

**Town of Schodack
Town Board Meeting
August 12, 2021**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

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

Public Comment

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

2021-187) Ratify and affirm hiring Robert Rivet as Part-time Park Attendant at an hourly rate as set forth in resolution 2020-317 effective July 19, 2021.

2021-188) All Civil Service requirements having been met for the position of Police Officer, the Town hereby appoints Jahmale Dickson to the position of full-time Police Officer effective August 16, 2021 at 3rd 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.

2021-189) **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, Harry Spencer Duncan 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 Mechanic in the Town of Schodack, and

WHEREAS, Harry has been a long-time resident of the Town of Schodack, and

WHEREAS, Harry began his career as a Mechanic with Rensselaer County Highway Department, and

WHEREAS, on June 19, 2000 Harry Duncan hired as a Mechanic for the Schodack Highway Department, and

WHEREAS, Harry assumed the position of Mechanic on July 3, 2000 as has served faithfully in this role under Supervisors: Eileen Natoli, Beth Secor, Dennis Dowds, David Harris and Police Chiefs: David Schlinder, Bernard Peter, Joseph Belardo and John Hourigan until his retirement on July 30, 2021, and

WHEREAS, Harry was promoted to the rank of Senior Mechanic on March 9, 2012, and

WHEREAS, from early on, Harry demonstrated his commitment to the community by serving, and

WHEREAS, Harry has been known for solving local and world problems and will continue to debate live issues with the BARN CREW, and

WHEREAS, Harry has demonstrated his love of family by being a father to John Rivers and grandfather to Elizabeth and Silas and often shares his love for Dirt Track, and NASCAR with his coworkers and friends,

WHEREAS, it surely comes as no surprise, he will greatly miss sharing the escapades of the Barn Crew, as we will miss hearing of them.

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Harry Spencer Duncan, 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 8th day of July 2021 to acknowledge and honor Harry Spencer Duncan, upon his retirement, for his 20 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to him.

2021-190) Authorize Paul W. Peter, Justice to attend New York State Magistrates Association Fall Conference September 26th through 29th at Niagara Falls, New York with registration fee of \$75.00, lodging (meals included) not to exceed \$880.08 and travel costs (mileage) not to exceed \$346.08 for a total estimate not to exceed \$1,301.16. [A1110.4 This is a budgeted item]

2021-191) Authorize Supervisor Harris to execute a Consent to Sublease on behalf of the Town consenting to a proposed sublease agreement between American Tower, as sublessor, and Dish Wireless, LLC, as sublessee, with respect to the existing tower located on Route 20 immediately east of Bunker Hill Road.

2021-192) WHEREAS, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and

WHEREAS, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the audit report submitted for Justice Court for the fiscal year 2020.

2021-193) Approve listing the following as surplus vehicle and authorize Kenneth Holmes, Highway Superintendent to post said items on www.AuctionsInternational.com at no cost to the Town. (Bidders must be registered to bid. Cost of registration is \$10.00):

- 1) 2013 Ford Explorer – Police VIN 1FM5K8AR7EGA55566

2021-194) Authorize Supervisor Harris to send a Letter of Recommendation on behalf of the Town Board, to U.S. Board on Geographic Names (BGN) to vote in favor of proposal to name an unnamed stream as Beberwyk Brook.

2021-195) WHEREAS, Chapter 174 & 176 of the Town of Schodack Code (Sewer Regulations) provides for capital costs to be allocated to each parcel of property within the sewer district based on the assessed valuation, units or front footage of property along which sewer mains are constructed or a combination of these methods as approved by the Town Board, and

WHEREAS, The Town Board defined the basis, through the adoption of Resolution No. 2019-117 on March 14, 2019, on which capital costs are to be allocated that is in accordance with the districts’ legal formation and/or method by which the capital costs were approved, and

NOW THEREFORE BE RESOLVED that the Town Board of the Town of Schodack updates the definitions of an equivalent dwelling unit (EDU), for all Town Sewer Districts, as follows:

Town of Schodack/Village of Castleton
Sewer District Property Class Codes
Sewer Equivalent Dwelling Unit (EDU) Schedule

Property Class Code per Assessor's Manual and Property Description	Capital-O&M EDU
200 Residential Dwellings	1 EDU per dwelling unit-additional units may be assigned for incidental commercial usage Residential parcels - 1 EDU per buildable lot or lots greater than 10,000 sq. ft. where connection is feasible.
300 Vacant Land-no O&M EDU for Vacant Properties	* Commercial parcels - For large parcels, EDU's may be assigned to vacant Properties based upon the assessed value per acre at the discretion of the Board.

400	Commercial Properties	**	1 EDU
410	Living Accommodations		
	411 Apartments	**	1 EDU per dwelling unit (VOC)
	416 Mobile Home Park	**	1 EDU per dwelling unit
480	Multi-Use Structures		
	482 2-3 story structure with 1st Floor Commercial and upper floor apartments/offices	**	EDU(s) based upon main floor use of structure plus an additional EDU for each dwelling/office
	484 1 Story multi-use	**	EDU(s) based upon commercial use of structure plus an additional EDU for each dwelling/office
600	Community Services		
	612 Schools-day		1 EDU per 20 students/staff
	633 Homes for the Aged-Nursing Home		.75 EDU per bed
	682 Recreation Facilities-bike path, Nature Trail w/o sewer		Exempt
	695 Cemetery		Exempt
800	Public Services		Exempt
900	Wild, Forested Conservation Land & Public Parks		Exempt

Commercial Property Class Codes with public water connections (excluding Sewer District #6) not specifically identified above, in general, will be assigned 1 EDU plus additional EDU's for every 40,000 gallons, or portion thereof, of water usage in excess of 40,000 gallons per year at the discretion of the Board. Entities using over 1 million gallons/year may be assigned units on a separate basis.

Sewer Districts without public water connections will be assigned EDU's based upon the above table or, if necessary, in accordance with the use of the property, excluding the component for water usage.

Sewer District #6 properties shall use EDU's calculated per annual Resolution for all Town Water Districts.

2021-196) WHEREAS, Chapter 175 of the Town of Schodack Code (Water Regulations) provides for capital costs to be allocated to each parcel of property within the water district based on the assessed valuation, units or front footage of property along which water mains are constructed or a combination of these methods as approved by the Town Board, and

WHEREAS, the Town Board defined the basis, through the adoption of Resolution No. 2013-218 on October 24, 2013, on which capital costs are to be allocated that is in accordance with the districts' legal formation and/or method by which the capital costs were approved, and

NOW THEREFORE BE RESOLVED that the Town Board of the Town of Schodack updates the definitions of an equivalent dwelling unit (EDU), for all Town Water Districts, as follows:

Property Type	Property Code	Equivalent Dwelling Unit (EDU) Assigned
<i>A typical property is defined as a single family residence with estimated annual water usage of 72,000 gallons or less.</i>		

Exempt Properties	Varies, 315,822, 971	Cemetery without water use, underwater land, catch basins, access roads, water and/or sewer district owned parcels, water supply, wetlands and homeowner associations.
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Residential Properties		
Vacant Land	311	0.75 EDU
Vacant Land - Rural 10 acres or less	314	0.50 EDU (less than .10 acres, then 0 EDU)
Vacant Land - Rural over 10 acres	322	1.00 EDU
1 family w/ no water main on the road	210	0.0 EDU
1 family year round residence w/ curb stop, w/ easement or flag lot, dwelling > 600 feet from curb stop	210	0.50 EDU
1 family, with acreage	210	1.00 DU
1 family year round residence w/accessory apartment	215	1.50 EDU
2 family	220	2.00 EDU
3 family	230	3.00 EDU
With acreage, Multi-purpose	240,280,281	Based on property specifics using definitions contained herein, except water usage is not a component. (i.e. 1 family plus 1 apartment = 1.50 EDU)
With Incidental Commercial Use. Incidental Commercial use is defined as a residence which has been partially converted or adapted for commercial use with the primary use being residential.	283	2.00 EDU (1 EDU for Residential plus EDU for Commercial) The residential component may increase based on property specifics using definitions contained herein (i.e. 1 family plus 1 apartment = 1.50 EDU). Additional units will be added based upon actual water usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in Excess of 72,000 gallons for usage greater than the first 72,000 gallons. *
With small improvement	312	1.00 EDU

<u>Property Type</u>	<u>Property Code</u>	<u>Equivalent Dwelling Unit (EDU) Assigned</u>
Commercial Vacant Land Properties		
Vacant Land; Commercial Vacant with small improvement; Agricultural Vacant Land	330,331,105	An assessed value per acre of less than or equal to \$10,000 shall have an EDU value of .25, an assessed value per acre greater than \$10,000 and less than or equal to \$25,000 shall have an EDU value of .50, and an assessed value per acre greater than \$25,000 shall have an EDU value of .75; then dividing the total

		assessed value of the property by \$20,000 (2017-AAV) to determine the units of assessment and then multiplying the EDU value by the units of assessment, rounded up to the nearest quarter. AAV-Average Assessed Value is calculated annually based upon the average assessed value per acre of residential vacant property in property code no. 311 for all Town Water Districts. Should properties become water users, additional units will be added based upon actual usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
Parking Lots, Mining/Quarry	438, 720	1.0 EDU. Should properties become water users, additional units will be added based upon actual usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
Commercial Residential Properties		
Apartments, Mobile Home Parks	411, 416	1.0 EDU; plus 0.50 EDU per apartment/mobile home; plus 0.50 EDU for each excess 36,000 gallons or portion thereof in excess of the total of the EDUs per apartment/mobile home times 72,000 gallons.*
Hotel, Motel	414, 415	1.0 EDU; plus 1.00 EDU per 3 rooms Or portion thereof; plus 1/3 of 1.00 EDU for each excess 24,000 gallons used or portion thereof in excess of the total of the EDUs per 3 rooms times 72,000 gallons.*
Commercial Properties		
Commercial Properties as listed:	421, 422,	1.0 EDU; plus 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
Restaurants,Diner/Luncheonettes,	426, 430,	
Fast Food Franchises, Motor	431, 433,	
Vehicle Service, Auto Dealers –	434, 442,	
Sales & Service, Auto Body/ Tire/	444, 447,	
Related Auto, Automatic Car	449, 450,	
Wash, Mini Warehouse (self	452, 462,	
storage), Lumber Yards, Trucking	464, 465,	
Terminals, Other Storage/	472, 480,	
Warehouse/ Distribution Facilities,	481, 483,	
Retail Services, Neighborhood	484, 485,	
Shopping Centers, Drive-In	486, 612,	
Branch Bank, Office Building,	615, 620,	
Professional Building, Dog	632, 642,	
Kennel/ Veterinary Clinic, Multiple	651, 652,	
Use, Converted Residence, One	662, 682,	
Story Small Structure, One Story	700, 870	

<p>Small Structure – Multi Occupancy, Minimart, Schools, Other Educational Facilities, Religious, Benevolent & Moral Associations, All Other Health Facilities, Governmental Highway Garage, Governmental Office Building, Police & Fire Protection, Recreational Facility, Industrial, Electric & Gas</p>	
<p>* Based upon actual water consumption for the period July 1 – June 30 preceding the adoption of the assessment roll, or ^ Based upon estimated water consumption for non-connected properties per DEC design flow guidelines as follows: .01 gallon/square foot/day for Warehouse/Storage Facilities or .1 gallon/square foot/ day for Office/Retail Facilities discounted by 50% of estimated water usage.</p>	

2021-197) Authorize refund of building permit fee in the amount of \$60.00 to Phelps Brother Roofing for Building Permit Application #14351-21, as Janis Nissen did not pursue contract with Phelps and hence Phelps withdrew their application prior to construction.

2021-198) Proclamation commemorating the Van Nederynen’s 100 years on family farm, Al’s 92nd birthday, Dottie’s 88th birthday along with their 70th Wedding Anniversary

2021-199) Authorize Kerrie D. Joiner, Human Resource Manager to advertise in the official Town newspaper after August 14th, the full-time position of Senior Mechanic or Operator 2 at the Highway Department as necessary, contingent on internal posting(s).

2021-200) **WHEREAS**, the Town of Schodack due to severe weather on or about July 14, 2021 which included rainfall and flooding, which caused catastrophic failure of the Bridge on Town Hall Way, needed to provide primary access the Town’s water plant, which is critical infrastructure for the Town; and

WHEREAS, Laberge Engineering & Consulting Group Ltd., is assisting the Town coordinate installation of a Temporary and the future replacement Bridge on Town Hall Way to cross the Moordnerskill to the Town’s water plant

THEREFORE BE IT RESOLVED, that pursuant to 6 NYSCRR §617 and the Short Environment Assessment Form (SEAF) prepared by Laberge Engineering & Consulting Group, Ltd., the Board hereby declares that this

project to be classified as an Unlisted Action under SEQRA, that the project has no or small impacts on the environment, and that a Negative Declaration of Significance be issued.

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign the SEAF for this action and other documents such as permits, contracts, etc. to implement the installation of a temporary bridge to provide access to the Town’s water plant.

2021-201) Authorize the Comptroller’s recommendation to direct the Town Supervisor to pay the claims #21-1147 to 21-____ on Abstract No. 2021-08, in the amount of \$_____, including the claims paid (\$_____) since the previous town board meeting.

2021-202) Authorize the July 2021 budget modifications, interfund loans and interfund transfers as provided in document dated August 2021 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

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