Code §137 et seq. to the Planning Board and request that the Planning Board review such applications and timely render to the Town Board a non-binding recommendation regarding the same.

2019-202) **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 #5, 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, (Kevin L. Hickey, 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 a 1.5 inch HDPE pressure main (2,200 linear feet), 6 inch HDPE pressure main (2,200 linear feet) and two relief structures, 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 multi-tenant building and neighboring automobile repair shop for the redevelopment 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 proposal to demolish an existing multi-tenant building and neighboring automobile repair shop for the development 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.

2019-203) 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 #5 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, (Kevin L. Hickey, 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 #5**

Beginning at the intersection of the western right-of-way of NYS Route 9 and 20, also known as Columbia Turnpike, and the northern right-of-way of Sunset Road, said point being the southeast corner of district boundary;

Thence North 24°51'38" West approximately 131.41 feet along the westerly right-of-way of NYS Route 9 and 20, also known as Columbia Turnpike, to a concrete monument; thence North 24°51'38" West approximately 129.00 feet along the westerly right-of-way of NYS Route 9 and 20, also known as Columbia Turnpike, to a point; thence North 03°43'51" West approximately 40.00 feet along the westerly right-of-way of NYS Route 9 and 20, also known as Columbia Turnpike, to a point; thence North 25°33'42" West approximately 37.10 feet along the westerly right-of-way of NYS Route 9 and 20, also known as Columbia Turnpike, to the an iron pin; thence South 67°51'17" West along the boundary approximately 345.33 feet to an iron pin; thence South 21°21'27" East approximately 265.66 feet to an iron pin; thence North 81°28'00" East approximately 24.82 feet along the northerly right-of-way of Sunset Road, to a concrete monument; thence South 88°14'02" East approximately 166.12 feet along the northerly right-of-way of Sunset Road, to a concrete monument; thence North 73°10'53" East approximately 114.82 feet along the northerly right-of-way of Sunset Road, to a concrete monument;

Thence North 54°31'22" East 62.26 feet along the northerly right-of-way of Sunset Road to a point on the westerly right-of-way of NYS Route 9 and 20, also known as Columbia Turnpike, to the point of beginning.

WHEREAS, the District Extension improvements include, but are not limited to, 1.5 inch HDPE pressure main (2200 linear feet), 6 inch HDPE pressure main (2200 linear feet) and two air relief structures; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Two Hundred Eighty-Seven Thousand Nine Hundred Ninety (\$287,990.00) 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 are 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, determination of annual 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-on-Hudson, New York 12033, in said Town, on the 11th day of July, 2019, 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.

2019-204) **WHEREAS**, an Article 78 proceeding has been filed in the Supreme Court, Albany County under the caption of Hodgson, et. al. v. Town of Schodack Zoning Board of Appeals, et. al. (Index No. 903472-19); and

WHEREAS, the Town Board desires to retain counsel for the purpose of defending the proceeding.

NOW, THEREFORE, BE IT RESOLVED, that the Board retains Girvin & Ferlazzo, P.C., as counsel for the purposes of representing and defending the Town in connection with the Article 78 proceeding based on a fee schedule of \$225 per hour as contained in the Letter of Engagement and Retainer dated June 13, 2019, provided that such authorized fees shall not exceed \$10,000 without further approval by the Board.

2019-205) Authorize the purchase of a 2017 Jeep Cherokee Sport 4x4 from Main Motorcar based on purchasing contract bid number OGS01-PC66680-1140268 at a cost not to exceed \$21,582.00 delivered. [This is an approved 2019 Budget Item]

2019-206) Amend resolution 2019-186 as adopted June 13, 2019 Authorize the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation as follows:

Special Needs Assistant: Logan Samarija at the Hourly rate per as set forth in resolution 2019-07.

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 26, 2019 12:12