

Town of Schodack Town Board Meeting November 9, 2021

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Joining us via Zoom:

Presentations: Community Solar - Nelnet Renewable Energy - Kate Seifert
 Capital District Regional Planning Commission - **Jill Henck**
 Van Hoesen Station - Morgan Ruthman

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

Public Comment – will be received via emails up to 6:30 p.m. on Thursday, September 10th Deb.curtis@Schodack.org

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

2021-259) Based on November 2nd Ballot Question being approved by Town residents an increase of the service award to active volunteers of the Castleton Volunteer Ambulance Association from \$700 to \$1,200 per year of service credit, as well as budget submissions for Fire Districts, adopt the following changes to the 2022 Preliminary Budget as follows:

Town of Schodack					
Preliminary to Adopted Budget Analysis					
2022					
		APPROPRIATIONS	LESS ESTIMATED REVENUE	LESS UNEXPENDED BALANCE	AMOUNT TO BE RAISED BY TAXES
Preliminary Budget		\$ 13,891,836.00	\$ 5,143,441.00	\$ 1,171,015.00	\$ 7,577,380.00
Schodack Landing Fire		+ \$ 16,787.00	0.00	0.00	+ \$ 16,787.00

East Schodack Fire		+ \$ 201,420.00	+ \$ 93,100.00	0.00	+ \$ 108,320.00
SM	4540.4	+ \$ 16,000.00	0.00	0.00	+ \$ 16,000.00
Adopted Budget per 11/9/2021 TB Meeting		\$ 14,126,043.00	\$ 5,236,541.00	\$ 1,171,015.00	\$ 7,718,487.00
<u>Preliminary to Adopted Tax Rates</u>		<u>A Fund</u>	<u>DB Fund</u>	<u>Combined</u>	<u>SM Fund</u>
Preliminary Tax Rate		-4.77 %	-0.76%	-3.58 %	-4.34 %
Adopted Tax Rate		-4.78 %	-0.77 %	-3.59 %	1.60 %

2021-260) WHEREAS, the Town Board met on Tuesday, October 26, 2021 at the Schodack Town Hall, as specified in the Notice of Public Hearing for the 2022 Preliminary Budget, with said notice appearing in the October 20, 2021 edition of The Record, and was posted on October 20, 2021, and

WHEREAS, said public hearing was held on October 26, 2021 at 7:30 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 Preliminary Budget or any part thereof,

NOW, THEREFORE, BE IT RESOLVED that the 2022 Preliminary Budget, and as hereinafter set forth, is hereby adopted.

2021-261) Authorize \$200,000.00 to be transferred into the Highway (DB Fund) Capital Reserve Fund.

2021-262) Authorize \$50,000.00 to be transferred into the Town Wide (A Fund) Police Vehicle Capital Reserve Fund.

2021-263) Pursuant to Article 3 Section 30 of the Town Law, the Town Clerk hereby appoints Cheryl Simpson Deputy Town Clerk, effective November 15, 2021, at the hourly rate set forth in resolution 2020-317.

2021-264) Approve the attached Transfer Station Fee schedule, to be effective January 1, 2022.

Effective: January 1, 2022

(518) 477-8491

**TOWN OF SCHODACK TRANSFER/RECYCLING
STATION RULES AND**

REGULATIONS

For more information on our Transfer Station please visit
<http://www.schodack.org/transfer-station-and-recycling>

- 1) The Town of Schodack Transfer/Recycling Station is for use by Town residents only and is for disposal of refuse generated within the Town of Schodack. Proof of residency **and** vehicle registration **must be provided** in order to utilize facility.
- 2) **Credit cards, personal checks or money orders are acceptable forms of payment at the Transfer Station. For credit card use, a convenience fee of \$1.75 or 2.45% (whichever is higher) will be applied to each transaction.**

Brush will be accepted up to 30 minutes before closing each day.

- 3) The Schodack Transfer/Recycling Station area shall be open for disposal as follows:

Tuesday	7:00 a.m. - 5:00 p.m.
Wednesday	7:00 a.m. - 2:00 p.m.
Thursday	7:00 a.m. - 2:00 p.m.
Friday	7:00 a.m. - 2:00 p.m.
Saturday	7:00 a.m. - 3:00 p.m.

The Transfer Station is closed all day Sunday, Monday and Holidays as posted.

- 4) Residents will be required to pay for each 30-gallon bag, or portion thereof, of refuse disposed of as follows:

a) 52-bag punch card	\$ 104.00
b) 12-Bag Punch Card	\$ 30.00
c) 30-gallon bag or equivalent	\$ 3.00 each

(Previously purchased punch cards will be honored)
- 5) **There will be an additional charge for:**

a) Refrigerators, freezers, dehumidifiers, air conditioners***	\$12.00 each or 6 punches
b) Metal goods:	\$ 6.00 each or 3 punches
Stoves, washers, dryers, water tanks, riding lawn mowers, Bulk metals	
c) Tires (car and light truck)	\$ 4.00 each or 2 punches
Tires with rims	\$ 6.00 each or 3 punches
Larger tires	*PRICED BY SIZE*
d) Bulky furniture **	\$10.00 each or 5 punches
e) Household construction debris, 30 gallon container	\$10.00 each or 5 punches
f) Propane tanks	\$ 6.00 each or 3 punches
g) Push Mowers	\$ 5.00 each or 3 punches
h) Gas Grills, Bicycles	\$ 5.00 each or 3 punches
i) Televisions, Computers, Monitor & Rear Projection Televisions ***	FREE
j) Computer tower only ***	FREE
k) Misc. Electronic – printers, copiers, typewriters, radios, microwaves ***	FREE

**Bulky Furniture, i.e.: Sofas, stuffed chairs, mattresses, box springs, rugs etc.

***All Electronics not containing Freon

The Director of the Transfer/Recycling Station or his designee has sole authority to determine ultimate cost of bulky items brought in.

- 6) **RECYCLING IS MANDATORY. NO RECYCLABLES SHOULD BE PLACED IN THE REFUSE CONTAINER.**
- 7) **THE FOLLOWING RECYCLABLES WILL BE ACCEPTED AT NO ADDITIONAL CHARGE:**
 - a) Newspapers/Magazines/Junk Mail – white paper. Books (hard & soft cover) Shredded paper (bagged)
 - b) Tin cans
 - c) Glass bottles/jars
 - d) Plastic bottles or containers (only recyclable codes 1 - 7)
 - e) Used oil and filters
 - f) Batteries - car and rechargeable
 - g) Anti-Freeze
 - h) Corrugated cardboard/Box Board/Brown
 - i) Clothes - Salvation Army container only
 - j) Brush and logs less than four (4) inches in diameter
- 8) **MATERIALS PROHIBITED AT THE TOWN OF SCHODACK TRANSFER/RECYCLING STATION:**
 - a) Industrial waste
 - b) Infectious waste
 - c) Sludge
 - d) Hazardous waste
 - e) Commercial construction and demolition debris
 - f) Trees and tree stumps
 - g) Gas, Kerosene and Fuel Oil
 - h) Ashes of any kind
- 9) As a consideration to our neighbors, all open loads should be covered and secured while traveling to and from the Transfer Station.

Any violations of these rules and regulations will void tipping privileges.

SPECIAL DATES & HOURS:

SPRING CLEAN-UP - May 12, 13, and 14, 2022 **7 A.M. through 3 P.M.**

FALL CLEAN-UP - October 13, 14, and 15, 2022 **7 A.M. through 3 P.M.**

SHREDDING DAY – April – East Greenbush **9 A.M. through 12 P.M.**

July 23rd – Town of Schodack **9 A.M. through 12 P.M.**

October 22nd –City of Rensselaer **9 A.M. through 12 P.M.**

HOUSEHOLD HAZARDOUS WASTE DAY – None Scheduled for 2022

The following days have been designated as 2022 holidays and the Transfer Station will be **closed**:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Saturday	January 1	New Year's Day *
Tuesday	May 31st	Memorial Day *
Tuesday	September 6	Labor Day*
Thursday	November 24	Thanksgiving Day
Friday	November 25	Day after Thanksgiving

***Transfer Station is closed on Mondays; therefore, pursuant to the Collective Bargaining Agreement, Monday holidays will be observed on Tuesday.**

- 2021-265)** Authorize Director of Transfer Station to purchase two (2) Wastequip Model 206760NE 40-yard roll-off and two (2) Inverted Angle per quote # WQ-10173302 dated October 27, 2021 from Wastequip for use at the transfer station in an amount not to exceed \$23,326.00.
- 2021-266)** Declare 2 Roll off containers at the Transfer Station as surplus and solicited bids.
- 2021-267)** Authorize CEJJ, Inc. to replace subframe rail on the Transfer Station Roll-off per Quote number 2292 dated October 27, 2021 at a cost not to exceed \$2,979.48
- 2021-268)** Authorize the selection of CDPHP-HMO Insurance for Health Insurance coverage effective January 1, 2022.
- 2021-269)** Authorize the selection of MVP-HMO Insurance for Health Insurance coverage effective January 1, 2022.
- 2021-270)** Authorize the selection of NYSHIP Medicare Empire Plan Insurance for Health Insurance coverage effective January 1, 2022, to employees hired prior to September 28, 2006 (eligible at retirement).
- 2021-271)** Authorize the selection of Humana Medicare LPPO Insurance coverage effective January 1, 2022.
- 2021-272)** BOND RESOLUTION
- 2021-273)** **WHEREAS**, on March 11, 2021 President Biden signed into law the American Rescue Plan (ARP), a nearly \$1.9 trillion COVID-19 relief package containing, among other provisions, the Coronavirus State and Local Fiscal Recovery Funds; and
- WHEREAS**, on May 17, 2021 the United States Department of the Treasury issued an Interim Final Rule to implement the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund established under the ARP; and
- WHEREAS**, the Interim Final Rule expressly lists Investments in Infrastructure as an eligible use in Section II -Subsection D stating that funds may be used “To assist in meeting the critical need for investments and improvements to existing infrastructure in water, sewer, and broadband, the Fiscal Recovery Funds provide funds to

State, local, and Tribal governments to make necessary investments in these sectors. The interim final rule outlines eligible uses within each category, allowing for a broad range of necessary investments in projects that improve access to clean drinking water, improve wastewater and stormwater infrastructure systems, and provide access to high-quality broadband service. Necessary investments are designed to provide an adequate minimum level of service and are unlikely to be made using private sources of funds.”; and

WHEREAS, the Interim Final Rule further states that “By permitting funds to be used for water and sewer infrastructure needs, Congress recognized the critical role that clean drinking water and services for the collection and treatment of wastewater and stormwater play in protecting public health”, and

WHEREAS, the statute authorizes State, territorial, and Tribal governments; counties; metropolitan cities; and non-entitlement units of local government (counties, metropolitan cities, and non-entitlement units of local government are collectively referred to as “local governments”) to transfer amounts paid from the Fiscal Recovery Funds to several specified entities. By permitting these transfers, Congress recognized the importance of providing flexibility to governments seeking to achieve the greatest impact with their funds, including by working with other levels or units of government or private entities to assist recipient governments in carrying out their programs. This includes special-purpose districts that perform specific functions in the community, such as fire, water, sewer, or mosquito abatement districts; and

WHEREAS, the Town of Schodack currently provides safe potable water to serve the needs of the Town residents and property owners along Route 9; and

WHEREAS, The Town and County are interested in strengthening the existing water system along Route 9. The proposed water improvements would connect to the Town’s Consolidated Water District 101 starting at the end of the existing line located in Route 9, which terminates at the Amazon Distribution Center, and extend to the Town/County border. The expansion includes the installation of a water main, fire hydrants, and a 500,000-gallon water storage tank. Residents and businesses along Route 9 currently utilize private water. Public water is proposed in the

area as it is important in encouraging and supporting orderly future development in the area; and

WHEREAS, the Parties, through independent and collective discussion, have determined that the improvements will be mutually beneficial to both municipalities, improve public health and safety, and are in the general public interest; and,

WHEREAS, the Parties desire to enter into an Agreement setting forth the terms of the Project, as hereinafter described, and each Party's responsibilities in conjunction therewith; and,

WHEREAS, the County and the Town, both located in the County of Rensselaer, mutually desire to accomplish the aforesaid purpose,

WHEREAS, under the Intermunicipal Agreement, the County shall transfer a share of its ARPA funds or other funds for the Town's costs associated with the project including but not limited to: design, permitting, environmental review, legal review, and construction on a schedule in accordance with the following phases of the Project:

Phase I: Predevelopment, Engineering, Permitting, and Bidding: \$1,155,000

Phase II: Construction: \$8,895,000

Prior to the commencement of each phase, the County shall place in Town escrow funds an amount equal to the cost estimate of each phase against which the Town shall draw down for the costs of the project. Any unused portion remaining at the conclusion of each phase shall either be allocated to future phases or returned to the County at the County's election.

NOW, THEREFORE, BE IT RESOLVED, by the Members of the Board of the Town of Schodack hereby authorize the Town Supervisor to execute the Intermunicipal Agreement with Rensselaer County for the design and construction of water improvements to the Town's Consolidated Water District 101 starting at the end of the existing line located in Route 9, which terminates at the Amazon Distribution Center, and extend the water infrastructure to the Town/County border; and

BE IT FURTHER RESOLVED, that the Supervisor be hereby authorized to enter into an agreement with Laberge Group for the engineering, design, survey, permitting and construction observation services as detailed in the Preliminary Engineering Report.

2021-274) WHEREAS, on March 11, 2021 President Biden signed into law the American Rescue Plan (ARP), a nearly \$1.9 trillion COVID-19 relief package containing, among other provisions, the Coronavirus State and Local Fiscal Recovery Funds; and

WHEREAS, on May 17, 2021 the United States Department of the Treasury issued an Interim Final Rule to implement the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund established under the ARP; and

WHEREAS, the Interim Final Rule expressly lists Investments in Infrastructure as an eligible use in Section II -Subsection D stating that funds may be used “To assist in meeting the critical need for investments and improvements to existing infrastructure in water, sewer, and broadband, the Fiscal Recovery Funds provide funds to State, local, and Tribal governments to make necessary investments in these sectors. The interim final rule outlines eligible uses within each category, allowing for a broad range of necessary investments in projects that improve access to clean drinking water, improve wastewater and stormwater infrastructure systems, and provide access to high-quality broadband service. Necessary investments are designed to provide an adequate minimum level of service and are unlikely to be made using private sources of funds.”; and

WHEREAS, the Interim Final Rule further states that “By permitting funds to be used for water and sewer infrastructure needs, Congress recognized the critical role that clean drinking water and services for the collection and treatment of wastewater and stormwater play in protecting public health”, and

WHEREAS, the statute authorizes State, territorial, and Tribal governments; counties; metropolitan cities; and non-entitlement units of local government (counties, metropolitan cities, and non-entitlement units of local government are collectively referred to as “local governments”) to transfer amounts paid from the Fiscal Recovery Funds to several specified entities. By permitting these transfers, Congress recognized the importance of providing flexibility to governments seeking to achieve the greatest impact with their funds, including by working with other levels or units of government or private entities to assist recipient governments in carrying out their programs. This includes special-

purpose districts that perform specific functions in the community, such as fire, water, sewer, or mosquito abatement districts; and

WHEREAS, the Town of Schodack needs additional wastewater capacity to serve the present and anticipated future needs of the Town residents and property owners; and

WHEREAS, the Town and the Village of Castleton entered a wastewater agreement in 2019 to allow for additional flow from Schodack to be directed to the Village WWTP. The County has recently committed to the construction of a sanitary pump station and force main along Maple Hill Road to the existing force main in Sewer District 1 which discharges to the Village. The proximity of the proposed improvements provides an opportunity to redirect wastewater flow from the Town's Pump Station No. 2 and Moordener Kill Pump Station, as well as, the privately owned Amazon Distribution Center pump station, to the proposed County pump station at Maple Hill Road. This redirection will shift a significant amount of the Town's present and anticipated future wastewater flow away from its current destination in the Town of East Greenbush toward the Village WWTP, thereby allowing additional development in Sewer District 6.

WHEREAS, the Parties, through independent and collective discussion, have determined that a wastewater connection from the Town of Schodack District 6 to the Village of Castleton WWTP will be mutually beneficial to both municipalities, improve public health and safety, and is in the general public interest; and,

WHEREAS, the Parties desire to enter into an Agreement setting forth the terms of the Project, as hereinafter described, and each Party's responsibilities in conjunction therewith; and,

WHEREAS, the County and the Town, both located in the County of Rensselaer, mutually desire to accomplish the aforesaid purpose, and

WHEREAS, under the Intermunicipal Agreement, the County shall transfer a share of its ARPA funds or other funds for the Town's costs associated with the project including but not limited to: design, permitting, environmental review, legal review, and construction of the Town of Schodack Sewer District 6 connection to the Village of Castleton-on-Hudson sanitary sewer system on a schedule in accordance with the following phases of the project:

Phase I: Predevelopment, Engineering, and Non-

Construction Costs: \$511,000
Phase II: Construction Costs: \$2,089,000

Prior to the commencement of each phase, the County shall place in Town escrow funds an amount equal to the cost estimate of each phase against which the Town shall draw down for the costs of the project. Any unused portion remaining at the conclusion of each phase shall either be allocated to future phases or returned to the County at the County's election.

NOW, THEREFORE, BE IT RESOLVED, by the Members of the Board of the Town of Schodack hereby authorize the Town Supervisor to execute the Intermunicipal Agreement with Rensselaer County for the design and construction of the Town of Schodack Sewer District #6 connection to the Village of Castleton-on-Hudson sanitary sewer system; and

BE IT FURTHER RESOLVED, that the Supervisor be hereby authorized to enter into an agreement with Laberge Group for the engineering, design, survey, permitting and construction observation services as detailed in the Preliminary Engineering Report.

- 2021-275)** Authorize Supervisor Harris to execute and administer the Solar Facility Decommissioning Agreement between the Town and TJA-NY-Paul Rd Castleton, LLC, with respect to the solar energy facility to be constructed at 13 Paul Road in the Town of Schodack, contingent on approval by the Attorney to the Town as to terms, conditions, and form.
- 2021-276)** Appoint Gary Ziegler as Town Building Inspector/Code Enforcement Officer, at the hourly rate of \$_____ per hour effective November 29, 2021.
- 2021-277)** Authorize the Town Clerk to publish a legal notice for a public hearing to seek public comment on proposed Local Law No. 4 of 2021 opting out, pursuant to Section 131 of the Marijuana Regulation and Taxation Act, of allowing cannabis retail dispensaries and cannabis on-site consumption establishments with the jurisdiction of the Town of Schodack, said public hearing to be held on Thursday, December 9, 2021 at the Schodack Town Hall at 7:05 p.m.
- 2021-278)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #21-1803 to 21-_____ on Abstract No. 2020-11, in the amount of \$_____, including the claims paid \$_____.

2021-279) Authorize the September 2021 budget modifications, interfund loans and interfund transfers as provided in document dated November 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

DRAFT