

**Town of Schodack  
Town Board Meeting  
December 14, 2017**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Review of Abstracts and Vouchers – Comptroller

**Public Hearing** – 7:15 p.m. - to seek input on Proposed Local Law 3 of 2017 relating to adding a Chapter entitled SORA Motels and Hotels of the Code of the Town of Schodack

**Public Hearing** - 7:30 p.m. – Restore NY - to seek input on the property listed in the Property Assessment List, whereon the existing structures are proposed to be demolished and a new building constructed.

Public Comment

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

**2017-286)** Authorize renewal of the Town's liability insurance policy with NYMIR, including property, general liability, auto, inland marine, boiler & machinery, law enforcement and public officials effective January 1, 2018 with a Six Million Dollar Umbrella, single occurrence with a Twelve Million Dollar aggregate for the premium not to exceed \$133,314.21.

**2017-287)** **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said Town on December 14, 2017 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 3 of 2017 relating to adding a Chapter entitled SORA Motels and Hotels of the Code of the Town of Schodack to allow for the promotion of public health, safety and general welfare of guests of hotels and motels located with the town and that of the general citizenry of the town, and

**WHEREAS**, notice of said public hearing was duly posted on the Town Clerk's official sign board on December 4, 2017 and advertised in the December 4, 2017 edition of THE RECORD, official newspaper of the Town, and

**WHEREAS**, said public hearing was held on December 14<sup>th</sup> at 7:15 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 proposed local law or any part hereof, and

**WHEREAS**, that the Town Board of the Town of Schodack, after due deliberation, finds that it is in the best interest of the Town to adopt said local law

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby adopts Proposed Local Law Number 3 of 2017 (P3 of 2017) to be known as Local Law 2 of 2017 of the Town of Schodack, and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby directed to enter said local law in the Code of the Town of Schodack and to give due notice of said local law to the Secretary of State.

**2017-288) WHEREAS**, a map, plan and report relating to the establishment of Town of Schodack Sewer District No. 1, Extension No. 1, prepared by Laberge Group, competent engineers, duly licensed by the State of New York, in manner and detail as determined by the Town Board of Schodack has been filed with the Town Clerk of Schodack in accordance with the requirements of the Town Law; and,

**WHEREAS**, an Order was adopted by the Town Board of the Town of Schodack on September 14, 2017, reciting the filing of the map, plan and report, the boundaries of the proposed sewer district extension, the improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's office in said Town for public inspection, and all other matters required by law to be stated; and

**WHEREAS**, the order set October 12, 2017 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton, New York as the date, time and place of the public meeting to consider the map, plan and report, and to hear all persons interested in the subject, and to take action as required and authorized by law; and,

**WHEREAS**, such order was published and posted as required by law; and,

**WHEREAS**, a hearing on the matter was held by the Town Board on the 12<sup>th</sup> day of October, 2017 beginning at 7:10 p.m. and the matter being fully discussed and all interested persons having been duly heard; and

**WHEREAS**, it having been duly resolved and determined following such hearing, that the Notice of Public Hearing was published and posted as required by law and is otherwise sufficient, that all property and property owners within the limits of the proposed district are benefitted thereby, that all property and property owners benefitted are included within the limits of the proposed district, and that it was in the public interest to establish said TOWN

OF SCHODACK SEWER DISTRICT NO. 1, EXTENSION NO. 1, and to grant, in whole, the relief sought, and it having been then and there duly resolved that establishment of said Sewer District No. 1, Extension No. 1, be approved, and that the permission of the New York State Comptroller is not required for the Sewer District No. 1, Extension No. 1, and that the aforesaid Town Board resolution of October 12, 2017 having been adopted subject to permissive referendum, and no petition for a referendum having been filed;

**NOW THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED** that the TOWN OF SCHODACK SEWER DISTRICT NO. 1, EXTENSION NO. 1, be created so as to include therein the following lands which are hereby established as the Town of Schodack Sewer district No. 1, Extension No. 1 and which lies wholly within the Town of Schodack, County of Rensselaer, State of New York, and is bounded and described in Schedule "A" attached hereto, and it is further,

**ORDERED, RESOLVED AND DETERMINED** that the Town Clerk is directed to cause a certified copy of this Order, Resolution and Determination to be recorded in the Office of the Clerk of the County of Rensselaer within ten (10) days after the adoption thereof, and a certified copy thereof to be submitted to the Department of Audit and Control at Albany, New York as provided by §209-g of the Town Law; and it is further,

**ORDERED, RESOLVED AND DETERMINED**, that the establishment of the Town of Schodack Sewer District No. 1, Extension No. 1, as set forth in the map, plan and report be approved; and it is further,

**ORDERED, RESOLVED AND DETERMINED**, the requested improvement shall be constructed, and the necessary easements and lands be acquired, upon the required funds being made available and provided for, and such sewer district extension shall be known and designated as the Town of Schodack Sewer District No. 1, Extension No. 1, in the Town of Schodack and shall be bounded and described as set forth in Schedule "A" annexed hereto.

TOWN OF SCHODACK  
Rensselaer County, New York

Sewer District 1 -Extension 1 PROPOSED DISTRICT DESCRIPTION

BEGINNING AT A POINT located on the southerly right of way on Maple Hill Road, said point also being the north west property corner of Tax Map Parcel No. (Parcel No.) 209-2-12.

THENCE easterly along the southerly boundary of Maple Hill Road to its intersection with the westerly boundary of South Schodack Road and

THENCE continuing southeasterly along said westerly boundary of South Schodack Road to a point; said point being the southeasterly corner of Parcel No. 209-2-12,

THENCE continuing westerly and northerly around the bounds of Parcel No. 209-2-12 to the point and place of beginning.

Intending to describe the proposed Sewer District No. 1 -Extension I. All tax parcel information is as of January 27, 2017.

**2017-289) WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said Town on December 14, 2017 at 7:30 p.m. at the Schodack Town Hall to hear all interested parties on proposed 2017 RESTORE NY Round 5 Grant application, administered by Empire State Development. The proposed project will facilitate the removal of vacant, dilapidated and condemnable structures at 1344 US Route 9, Castleton, NY, also referred to as Tax Map Parcel ID # 210-7-41.12, and the construction of a new office building, the Northeast Regional Headquarters for A. Servidone, Inc. for continued economic development in the Capital Region through a public-private partnership between A. Servidone, Inc. and the Town of Schodack, and

**WHEREAS**, notice of said public hearing was duly posted on the Town Clerk's official sign board on December 5 , 2017 and advertised in the December 5, 6 & 7, 2017 editions of THE RECORD, official newspaper of the Town, and

**WHEREAS**, the property assessment list was published for three consecutive days beginning in the December 5, 2017 and ending in the December 7, 2017 edition of THE RECORD, official newspaper of the Town, and

**WHEREAS**, said public hearing was held on December 14<sup>th</sup> 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 proposed grant application or any part hereof, and

**WHEREAS**, that the Town Board of the Town of Schodack, after due deliberation, finds that it is in the best interest of the Town to proceed with the grant application process

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby determines that the project is in accordance with Town and Regional planning objectives, the project facilitates effective and efficient use of existing and future public resources to promote both economic development and preservation of community resources and where applicable, the project seeks to attract, create and sustain employment opportunities and recognizes the value of this public-private partnership, and believe the construct of the Northeast Regional Headquarters for A. Servidone, Inc. will stimulate further investment in this area of the Town and result in future job creation for the entire Capital Region.

**2017-290)** Full-time employees (non-union) shall be given the following holiday for the year 2018:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Monday	January 1, 2018	New Year's Day Observance

**2017-291)** Designate a Transfer Station holiday for year 2018 as follows:  
Weekday                      Date                      Holiday  
 Tuesday                      January 2, 2018                      New Year's Day Observance

**2017-292)** Adopt the Town of Schodack Personnel Policy and Procedure Manual, per attached Draft 6 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, 2018.

**2017-293)** Ratify and affirm authorizing Kerrie D. Joiner, Human Resource Manager to post internally the full-time Operator 2 position at the Highway Department and allowing the Supervisor to advertise in the official Town newspaper as necessary.

**2017-294)** BE IT RESOLVED, that the Town of Schodack hereby establishes the following as standard work days for elected and appointed official(s) and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following official(s) to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Not Submitted Record of Activities or T/S
Appointed Officials						
Town Clerk	Debra Curtis	7	7/1/17-12/31/17	N	20	

**2017-295)** Pursuant to Town Code of the Town of Schodack, Article X §175-40 Appendix A, amend appended fee schedule by adopting new water meter fee of \$275.00 (as attached) effective January 1, 2018.

**2017-296)** It is hereby resolved by the Town Board of the Town of Schodack, New York:

The Town elects to join the Rensselaer County Workers' Compensation Plan effective January 1, 2018; and,

The Town Supervisor is authorized to enter into the Rensselaer County Workers' Compensation Plan Agreement with the County of Rensselaer for such purpose: and,

The Town represents and warrants to the County that it has made a full and complete investigation to its own satisfaction of the Plan; that it has consulted with independent counsel regarding the obligations created by the Plan, the

legality of the Plan and the legality of its own participation therein; and, that it accepts the Plan in full and hereby binds and subjects itself to all terms and obligations thereof.

**2017-297)** Authorize Supervisor Dowds to execute and administer Professional Services Proposal dated December 4, 2017, Addendum No. 9 with Laberge Group, LLC for a WQIP Grant Fuel Canopy – Spill Management & SPCC in an amount not to exceed \$19,000.

**2017-298)** Authorize Supervisor Dowds to execute and administer Professional Services Proposal dated December 6, 2017, Addendum No. 10 with Laberge Group, LLC for a Map, Plan and Report relative to Water District 1 Extension – Battisti Water Supply Corporation in an amount not to exceed \$13,600.00.

**2017-299)** Authorize Joseph Tremblay, Building Inspector to attend Northern Adirondack Code Officials Conference March 4 through March 8, 2018 in Lake Placid, New York at estimated cost for the Conference and Seminar of \$260.00, and estimated cost for mileage \$157.29 and estimated cost for lodging of \$428.00 and estimated cost for meals \$100.00 for a total estimated cost of \$945.29. [This is a budgeted item.]

**2017-300)** Authorize Nadine Fuda, Director of Planning and Zoning to attend Northern Adirondack Code Officials Conference March 4 through March 8, 2018 in Lake Placid, New York at estimated cost for the Conference and Seminar of \$260.00, and estimated cost for mileage \$157.29, and estimated cost for lodging of \$428.00 and estimated cost for meals \$100.00 for a total estimated cost of \$945.29. [This is a budgeted item.]

**2017-301)** WHEREAS, by local law #2 of the year 2008, and pursuant to Section 458-b of the New York State Real Property Tax Law, the Town Board authorized a limited real property tax exemption for Cold War veterans; and

WHEREAS, the term of such exemption was limited, pursuant to state law, to a period of ten years; and

WHEREAS, by Chapter 290 of Laws of 2017, Section 458-b was amended to authorize Towns to extend such exemption for as long as the qualifying owners of real property remain as qualifying owners; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board shall authorize Town Clerk to publish a legal notice for a public hearing to seek public comment and hold a public hearing on proposed Local Law 1 of the year 2018, to authorize the extension of such exemption to the extent authorized by State Law. Said hearing to be held on Thursday, January 11, 2018 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road.

**2017-302)** Authorize the appropriation of the Federal Forfeiture Reserve Fund in a total amount not to exceed \$4,236.64 for purchase of 24 Glock Generation 4 Law

Enforcement with trade-in of 20 used Glock's, per quote dated December 4, 2017 from AmChar Wholesale Inc.

- 2017-303)** Pursuant to Chapter 32 Section 1 of the Code of the Town of Schodack, Supervisor Dowds appoints Jordan Harrington to the Town of Schodack Fire Investigation Unit for the month of December 2017.
- 2017-304)** Authorize Supervisor Dowds to execute a purchase agreement with Eastern Copy Products, LLC. for one (1) Konica Minolta Bizhub 654e copier for use of all Town Hall offices in the amount of \$8,995.00
- 2017-305)** Pursuant to Article 7 Section 140 of the Highway Law, the Highway Superintendent hereby appoints Joseph Cavanaugh, subject to final approval by the Rensselaer County Civil Service Commission, as an Operator 2, at an hourly rate as set forth in the Year 2017 adopted budget. Said appointment shall be effective as of December 18, 2017.
- 2017-306)** Grant Matthew Montross, Part-time Police Officer an unpaid Leave of absence for the period of December 15, 2017 through December 14, 2018.
- 2017-307)** Amend resolution 2016-295 as adopted December 29, 2016, to cancel the Close of Business/Town Board meeting for December 28, 2017.
- 2017-308)** **WHEREAS**, the Town Board has approved a certain local law relating to the registry of hotels, motels, and other residential facilities offering sleeping accommodations to guests, lodgers, tourists, transients or travelers, when such individuals are registered sex offenders; and
- WHEREAS**, said local law provides that such hotels, motels, and other entities must obtain a license for such occupancy, and pay a license fee to the Town Clerk; and
- WHEREAS**, Section 7 of said Local law authorizes the Town Board to set said fee by resolution; and
- NOW, THEREFORE, BE IT RESOLVED**, that the application fee for such license shall be \_\_\_\_\_, effective January 1, 2018.
- 2017-309)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-1862 to 17-2031 on Abstract No. 2017-12, in the amount of \$727,454.81, including the claims paid (\$120,798.43) since the previous town board meeting.
- 2017-310)** 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

15:23