

**Town of Schodack  
Town Board Meeting  
May 11, 2017**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Review of Abstracts and Vouchers – Comptroller

Public Comment

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

**2017-139) 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 10 to August 4, 2017 for the Schodack Youth and Recreation Department in an amount not to exceed \$4,850.00. A deposit of \$1,850.00 shall be payable by June 19, 2017 and the remaining \$3,000.00 shall be paid by July 31, 2017.

**2017-140)** Appoint Melissa Knights and Dawne M. Kelly as part-time Board of Assessment Review Secretaries with compensation of \$43.00 per meeting per 2017 Adopted Budget.

**2017-141)** To approve the 2017 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on Pine Drive North, Pine Drive South, Mountain View Road, Boyce Road, portion of Thoroughbred Drive and South Old Post Road.

**2017-142)** **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 2016.

**2017-143)** 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, June 8, 2017 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road.

**2017-144)** Appoint \_\_\_\_\_ Sole Assessor effective \_\_\_\_\_ at a salary of \$\_\_\_\_\_ to fill the remainder of the unexpired term until September 30, 2019.

**2017-145)** Authorize the establishment of Capital Project No. H047 for Battisti Water Extension. With a budget as follows:

Initial appropriations in the amount up to 10,000.00 to be funded by an inter-fund loan from the General Town-wide Fund (A).

**2017-146)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

Owner	Location	No. of
<u>Units</u>		
Miller, Ed	1297 Brookview Station Rd.	3
Miller, Sue	1297 Brookview Station Rd.	1
Salzer, Adam	24 Brandt Rock Ave.	1
Schmitz, Peter & Mary	117 Albany Ave.	1

**2017-147)** Eagle Scout Proclamation

**2017-148)** Accept Town Center, Form-Based Code, Draft as prepared by Laberge Group, dated April 2017 and presented to the Board on May 11, 2017.

**2017-149) WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Consolidated Water District No. 101, Water District Extension #5, in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office; and

**WHEREAS**, said map, plan and report was prepared by Bergmann Associates, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed District Extension, a general plan of the District Extension and an analysis showing the costs thereof and method of operation; and

**WHEREAS**, said map, plan and report shows all facilities, including water mains, gate valves, tees, and hydrants, among other things, together with the location and the general description of all public works required including lands and easements to be acquired; and

**WHEREAS**, the boundaries of the proposed District Extension are as described in Schedule "A" annexed hereto; and

**WHEREAS**, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Seven Hundred Fifty-Four Thousand Nine Hundred Three and No/100 (\$754, 903.00) Dollars ; and

**WHEREAS**, approval of the New York State Comptroller is not required for the formation of Consolidated Water District No. 101, Water District Extension #5, inasmuch as debt will not be issued or assumed since the cost of the infrastructure improvements will be paid in full by the developer. The initial assessment and any assessments for future construction shall be on a benefit basis for all users; and

**WHEREAS**, said map, plan and report describing said improvements is on file in the Town Clerk's Office for public inspection; and

**WHEREAS**, the first year cost of debt repayment for typical properties within the District Extension is Eleven Thousand and 00/100 (\$11,000.00) Dollars, operation and maintenance charges are estimated at Twenty-Three Thousand Seven Hundred Fifty-Eight and 36/100 (\$23,758.36) Dollars. Hook up fees and the installation of water meters shall be paid by the property owner.

**NOW**, it is hereby **ORDERED**, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Town of Schodack

Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York 12033, in said Town, on the 8th day of June, 2017, at 7:10 p.m., local time, to consider said petition and the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

### **SCHEDULE "A"**

Legal Description

#### **Consolidation Water District No. 101**

Water Extension #5

Lands now or formerly of Snook Materials Group, LLC

All that piece or parcel of land situate in the Town of Schodack, County of Rensselaer and State of New York, (being tax parcels 189.-10-40.131, 189.10-40.132) bounded and described on Schedule A attached hereto and made a part hereof.

**BEGINNING** at an iron rod located in the Town of Schodack, County of Rensselaer, State of New York on the south line of NYS Route 150 (SN 1422) and at the northeast corner of lands of Roy M. & Winifred H. Lustenader (1136/321): thence along the south line of NYS Route 150 the following four courses and distances:

N 89°54'17" E, 182.24' to a NYSDOT concrete marker  
thence N 58°15'16" E, 558.13' to a NYSDOT concrete marker  
thence N 80°21'54" E, 353.79' to a NYSDOT concrete marker  
thence N 85°59'09" E, 384.98' to a point in the lands of Hannaford Bros. Co. (R57/P2259);  
Thence along the lands of Hannaford Bros. Co. the following four courses and distances:

S 31°59'28" E, 289.17' to a point; thence 460 ± upstream along the center line of the intermittent stream as it twists and turns to a point (tie line is S 13°23'16" W, 456.98'); thence S 08°20'39" E, 170.96' to an iron rod; thence S 08°20'39" E, 25.57' to a point in the center of a drainage ditch at the lands of Nickolas (Nicholas) J. Lembo (1598/163) and at the lands of A. Sol Uman (1474/35); thence along the lands of Uman (marked by the center of a drainage ditch), N 64°33'40" W, 14.33' to a point; thence N 29°52'16" W, 9.63' to a point; thence S 52°25'21" W, 2485.38' (marked in places by the remains of a wire fence) to an iron pole at the east line of Interstate Route 504-2-2 (1-90); thence along the east line of 1-90 the following four courses and distances:

N 20°04'41" W, 289.12' to a NYSDOT concrete marker; thence N 07°43'00" E, 905.79' to a NYSDOT concrete marker; thence N 30°54'29" W, 46.23' to a point; thence N 62°47'03" E, 150.25' to a point at the lands of Winifred H. Lustenader (1286/395) and lands of Roy M. & Winifred H. Lustenader (1136/321);

Thence along the lands of Roy M. & Winifred H. Lustenader the following nine courses and distances:

S 82°13'28" E, 143.80' to an iron rod  
thence N 60°47'32" E, 94.50' to an iron rod  
thence N 84°30'32" E, 68.60' to an iron pipe  
thence S 83°07'28" E, 100.80' to an iron pipe  
thence N 41°07'32" E, 106.90' to an iron pipe  
thence N 20°54'32" E, 110.00' to an iron pipe  
thence N 11°34'32" E, 87.60' to an iron pipe  
thence N 11°30'28" W, 370.80' to an iron pipe  
thence N 36°25'28" W, 91.82' to the point and place of beginning.  
Containing 55.95± acres of land.

**2017-150) WHEREAS**, Snook Materials Group, LLC, as owner of the existing real property located at 1710 Schodack Valley Road, Castleton-on-Hudson, New York 12033, has requested to extend an existing sewer district to incorporate its property, and;

**WHEREAS**, the project entails the construction of 3,607 lineal feet of 12" DIP water mains, 357 lineal feet of 6" DIP water mains, one gate valve and six hydrants, among other things, and;

**WHEREAS**, the route of the proposed facilities is completely within and along public rights of way and town owned easements, depending upon the final construction alternative chosen, and;

**WHEREAS**, the proposed action is an Unlisted Action since it does not satisfy the Type I thresholds identified in part 617.4 of the State Environmental Quality Review Act.

**NOW, IT IS THEREFORE, RESOLVED:** The Town Board shall undertake a coordinated review with the Town of Schodack Planning Board with respect to the overall project, and it is further,

**RESOLVED**, the Town Board of the Town of Schodack is hereby designated as lead agency for the portion of the project concerning the water district extension pursuant to the State Environmental Quality Review Act.

**2017-151) WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Sewer District No. 6, Sanitary Sewer District Extension #3, in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office;

and

**WHEREAS**, said map, plan and report was prepared by Bergmann Associates, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed District Extension, a general plan of the District Extension and an analysis showing the costs thereof and method of operation; and

**WHEREAS**, said map, plan and report shows all facilities, including piping and man holes, together with the location and the general description of all public works required including lands and easements to be acquired; and

**WHEREAS**, the boundaries of the proposed District Extension are as described in Schedule "A" annexed hereto; and

**WHEREAS**, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Five Hundred Forty Thousand Nine Hundred Sixty-Seven (\$540, 967.00) Dollars; and

**WHEREAS**, approval of the New York State Comptroller is not required for the formation of Sewer District No. 6, Sanitary Sewer District Extension #3, inasmuch as debt will not be issued or assumed since the cost of the infrastructure improvements will be paid in full by the developer. The initial assessment and any assessments for future construction shall be on a benefit basis for all users; and

**WHEREAS**, said map, plan and report describing said improvements is on file in the Town Clerk's Office for public inspection; and

**WHEREAS**, the first year cost of debt repayment for typical properties within the District Extension is \$0, operation and maintenance charges are estimated at Forty-Three Thousand Six Hundred Seven and 21/100 (\$43,607.21) Dollars. Hook up fees in the amount of One Hundred Twenty-Two Thousand Seven Hundred Forty-Five and No/100 (\$122,745.00) Dollars shall be paid by the property owner.

**NOW**, it is hereby **ORDERED**, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Town of Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York 12033, in said Town, on the 8th day of June, 2017, at 7:25 p.m., local time, to consider said petition and the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

#### **SCHEDULE "A"**

Legal Description

Sewer District No. 6  
**Sanitary Sewer Extension #3**  
Lands now or formerly of Snook Materials Group, LLC

All that piece or parcel of land situate in the Town of Schodack, County of Rensselaer and State of New York, (being tax parcels 189.-10-40.131, 189.10-40.132) bounded and described on Schedule A attached hereto and made a part hereof.

**BEGINNING** at an iron rod located in the Town of Schodack, County of Rensselaer, State of New York on the south line of NYS Route 150 (SN 1422) and at the northeast corner of lands of Roy M. & Winifred H. Lustenader (1136/321): thence along the south line of NYS Route 150 the following four courses and distances:

N 89°54'17" E, 182.24' to a NYSDOT concrete marker  
thence N 58°15'16" E, 558.13' to a NYSDOT concrete marker  
thence N 80°21'54" E, 353.79' to a NYSDOT concrete marker  
thence N 85°59'09" E, 384.98' to a point in the lands of Hannaford Bros. Co. (R57/P2259);  
Thence along the lands of Hannaford Bros. Co. the following four courses and distances:

S 31°59'28" E, 289.17' to a point; thence 460 ± upstream along the center line of the intermittent stream as it twists and turns to a point (tie line is S 13°23'16" W, 456.98'); thence S 08°20'39" E, 170.96' to an iron rod; thence S 08°20'39" E, 25.57' to a point in the center of a drainage ditch at the lands of Nickolas (Nicholas) J. Lembo (1598/163) and at the lands of A. Sol Uman (1474/35); thence along the lands of Uman (marked by the center of a drainage ditch), N 64°33'40" W, 14.33' to a point; thence N 29°52'16" W, 9.63' to a point; thence S 52°25'21" W, 2485.38' (marked in places by the remains of a wire fence) to an iron pipe at the east line of Interstate Route 504-2-2 (1-90); thence along the east line of 1-90 the following four courses and distances:

N 20°04'41" W, 289.12' to a NYSDOT concrete marker; thence N 07°43'00" E, 905.79' to a NYSDOT concrete marker; thence N 30°54'29" W, 46.23' to a point; thence N 62°47'03" E, 150.25' to a point at the lands of Winifred H. Lustenader (1286/395) and lands of Roy M. & Winifred H. Lustenader (1136/321);

Thence along the lands of Roy M. & Winifred H. Lustenader the following nine courses and distances:

S 82°13'28" E, 143.80' to an iron rod  
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thence N 20°54'32" E, 110.00' to an iron pipe  
thence N 11°34'32" E, 87.60' to an iron pipe  
thence N 11°30'28" W, 370.80' to an iron pipe  
thence N 36°25'28" W, 91.82' to the point and place of beginning.  
Containing 55.95± acres of land.

**2017-152) WHEREAS**, Snook Materials Group, LLC, as owner of the existing real property located at 1710 Schodack Valley Road, Castleton-on-Hudson, New York 12033, has requested to extend an existing sewer district to incorporate its property, and;

**WHEREAS**, the project entails the construction of 2,826 lineal feet of 8 inch PVC, 14 manholes, and the installation of station pumps and controller upgrades, among other things, and;

**WHEREAS**, the route of the proposed facilities is completely within and along public rights of way and town owned easements, depending upon the final construction alternative chosen, and;

**WHEREAS**, the proposed action is an Unlisted Action since it does not satisfy the Type I thresholds identified in part 617.4 of the State Environmental Quality Review Act.

**NOW, THEREFORE, IT IS RESOLVED:** The Town Board shall undertake a coordinated review with the Town of Schodack Planning Board with respect to the overall project, and it is further,

**RESOLVED**, the Town Board of the Town of Schodack is hereby designated as lead agency for the portion of the project concerning the sewer district extension pursuant to the State Environmental Quality Review Act.

**2017-153)** Authorize Supervisor Dowds to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub C308 copier at the Police Station, for the period February 2, 2017 to February 1, 2018 for \$474.00 annually. Contract includes 42,000 b/w copies and 3,000 color copies annually with an overage charge of \$0.007 and \$0.06 respectively per copy.

**2017-154)** Authorize Supervisor Dowds to execute and administer Addendum Number 2017-07 for professional services from the Laberge Group to assist the Town of Schodack with Code Revisions not to exceed \$25,000.00

**2017-155)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-0659 to 17-0\_\_\_\_ on Abstract No. 2017-05, in the amount of \$\_\_\_\_\_, including the claims paid (\$\_\_\_\_\_) since the previous town board meeting.



**2017-156)** Authorize budget modifications, interfund loans and interfund transfers as 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 Dennis Dowds  
Town of Schodack, 265 Schuurman Road  
Castleton-on-Hudson, New York 12033-9622  
or call the Supervisor at 518-477-7918

10:30