

**Town of Schodack
Town Board Meeting
April 9, 2020**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Executive Session – Personnel

Public Hearings – 7:05 p.m. to seek public comment pursuant to the provisions of Article 17A of the General Municipal Law for the purpose of hearing all persons upon the question of consolidating Town of Schodack Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District into one consolidated sewer district **Watch via livestreaming** <https://townhallstreams.com/towns/schodack>

7:10 p.m. to seek public comment regarding grant application with New York State Office of Homes and Community Renewal **Watch via livestreaming** <https://townhallstreams.com/towns/schodack>

Public Comment – will be received via emails up to 6:30 p.m. on Thursday, April 9th
Deb.curtis@Schodack.org

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

2020-138) WHEREAS, the Town of Schodack and the Village of Castleton entered into an Intermunicipal agreement dated November 21, 2013 for the Village’s water system to interconnect with the Town’s water system, allowing the Village to purchase water from the Town, and

WHEREAS, section VI(i) of said agreement allows for an annual increase in the rate charged to the Village in correlation to the consumer price index average published in January each year, and

WHEREAS, the consumer price index average published in January 2020 was 1.81% and the current rate charged to the Village is \$4.30 per 1,000 gallons of water,

NOW THEREFORE IT BE RESOLVED, that effective January 1, 2020 the rate charged to the Village of Castleton for the purchase of water shall be \$4.38 per 1,000 gallons.

2020-139) Appoint Michael Canestro and Steven Kelly as Summer Grounds persons, under the direction of Kenneth Holmes, Highway Superintendent, at an hourly rate set forth in the 2020 annual budget.

2020-140) Adopt the fee schedule for Spring Clean-Up Days (May 14, 15 & 16) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16")	\$ 2.00
Rimmed tires	\$ 6.00
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*****

2020-141) **WHEREAS**, Sheila Golden, Director of Youth and Recreation, has recommended that the Summer Swim Program take place at the Sidney Albert Albany Jewish Community Center (SAAJCC) in Albany and stated the advantages of using this pool facility,

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves the use of the pool at the Sidney Albert Albany Jewish Community Center (SAAJCC) for the summer camp program, subject to review as to form by the Attorney to the Town, and

BE IT FURTHER RESOLVED to authorize Sheila Golden, Director of Youth and Recreation, to execute a contract with Sidney Albert Albany Jewish Community Center (SAAJCC) for use of the swimming pool facility for Summer Recreation Program from July 6 to July 31, 2020 for the Schodack Youth and Recreation Department in an amount not to exceed \$4,950.00. A deposit of \$1,950.00 shall be payable by June 3, 2020 and the remaining \$3,000.00 shall be paid by July 1, 2020.

2020-142) **WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schodack relating to the consolidation of the Town of Schodack's four sewer districts, to wit: Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4- Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District, in the Town of Schodack, County of Rensselaer, State of New York; and

WHEREAS, such map, plan and report was prepared by Laberge Group, competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Town of Schodack Consolidated Sewer District No. 1, the general plan of the Town of Schodack Consolidated Sewer District No. 1, and the various expenses to be charged for real property located within the consolidated sewer district; and

WHEREAS, the consolidation of the Town of Schodack Sewer Districts requires compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations of the Department of Environmental Conservation, Part 617, State Environmental Quality Review Act and the Town of Schodack has previously established that the Town Board act as lead agency for the review of plans and environmental impact, if any, of the proposed consolidation of the Town of Schodack's four sewer districts.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Schodack as lead agency has determined that the establishment of the Town of Schodack Consolidated Sewer District No. 1 as described in the map, plan and report prepared by Laberge Group, is an Unlisted Action and that establishment of the proposed Town of Schodack Consolidated Sewer District No. 1 will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of Schodack be authorized to execute the Short Environmental Assessment Form with respect to the determination that the establishment of the Town of Schodack Consolidated Sewer District No. 1 is an Unlisted Action and that the establishment of the Town of Schodack Consolidated Sewer District No. 1 will not result in any significant adverse environmental impacts;
2. Based on its examination of the EAF, the criteria set forth in Sections 617.6 and 617.7 of the regulations, and such further investigation as the town board has deemed appropriate, no potential significant adverse environmental impacts are known;
3. Consent to proceed with the consolidation of the Town of Schodack Consolidated Sewer District No. 1 will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;
4. A negative declaration is to be signed by the supervisor;
5. The Town Clerk of the Town of Schodack is hereby directed to cause to be filed and circulated the negative declaration in accordance with the requirements of SEQRA, a copy of the negative declaration shall be maintained in the Office of the Town Clerk in a file that will be readily accessible to the public, and the clerk shall mail copies, return receipt requested, to:

Office of the Commissioner
Department of Environmental Conservation
625 Broadway

Albany, New York 12233
and Environmental Notice Bulletin
NYSDEC – Attn: Jack Nasca
625 Broadway, 4th Floor
Albany, New York 12233-1750

6. All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

2020-143) WHEREAS, there exists within the Town of Schodack four sewer districts, to wit: Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2- Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District; and,

WHEREAS, the aforesaid sewer districts and one extension have been created for similar purposes; and,

WHEREAS, the Town Board did on the 12th day of March, 2020 adopt a Resolution and Order, to give notice of a Public Hearing pursuant to the provisions of Article 17A of the General Municipal Law of the State of New York to be held at the Schodack Town Hall on the 9th day of April, 2020 at 7:05 p.m. for the purpose of hearing all persons upon the question of consolidating the Town of Schodack Sewer Districts, to wit: Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District into a single consolidated sewer district; and,

WHEREAS, the Town Board wishes to plan for the future needs of the Town and its residents and businesses; and to consolidate services, reducing the amount of administrative services and costs within the sewer districts; to increase the financial base of the sewer districts in order to obtain a reduction in interest rates on any anticipated borrowing, to distribute costs more evenly and permitting establishment of fair and reasonable rates for services as follows: the payment of a \$100.00 flat fee with any remaining debt service to be paid based upon the assessed value of the particular parcel for capital charges; the costs for operation and maintenance on an equivalent dwelling unit basis to be determined on a proportional basis resulting from the fraction derived from the number of the equivalent dwelling units per property within the consolidated sewer district as the numerator to the total number of equivalent dwelling units in the consolidated sewer district as the denominator; and the costs for repairs and replacements within the consolidated sewer district to be paid by the consolidated sewer district on a proportional basis resulting from the fraction derived from the number of the equivalent dwelling units per property within the consolidated sewer district as the numerator to the total number of the equivalent dwelling units in the consolidated sewer district as the denominator; and,

WHEREAS, the Town Board and Town Clerk have caused, as required by law, to be posted and published, the Notice of Public Hearing pursuant to the provisions of the aforesaid Article 17A of the General Municipal Law; and,

WHEREAS, the Town Board conducted the Public Hearing on the 9th day of April, 2020 to consider the consolidation of the stated sewer districts into a single consolidated sewer district at which time all persons interested in the same were afforded ample opportunity to be heard and speak in support of or in opposition to the proposed consolidation; and

WHEREAS, the Town Board has carefully reviewed the issues associated with the consolidation of the aforesaid sewer districts.

NOW, THEREFORE, it is hereby resolved that this Town Board acting pursuant to the provisions of Section 754 of the General Municipal Law of the State of New York does hereby consolidate Town of Schodack Sewer Districts, to wit: Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District into a single consolidated sewer district, said consolidation to be effective June 1, 2020 and on such consolidation does hereby further determine as follows:

1. This Resolution is adopted pursuant to the provisions of Article 17A of the General Municipal Law of the State of New York.
2. That all steps required by the provisions of Article 17A of the General Municipal Law have been carried out in relation to this project.
3. That it is in the public interest to consolidate the aforesaid stated sewer districts as set forth herein and as set forth in the Joint Consolidation Agreement executed by the Town of Schodack and each of the existing districts.
4. All property and assets of the aforesaid sewer districts shall become the property and assets of the new consolidated sewer district.
5. All property of the existing sewer districts shall become the property of the consolidated sewer district, and the consolidated sewer district shall assume and pay for the indebtedness, if any, of each of the existing sewer districts as if such indebtedness had been incurred subsequent to the consolidation, as provided by law.
6. All expenses of operation and maintenance and for repairs and replacement of equipment within the consolidated district shall be distributed among the consolidated district as set forth within this resolution.
7. All expenses for capital charges arising from any future indebtedness shall be paid as set forth within this resolution.
8. The consolidated sewer district shall be known as the Town of Schodack Consolidated Sewer District No. 1.
9. The Joint Consolidation Agreement executed between the Town of Schodack and each aforesaid sewer district is approved, and the town Supervisor is authorized to execute the same.

10. The Town Clerk is hereby directed within ten (10) days after the adoption of this Resolution to cause a certified copy of this final resolution to be filed in the Rensselaer County Clerk's Office and in the office of the New York State Comptroller at Albany, New York.
11. The Town of Schodack Consolidated Sewer District boundaries are as set forth in Schedule A annexed hereto.

SCHEDULE "A"

**TOWN OF SCHODACK, COUNTY OF RENNELAER, STATE OF NEW YORK
SUGGESTED DESCRIPTION
CASTLETON CONSOLIDATED SEWER DISTRICT**

ALL those parcels of land situated in the Town of Schodack, County of Rensselaer, State of New York, more particularly described as follows:

AREA 1

Generally east of NYS Route 9J, north of Brickyard Road, south of the boundary between the Village of Castleton; being specifically tax parcels 198.19-8-5; 198.19-8-6.

AREA 2

Generally west of NYS Route 9J, south of the Moordener Kill, east of the Hudson River; being specifically tax parcel 198-4-1.11.

AREA 3

Generally south of Maple Hill Road, west of South Schodack Road; being specifically tax parcel 209-2-12.

AREA 4

Bounded on the west and north by the Village of Castleton; on the east by National Grid (tax parcel 199-7-18); on the south by the southern boundaries of tax parcels 199.17-1-18, 198-2-3.1, and 198-2-3.2; specifically excluding any portion of tax parcels 199-7-18, 199-7-17, 199-7-23.1, and 199-7-25 that is within the boundary described above.

This description was generated on 8/8/2019, based on the tax assessment maps as they existed on August 8, 2019 by Raymond C. Smith Jr, LLS.

J:\2018115\Survey Folders\Legal Descriptions\Castleton Consolidated Sewer District.docx

2020-144) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Owner</u>	<u>Location</u>	<u>No. of Units</u>
Creekside Park c/o DCJ Enterprises, LLC	5-77 Creekside Circle	5
Rensselaer Estates c/o DCJ Enterprises, LLC	23-65 Teddie Blvd.	53
Bunker Hill Farms, LLC c/o Margaret Hutchinson	117 Bunker Hill Rd.	1
Sundowner Trailer Park c/o Hanson, Thomas & Debra	4-18 Amelia Way	6
Windy Hill c/o Todd & Scott Seeberger	1297 Brookview Rd.	5
Washburn, David & Francesca LaRosa	65 Washington Ave.	1
Heffner, Matthew	217 Clove Rd.	1

2020-145) Authorize Supervisor Harris to execute and administer Proposal dated February 28, 2020 from Creighton Manning for Supplemental Utility Hanger Design for Van Hoesen Road over Amtrak Bridge at a cost not to exceed \$5,800.00.

2020-146) Authorize Supervisor Harris to execute and administer First amendment to Easement by and between Town of Schodack and Schodack Senior Housing LLC subject to attorney approval as to form.

2020-147) Appoint _____ as Chief of the Schodack Police Department effective _____ at an annual salary as set forth in resolution 2019-336.

2020-148) Authorize Supervisor Harris to submit a 211 Waiver Application for Police Chief _____ to the New York State Civil Service Commission for approval.

2020-149) Amend resolution 2019-281 as adopted on October 29, 2019 to include a 7th paragraph as follows:

WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Consolidated Water District No. 101, and

WHEREAS, the Town Board caused due notice of the public hearing to consider proposed water rates to be published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 29th day of October 2019, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed water rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2020 billing period for water rates for Water District No. 101 for 384 existing users shall be \$45.00 for the first 18,000 gallons and \$3.00 for each additional 1,000 gallons or portion thereof,

FURTHER RESOLVE that commencing with the first quarter 2020 billing period water rates for residential out of district users for Water District No. 101 for 6 existing users shall be \$140.00 for the first 18,000 gallons and \$3.00 for each additional 1,000 gallons or portion thereof.

FURTHER RESOLVE that commencing with the second quarter 2020 billing period water rates for commercial out of district users for Water District No. 101 shall be invoiced quarterly at a rate to include, in addition to the current district user rate of \$45.00 for the first 18,000 gallons per EDU of metered water and \$3.00/ 1000 gallons thereafter, a capital component measured by equivalent dwelling units in accordance with resolution 19-269 to be updated annually by resolution.

2020-150) Amend resolution 2019-286 as adopted on October 29, 2019 to include a 6th paragraph as follows:

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on October 29, 2019 to consider proposed sewer rents for Sewer District No. 6 (Exit 10) and

WHEREAS, due notice of the public hearing was published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 29th day of October 2019, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed sewer rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2020 billing period for the sewer rents for Sewer District No. 6 (Exit 10) for 69 users shall be \$7.50 per thousand based on water meter.

FURTHER RESOLVE that commencing with the second quarter 2020 billing period sewer rates for out of district users for Sewer District No.6 shall be invoiced quarterly at a rate of \$7.50/1000 gallons of metered water. This district currently does not maintain debt service therefore, at this time, no additional capital charges apply. Should the District acquire debt service in the future, in addition to the current out of district user rate of \$7.50/1000 gallons of metered water, a capital component measured by equivalent dwelling units in accordance with resolution 19-117 and 19-269 to be updated annually by resolution.

2020-151) Authorize the collection of, upon application for service connection, in addition to the current water and sewer connection fees per Section 174, Sewer Regulation, Attachment 1 and Section 175, Water Regulations, Attachment 1, a Future Water District Extension Fee and/or a Future Sewer District Extension Fee from those properties installing a curb stop or with an existing curb stop, that are not within the boundaries of the water and/or sewer District providing service, in the amount of \$1,000.00 per service connection.

2020-152) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #20-0423 to 20-0423 on Abstract No. 2020-04, in the amount of \$_____, including the claims paid (\$_____) since the previous town board meeting.

2020-153) Authorize the March 2020 budget modifications, interfund loans and interfund transfers as provided in document dated April 2020 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

1/9/2018 1:52 PM