

**Town of Schodack
Town Board Meeting
September 13, 2018**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Presentation 7 p.m. – Andy Beers – Hudson Electric Rail Trail

Notice of Violation Hearing – 7:15 p.m. pursuant to Town of Schodack Code Section 99 to determine compliance by property owners of record (Donald M. & Jennie M. Williams) of 3047 Route 150 (Tax Map 190.-4-2).

Officer Recognition 7:30 p.m.

Executive Session - Personnel Matters

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

2018-218 Adopt the Town of Schodack Personnel Policy and Procedure Manual, per attached as revised together with attached list of revisions; this will supersede the Personnel Policy and Procedure Manual that was adopted on April 8, 1999, to be effective January 1, 2019.

2018-219 **WHEREAS;** the **Town of Schodack** pursuant to the authority granted in **NYS General Municipal Law §103(16)**, desires to participate in the U.S. Communities Cooperative Purchasing Alliance. Said Alliance is sponsored by the Association of School Business Officials International; the National Association of Counties; the National Institute of Governmental Purchasing; the National League of Cities; the United States Conference of Mayors and New York State Association of Counties;

WHEREAS; the **Town of Schodack** desires to participate for the purpose of fulfilling and executing its respective public governmental purposes, goals, objectives, programs and functions;

WHEREAS; the **Town of Schodack** has reviewed the benefits of participating in this program and based on this review has concluded the program will provide the best value to taxpayers of this **Town of Schodack** through the anticipated savings to be realized;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of the **Town of Schodack** is authorized to participate in the U.S. Communities Cooperative Purchasing Alliance and that **Supervisor Harris** is authorized to register for the U.S. Communities program on behalf of **Town of Schodack**.

2018-220 Authorize Supervisor Harris to execute and administer a 2018 agreement between the Rensselaer County Department for Youth and the Town of Schodack for State Aid related to the Town's Summer Youth Day Camp in the amount of \$3,140.00.

2018-221 Affirm, pursuant to Article 3 Section 37 of the Town Law, the Tax Receiver hereby appointed Sandra Schell (Temporary) Deputy Tax Receiver at an hourly rate as set forth in resolution 2018-07 (\$17.19) and further amend resolution 2018-080 as adopted on January 25, 2018 as follows: Pursuant to Article 3 Section 37 of the Town Law, the Tax Receiver hereby appoints ~~Sandra Schell (\$13.79-13.52/hr.)~~, Elizabeth Swahlan (\$17.19 \$13.22/hr.) and Michael Lubbers (\$17.19 \$13.22/hr.) as part-time Tax Clerks at an hourly rate to be effective August 27, 2018, these three positions not to exceed 718 hours in total from August 27th through December 31, 2018 [Budget A1330.1]

2018-222 Waive the requirement pursuant to Chapter 177§1 of the Code of the Town of Schodack to hold Water Rate hearings on or before October 20th each year, in order to schedule said hearings at a special meeting at a later date to be determined.

2018-223 Waive the requirement pursuant to Chapter 176§4 of the Code of the Town of Schodack to hold Sewer Rent hearings on or before October 20th each year, in order to schedule said hearings at a special meeting at a later date to be determined.

2018-224 WHEREAS, the Town Building Inspector reported to the Town Board that a building or structure known as 3047 Route 150 (Tax Map 190.-4-2) should be repaired or removed; and

WHEREAS, the Town Board wished to proceed pursuant to Chapter 99 of the Schodack Code, relating to Unsafe Buildings; and

WHEREAS, it was resolved that the Building Inspector shall, pursuant to §99-2(B) forward a notice with the particulars required therein to the owner, directing the owner to commence the securing or removal of the buildings/debris within 30 days and to complete such securing or removal within 60 days; and

WHEREAS, a copy of that notice was filed in the office of the Rensselaer County Clerk, pursuant to the provisions of §99-2(D); and

WHEREAS, resolution 2018-190 adopted on July 12, 2018, scheduled a hearing on this matter on September 13, 2018 at 7:15 p.m., to determine whether the

owner has complied with such notice, and to take such other and further actions as may be authorized by Chapter 99; and

WHEREAS, the hearing was held on September 13, 2018 at the time and place as specified in the notice; and

WHEREAS, proof was submitted of timely service of notice pursuant to Chapter 99; and

WHEREAS, based on proof submitted at the hearing, the remaining premises located at 3047 Route 150 (Tax Map 190.-4-2) are unsafe for human habitation and should be removed;

NOW THEREFORE BE IT RESOLVED that said remaining premises located at 3047 Route 150 shall be removed by the town,

BE, IT FURTHER RESOLVED that all costs and expenses in said removal shall be assessed on the property at 3047 Route 150 (Tax Map 190.-4-2) and that said charges shall be levied and collected as provided by law.

2018-225

WHEREAS, it is the privilege and duty of the American people to commemorate the anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities, and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as *Constitution Week*,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack does hereby proclaim the week of September 17 through 23 as *Constitution Week* and urges all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

2018-226

WHEREAS, the Town has determined that there is surplus chip and grass material at the Transfer Station generated during the 2018, and

WHEREAS, the Town has determined that said surplus material needs to be removed to reduce a potential fire hazard, and

WHEREAS, the Town has received 4 proposals for grinding material and removing it from the Transfer Station as follows: a proposal from Sylvan Timber Clearing Inc. for \$6,400.00, a proposal from Wood Waste Reduction Services for \$6,250.00, a proposal from Ken Morris & Sons Excavating, LLC for \$5,900.00 and a proposal from SM Gallivan, L.L.C. for \$5,750.00,

NOW, THEREFORE, BE IT RESOLVED that pursuant to the recommendation of the Transfer Station Director, that the Town Board does hereby accept SM Gallivan, L.L.C. proposal in the sum of \$5,750.00.

2018-227 Adopt the fee schedule for Fall Clean-Up Days (October 11, 12 & 13) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16")	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors (limit of 2 items per household)	FREE
Propane Tanks	FREE
Furniture (limit of 3 items per household)	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

*******Please note: all other pricing remains the same*******

2018-228 WHEREAS, the law firm of Barclay Damon LLP has provided legal service to the Town of Schodack for a substantial period of time, and

WHEREAS, Barclay Damon LLP currently represents the Town as special counsel on several matters, and

WHEREAS, Barclay Damon LLP has also indicated its intention to represent 35 Empire Properties LLC (hereinafter referred to as "35 Empire") in a tax certiorari proceeding against the Town of Schodack for the property it owns and operates located at 35 Empire State Blvd., creating a potential conflict of interest for the firm, and

WHEREAS, Barclay Damon LLP has requested a waiver of said conflict of interest, if any, permitting it to continue to perform legal work for the Town while representing 35 Empire in an action against the Town,

NOW, THEREFORE, BE IT RESOLVED that the Supervisor is authorized to execute a Waiver of said potential conflict of interest dated August 22, 2018.

2018-229 Resolved that the 2019 Budget Presentation Meeting will be held Tuesday, October 2, 2018 at 5 p.m. Further, the following schedule was set to review the 2019 Preliminary Budget:

Tuesday,	October 16, 2018	6 p.m.
Wednesday,	October 17, 2018	6 p.m.
Thursday,	October 18, 2018	6 p.m.

All meetings are scheduled to take place at the Schodack Town Hall, 265 Schuurman Rd., Schodack, NY in the 3rd Floor Conference Room.

- 2018-230** Authorize Supervisor Harris to execute Change Order No. 2 with William J. Keller & Sons Construction Corp. for installation of 8 foot high fencing and gate in place of the 6 foot high fence and gate with barbed wire security as specified for Town of Schodack Sewer District 1- Extension 1, representing an addition of \$1,827.00 to Contract Price. The original contract award was in the amount of \$915,790.00. The adjusted contract price will be \$917,617.00 as a result of this Change Order.
- 2018-231** Pursuant to Section 165-a of the General Municipal Law, authorize the Highway Department to deliver one load of Crusher Run material to Woodlawn Cemetery before October 15, 2018.
- 2018-232** Authorize Supervisor Harris to execute and administer 2018-2019 Snow and Ice Agreement with Rensselaer County Department of Engineering and Highways for reimbursement for snow and ice removal on Stony Point Road.
- 2018-233** Authorize Allmark Services, Inc., to remove two trees located on Town owned property at the Clove Road School House per Rensselaer County Bid RFB-16-30 at a cost not to exceed \$2,500.00.
- 2018-234** Authorize Supervisor Harris to execute and administered proposal with W. & E. Phillips Locksmith, Inc., to supply and install a Upgrade from Millenium Expert Access System to Ultra Software Access System for two exterior doors at Town Hall for an amount not to exceed \$2,500.00 as noted in the estimate dated August 20, 2018.
- 2018-235** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #18-1336 to 18-_____ on Abstract No. 2018-09, in the amount of \$_____, including the claims paid (\$_____) since the previous town board meeting.
- 2018-236** Authorize the September 2018 budget modifications, interfund loans and interfund transfers as provided in document dated September 30, 2018 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

September 12, 2018 11:02