

**Town of Schodack  
Town Board Meeting  
July 14, 2022**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Public Hearing 7:05 p.m. - to seek public comment on Proposed Local Law No. 4 of 2022 Amending Chapter 174 entitled Sewer Regulations in the Town of Schodack.

Public Comment

Executive Session (if needed)

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

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

**2022-218)** Amend resolution 2022-176 as adopted on April 9, 2022 as follows: Due to supply chain issue, rescind resolution 2021-163 as adopted June 10, 2021 Authorize Supervisor Peter to execute and administer proposal dated March 28, 2022 from DeMar Flooring for Commercial grade Carpet, *plus 5% overage and Glue* for meeting space on the 2<sup>nd</sup> floor in an amount not to exceed ~~\$10,980.00~~ \$12,153.09.

**2022-219)** **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on July 14, 2022 at 7:05 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 4 of 2022 Amending **Chapter 174 entitled Sewer Regulations in the Town of Schodack, and**

**WHEREAS**, notice of said public hearing was duly posted on the Town Clerk's Sign Board on July 1, 2022 and advertised in the July 1, 2022 edition to THE RECORD, official newspaper of the Town, and

**WHEREAS**, said public hearing was held on July 14, 2022 at 7:05 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

**WHEREAS**, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 4 of 2022 (P4-2022) to be known as Local Law 4 of 2022 Sewer Regulations in the Town of Schodack, and

**BE IT FURTHER RESOLVED**, that the Town Clerk, be and is hereby directed to enter said local law into the Code of the Town of Schodack and to give due notice to said local law to the Secretary of State.

**2022-220)** Authorize the purchase of a 2022 Mini Excavator with 12", 24" & 36" buckets, cutting edge, Beacon, work light kit, hydraulic thumb kit, mechanical Quick coupler and radio as described in quote dated July 8, 2022 at a cost not to exceed \$62,287.21 from Abele Tractor & Equipment Co., Inc.

**2022-221)** **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**, Michael D. Miller has distinguished himself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to his position of Police Officer in the Town of Schodack, and

**WHEREAS**, Mike affectionial dubbed "Miller Mania" has been a resident of the Town of Schodack for 15 plus years, and

**WHEREAS**, Mike began his career as a part-time Police Officer in Green Island, Albany County from July 11, 2002 thru March 18, 2004, and

**WHEREAS**, on March 4, 2004 the Town Board of the Town of Schodack authorized the hiring of Michael Miller for the Schodack Police Department, and

**WHEREAS**, Mike assumed the position of Police Officer on March 16, 2004 and served faithfully in this role under Supervisors: Beth Secor, Dennis Dowds, David Harris, Charles Peter and Police Chiefs: Bernard Peter, Joseph Belardo and John Hourigan until his retirement on July 15, 2022, and

**WHEREAS**, from early on, Officer Miller demonstrated his commitment to the community in in February 2006 as Advance Motor Vehicle Collision Investigator where rose to become the accident investigator for the police department, May of

2008 as a Certified Child Passenger Safety Technician whereby he performed Passenger and Carseat safety checks both in house and at many events, in June 2012 as a LE Bicycle Patrol Operator 2012 where he conducted Bike Rodeos, and in December 2017 as Police Instructor, and

**WHEREAS**, Officer Miller further served his community in his most notable fashion by becoming certified and equipped in Commercial Vehicle enforcement where he is considered an expert in the field, often sought after as a consultant by other agencies, there is no way to predict how many losses or lives he saved by removing trucks in violation from our roadways, and

**WHEREAS**, Mike has demonstrated his love of family by being a devoted partner to Michelle DellaVecchia, the father of Ethan Miller, step-father to Paige, Kait and Jesse, father-in-law to Sean, Marcus and Kasey, Papi to Kelsi, Liam and Mason and whom he often shares his silliness and love of life with them and often shares stories of his love for climbing under BIG TRUCKS with his coworkers and friends,

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislative Body of the Town of Schodack is moved to honor Michael Miller, who has given himself to this community in so many ways and distinguished himself throughout his career bringing great pride to his family, his peers, his associates and his community by being a person of commitment, integrity and an impressive role model for all, and be it

**FURTHER RESOLVED**, that the Legislative Body of the Town of Schodack will pause in its deliberations on the 14<sup>th</sup> day of July 2022 to acknowledge and honor Michael Miller, upon his retirement, for his 18 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to him.

**2022-222) WHEREAS**, the Town Board of Schodack (Town Board) was notified by New York State Department of Environmental Conservation (NYSDEC) that the State Pollutant Discharge Elimination System (SPDES) permit authorizing the wastewater discharge from the East Schodack Sewer District #5 (Sewer District) requires disinfection be installed at the sewer treatment facility; and

**WHEREAS**, the Town Board authorized an income survey for the purpose of determining income eligibility of residents within the Sewer District to participate in a variety of grant and loan programs to reduce the financial burden to residents in the Sewer District; and

**WHEREAS**, the Town of Schodack prepared a Wastewater Engineering Study under the EFC Wastewater Infrastructure Engineering Planning Grant Program to determine the preferred alternative for providing disinfection; and

**WHEREAS**, New York State Department of Environmental Conservation (NYSDEC) has made available a 2022 Water Quality Improvement Program (WQIP) grant for the construction of the required improvements identified in the Wastewater Engineering Study for the Sewer District.

**IT IS HEREBY RESOLVED**, that the Town Board authorizes Laberge Group to prepare and submit a 2022 NYSDEC WQIP grant application for a fee of \$5,000 on behalf of the Town of Schodack on or before the grant deadline of July 29, 2022 for construction of the identified required improvements to Sewer District #5; and

**BE IT FURTHER RESOLVED**, that the Town of Schodack is hereby committed to using municipal funds to provide a local cash match of twenty-five percent (25%) of the grant request towards eligible expenses; and

**BE IT FURTHER RESOLVED**, that engineering and design of the required improvements is not an eligible grant expense and therefore the Town of Schodack hereby authorizes the Town of Schodack Supervisor to enter into agreement with Laberge Group to complete the engineering using municipal funds; and

**BE IT FURTHER RESOLVED** that the Town Board authorizes and directs the Town of Schodack Supervisor to submit a WQIP application to the NYSDEC and is authorized to execute all other documents necessary for the implementation of this work and is also authorized to execute all financial and/or administrative processes relating to the grant program.

**2022-223)** Appoint the following individuals to the Board of Ethics created by §27-18: \_\_\_\_\_(1 year term) to expire December 31,2023, \_\_\_\_\_(2 year term) to expire December 2024, \_\_\_\_\_(3 year term) to expire December 31, 2025, \_\_\_\_\_(4 year term) to expire December 31, 2026, \_\_\_\_\_(5 year term) to expire December 31, 2027.

**2022-224)** Authorize the Town of Schodack to utilize services provided by Scrapper Smith and to accept fee schedule as provided as attached for the collection of propane tanks and fire extinguishers at Household Hazardous Waste collection Day, July 30, 2022.

**2022-225)** **WHEREAS**, Guns Realty, LLC and the Town of Schodack are desirous of having certain assessment issues resolved as to property owned by Guns Realty, LLC in the Town of Schodack, and

**WHEREAS**, a settlement proposal resolving tax certiorari litigation was recommended by the Vincelette Law Firm, special counsel to the Town of Schodack, and reviewed by the Schodack Town Board at its regular monthly meeting, and

**WHEREAS**, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

**WHEREAS**, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

**THEREFORE BE IT RESOLVED**, that the Town Board does hereby accept a proposed settlement for the 2020 and 2021 tax certiorari proceedings filed by Guns Realty, LLC in which the assessed values will be reduced as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Prior Assessed Value</u>	<u>New Taxable Value</u>
2020	189.-9-4	\$145,200	\$130,000
2021	189.-9-4	\$145,200	\$130,000

Real Property Tax Law §727 shall apply,

and it is further

**RESOLVED** that Guns Realty, LLC shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision; and it is further

**RESOLVED**, that the Town Board does hereby adopt this resolution to end the litigation between Guns Realty, LLC and the Town of Schodack as to the above referenced assessment.

**2022-226)** Authorize the allocation of ARPPA funds for the following projects: paving of Clearview Water plant road (\$8,000.00); toward purchase/balance of Water/Sewer Truck (\$50,000.00); Disinfection work on Sewer District 5 (\$100,000.00-150,000.00 [bills are coming in at 169,000]); **and**

**2022-227)** Appoint Francis Curtis as per-diem Assistant Assessor at the calculated an hourly rate based on the annual salary of the Sole Assessor position as set forth in resolution 2021-290, to be effective July 1, 2022. [as recommended by HR]

**2022-228)** Authorize Supervisor Peter to execute and administer Memorandum of Agreement by and between the Town of Schodack and United Public Service Employees Union (Police Unit) relative to Officer Roehr continuing as Cause and Origin Investigator.

**2022-229)** Authorize Supervisor Peter to execute and administer Memorandum of Agreement by and between the Town of Schodack and United Public Service Employees Union (Police Unit) relative to Officer Montross seniority date of June 28, 2021

**2022-230)** Ratify and affirm amending resolution 2022-123 as adopted March 10, 2022 authorizing Supervisor Peter to contract with musicians to perform at the 2022 Music in the Park as follows:

<del>Yankee Doodle Band</del>	<del>Gone Grey</del>	<del>July 5<sup>th</sup></del> (rain date 7/6/22)	<del>\$600.00</del>	<del>\$500.00</del>
Yankee Doodle Band		July 5 <sup>th</sup> August 23 <sup>rd</sup>		\$600.00

**2022-231)** Authorize Supervisor Peter to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub C308 copier at the Police Station, for the period June 4, 2022 to June 3, 2023 for \$604.97 annually. Contract includes 42,000 b/w copies and 3,000 color copies annually with an overage charge of \$0.00895 and \$0.07659 respectively per copy.

**2022-232)** **WHEREAS**, the Town of Schodack and Village of Castleton Local Waterfront Revitalization Program (LWRP) plan was drafted more than 30 years ago and approved in 1995; and

**WHEREAS**, elements of the LWRP plan are outdated and inconsistent with current and desired use of the waterfront by the Town of Schodack and the Village of Castleton; and

**WHEREAS**, there are opportunities for resource and economic development along the waterfront that would greatly benefit the Town and Village, and are in keeping with federal and state waterfront revitalization policies; and

**WHEREAS**, the Department of State's Local Waterfront Revitalization Program, funded under Title 11 of the Environmental Protection Fund, provides matching grants on a competitive basis to eligible villages, towns, cities, and counties located along New York's coasts or designated inland waterways for planning, design, and construction projects to revitalize communities and waterfronts; and

**WHEREAS**, the LWRP Committee has prepared a grant application to request funding for development of an updated LWRP in the amounts set forth in the Application annexed hereto and made a part hereof as if fully set forth at length herein; and

**WHEREAS**, the 2022-2023 EFP LWRP Applications are due July 29, 2022.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that the Town Board of the Town of Schodack hereby directs and authorizes Charles Peter, Schodack Town Supervisor, in coordination with Robert Mello, Chairman of the Town of Schodack and Village of Castleton Local Waterfront Revitalization Program Committee, to submit the EPF LWRP Application as annexed hereto to NYS.

**2022-233)** All Civil Service requirements having been met for the position of Police Officer, the Town hereby appoints John Bunney to the position of full-time Police Officer effective August 8, 2022 at 2<sup>nd</sup> year level salary as set forth in the Collective Bargaining Agreement between the Town of Schodack and Schodack Police Department, United Public Service Employees Union (UPSEU) dated January 1, 2020 through December 31, 2023.

**2022-234)** **WHEREAS**, the 911 memorial garden at the Town Park in the Town of Schodack over the last several years, the garden had become overgrown and unsightly, and

**WHEREAS**, Girl Scout from Troop #1776 stepped up to replanted and restored the 911 Memorial Garden at the Town Park in the Town of Schodack, and

**WHEREAS**, the Girl Scout from Troop #1776 wishes to replace and erect a new updated dedication Marker to include their troop information, and

**WHEREAS**, the cost of the dedication marker is \$925.00 and

**WHEREAS**, the girls in Troop #1776 have asked the each of the Local fire companies, Castleton Ambulance, PBA, Rotary and Kiwanis to contribute \$100.00 toward the cost of said marker and to date each are responding favorably, and

**WHEREAS**, they are also asking the Town Board to contribute \$100.00 of the cost to purchase the historical marker, and

**WHEREAS**, the Town Board of the Town of Schodack is in favor of the improvements to the 911 memorial garden

**NOW, THEREFORE BE IT RESOLVED** that the Town Board agrees to pay for toward the cost to purchase the dedication marker to be placed at the Schodack Town Park for a cost not to exceed \$100.00.

**2022-235)** Amend resolution 2022-209 as adopted on June 9, 2022 to add additional staff for Summer Camp as follows:

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:

**Substitute Nurse:** Karyssa Shord & Joanne Post

**Counselor:** Julia Reickert

- 2022-236)** Amend resolution 2021-290 as adopted on December 9, 2021 as follows:  
 Adopt the following annual salary expense for the calendar year 2022:  
 Police Officers (part-time) #1 \$22.26 \_\_\_\_\_/hour  
 Police Officer (part-time) #2 \$24.30 \_\_\_\_\_/hour
- 2022-237)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #22-0998 to 22-1207 on Abstract No. 2022-07, in the amount of \$1,065,458.29, including the claims paid \$293,664.98.
- 2022-238)** Authorize the June 2022 budget modifications, interfund loans and interfund transfers as provided in document dated July 2022 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 Charles J. Peter  
 Town of Schodack, 265 Schuurman Road  
 Castleton-on-Hudson, New York 12033-9622  
 or call the Supervisor at 518-477-7918