

**Town of Schodack
Town Board Meeting
October 11, 2018**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

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

2018-237 **WHEREAS**, the Town of Schodack entered into a Stipulation Agreement with the NYS DEC to remediate a limited fuel spill that impacted soils at the Highway Facility former fuel storage and dispensing system; and

WHEREAS, Northeastern Environmental Technologies Corp. prepared, and presented a Corrective Action Plan to the NYS DEC for approval; and

WHEREAS, the NYS DEC has approved the Corrective Action Plan; and

WHEREAS, Laberge Engineering & Consulting Group Ltd., has developed Specifications and Contract Documents for publically advertising a construction project to implement the Corrective Action Plan to remove contaminated soils and ground water at the Highway Facility; and

WHEREAS, the Specifications and Contract Documents were circulated for review to the Town Highway Department, Town Attorney and Town Insurance Agent; and

WHEREAS, the project will be required to perform soil and water sampling and confirm and document all field activities and conclude if the project meets the requirement of the NYS DEC Corrective Action Plan; and

WHEREAS, the project meets the criteria in section 6 NYCRR §617.5 (33) as an emergency Type II Action;

NOW, THEREFORE BE IT RESOLVED, that pursuant to 6 NYCRR §617.(c)(2), the Board hereby declares that this project be classified as a Type II Action under SEQRA because it is considered an emergency action with immediate necessity for the protection of health, property and natural resources and, it is therefore exempt from SEQRA.

BE IT FURTHER RESOLVED THAT, the Schodack Town Clerk is authorized to advertise for construction bids for the Project using the contract documents provided by the Laberge Engineering & Consulting Group, Ltd. which will establish a bid opening date of October 31, 2018.

BE IT FURTHER RESOLVED THAT, the Supervisor is authorized to direct the Laberge Engineering & Consulting Group, Ltd. to extend the bid opening date by official bid addendum if recommended by the Laberge Engineering & Consulting Group, Ltd. to allow bidders adequate time to address technical addendum and/or prepare competitive bids;

The Board Members present were:

AYE NAY

David B. Harris, Supervisor
Michael Kenney, Councilman
Scott Swartz, Councilman
James Bult, Councilman
Tracey Rex, Councilwoman

2018-238 Amend Resolution 2018-229 as adopted on September 13, 2018 as follows:
Further, the following schedule is set to review the 2018 Tentative Budget:

~~Tuesday, October 16, 2018 @ 6:00 p.m.~~
Wednesday, October 17, 2018 @ 6:00 p.m.
Thursday, October 18, 2018 @ 6:00 p.m.
~~Friday, October 19, 2018 @ 6:00 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.

2018-239 Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 1. Said hearing shall be held on Thursday, November 1, 2018 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

2018-240 Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 3. Said hearing shall be held on Thursday, November 1, 2018 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

- 2018-241** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of the capital charges for Water District Number 101. Said hearing shall be held on Thursday, November 1, 2018 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2018-242** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 2a. Said hearing shall be held on Thursday, November 1, 2018 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2018-243** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 8. Said hearing shall be held on Thursday, November 1, 2018 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2018-244** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 9. Said hearing shall be held on Thursday, November 1, 2018 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2018-245** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 1. Said hearing shall be held on Thursday, November 1, 2018 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2018-246** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 2. Said hearing shall be held on Thursday, November 1, 2018 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2018-247** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 4. Said hearing shall be held on Thursday, November 1, 2018 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2018-248** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 5. Said hearing shall be held on Thursday, November 1, 2018 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2018-249 Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 6. Said hearing shall be held on Thursday, November 1, 2018 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2018-250 Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 7. Said hearing shall be held on Thursday, November 1, 2018 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2018-251 Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 8. Said hearing shall be held on Thursday, November 1, 2018 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2018-252 Authorize Town Clerk to publish legal notice of hearing to seek public input relative to the 2018 Preliminary Budget and proposed fees for 2018 to be held on Thursday, November 1, 2018 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road as soon thereafter as the above sewer district hearing is concluded.

2018-253 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:

<u>Property Type</u>	Property Code	<u>Equivalent Dwelling Unit (EDU)</u> <u>Assigned</u>
<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.
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	<u>0.0</u> 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 EDU
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	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 1 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, <u>105</u>	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	1.00 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	1.00 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	1.00 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,	1.00 EDU; plus 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
Restaurants,	422,	
Diner/Luncheonettes, Fast Food Franchises, Auto Dealers – Sales & Service,	426,	
Auto Body/ Tire/ Related	431,	
Auto, Automatic Car Wash,	433,	
Mini Warehouse (self-storage), Lumber Yards,	434,	
Trucking Terminals, Other Storage/ Warehouse/ Distribution Facilities, Retail Services, Neighborhood Shopping Centers, Drive-In Branch Bank, Office Building, Professional Building, Dog Kennel/ Veterinary Clinic, Multiple Use, Converted Residence,	442,	
One Story Small Structure,	444,	
One Story 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	447,	
	449,	
	450,	
	452,	
	462,	
	464,	
	465,	
	472, 481	
	483,	
	484,	
	485,	
	486,	
	612,	
	615,	
	620,	
	632,	
	642,	
	651,	
	652,	
	662,	
	682,	
	700, 870	
* 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.

- 2018-254** 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.
- 2018-255** Authorize the appropriation of reserves of bonded indebtedness to be used towards 2018 debt service payments as provided in the 2018 Budget for Consolidated Water District (SWC101) in the amount of \$710.00
- 2018-256** As the Inglewood water District (SW2a) has no operation and maintenance costs and having no need for a Reserve for Repairs, Authorize per Auditor and Water & Sewer Attorney, the reclassification of the repair for reserve to Reserve for Debt.
- 2018-257** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #18-1503 to 18-_____ on Abstract No. 2018-10, in the amount of \$_____, including the claims paid (\$_____) since the previous town board meeting.
- 2018-258** Authorize the October 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

October 9, 2018 10:31