

**DATE:** FEBRUARY 14, 2019

**KIND OF MEETING:** TOWN BOARD

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DEBRA L. CURTIS

**PRESIDING OFFICER:** DAVID B. HARRIS

**MEMBERS PRESENT:** JAMES E. BULT  
MICHAEL KENNEY  
SCOTT SWARTZ  
TRACEY REX

**MEMBERS ABSENT:**

**ATTORNEY:** CHRISTOPHER LANGLOIS, ESQ.  
**COMPTROLLER:** PAUL HARTER  
**OTHERS PRESENT:**

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Supervisor Harris called the February 14, 2019 Town Board Meeting to order at 7:02 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

### **Executive Session #1**

C. Swartz made a motion at 7:02 p.m. to enter into an Executive Session of the board pursuant to public officers law, article 7 §105(f) to discuss matters leading to the appointment of a particular person or persons. Seconded by C. Rex.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Bult made a motion to adjourn the Executive Session at 7:17 p.m., seconded by C. Kenney.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

### **Briefing of the Resolutions**

S. Harris gave a brief overview of the resolutions. He explained resolution 2019-081 would allow the submission of a grant for financial assistance regarding a sewer consolidation within the Town. For resolution 2019-097, the Supervisor said it was the desire of the board to increase the exemption for veterans to coincide with the amounts set forth by Rensselaer County. Atty. Langlois stated the text needed to be amended in resolution 2019-097 to read 458-a rather than 458-b. All board members agreed. With regard to resolution 2019-098, S. Harris explained the Town of Schodack and Village of Castleton could potentially lose a substantial amount of funding under the Governor's order to remove Aid and Incentives to Municipalities (AIM) payments. He noted, with the support of the Mayor for the Village of Castleton, the town was requesting that the Governor reinstate AIM payments and prevent

the need for a potential tax increase of 1.82 percent. S. Harris said it was the consensus of the board to appoint Robert Loveridge to the Zoning Board of Appeals (2019-104) and Lucas Ashby, Scott Seeberger, John Hourigan, Robert Mello and Susan Kishlicky to the Local Waterfront Revitalization Program (2019-105). He noted the Mayor of the Village of Castleton was in agreement to appoint Lucas Ashby as the chair of the LWRP. All other resolutions were self-explanatory.

### **Public Comment**

**Resolution 2019-081:** K. Stokem asked if any of the grant cost would be recouped. P. Harter explained the grant, totaling fifty percent of the total amount, would assist the town with sewer and legal fees for the sewer consolidation. Mr. Stokem asked if the cost would be assigned to a particular sewer district. Mr. Harter stated once the sewer districts were consolidated, the cost would be put onto the new district.

**Resolution 2019-082:** M. Sherwood asked why the salaries of some employees were being changed from salary to hourly. P. Harter explained the positions, under the newly adopted Employee Handbook, were classified as non-exempt. This meant they were eligible to accrue overtime; therefore, their pay needed to be changed from salary to hourly. C. Bult asked if the overtime would be factored after thirty-five or forty hours. P. Harter said after the employee had worked forty hours. K. Stokem reiterated a statement from previous meetings that certain employees were being underpaid for the work they do and asked the board to increase those salaries during the next budget cycle. S. Harris said he understood and assured Mr. Stokem that the board would take the pay increases into consideration.

**Resolution 2019-084:** K. Stokem asked if the cost of the body cameras included warranty and maintenance. S. Harris said there was a one year warranty and each camera would be serviced by the company, if needed. He noted each officer would be assigned their own camera and explained they had already proved their need. K. Stokem asked if the purchase had been budgeted. S. Harris said yes. C. Bult added future discussions would be needed to ensure that the maintenance was covered from year to year. K. Stokem inquired if the recordings would be retained. S. Harris said yes.

**Resolution 2019-086 & 2019-087:** K. Stokem asked for clarification regarding the two proposed local laws. P. Harter said this would allow the town board to approve the use of Equivalent Dwelling Units (EDU) for sewer districts on an annual basis. He noted currently, EDUs only applied to water districts.

**Resolution 2019-091:** M. Sherwood asked if the copier purchase was under state contract. The town clerk said yes.

**Resolution 2019-094:** M. Sherwood asked if all new copiers came with a free, one year agreement. The town clerk said no. The maintenance agreements covered the cost of toners and any maintenance which would not be covered under any warranty.

**Resolution 2019-095:** K. Stokem asked if the board had considered rotating members of the planning and zoning boards with regard to attending training. S. Harris explained the

training that Ms. Fuda and Mr. Calarco were attending was a recertification for their titles. C. Bult said training was available from Hudson Valley Community College at no charge to all board members. He noted it was general practice for all to attend the one day training. K. Stokem asked if each member was required to attend training. S. Harris said no. C. Bult said Ms. Fuda ensured that all members attend any needed training. K. Stokem asked if the members were compensated for attending the training. C. Bult said they did not receive extra pay. In the event any expenses were incurred, such as mileage, they would be reimbursed.

**Resolution 2019-096:** F. Curtis said he noticed the annual franchise fees were increasing and asked if any progress had been made for expanding services to the residents. He noted cable was expensive but felt it would be in Time Warner's favor to expand their services to the whole town. C. Swartz said he had spoken with Time Warner Cable with no resolve. S. Harris said he had contacted Rensselaer County and Senator Tonko also with no resolution and said he understood the plight of the residents of the town. He said when he contacted Time Warner, they said new lines could be run but at a high cost to the residents.

**Resolution 2019-097:** K. Stokem asked if there was potential for the increased amounts to negatively affect the budget through lost revenue. C. Bult said the revenue would be shifted and compensated in other ways. F. Curtis commended the board for increasing the exemption amount for veterans. He noted this exemption was a good way to thank veterans for their service and would set values closer to the market value of starter homes in the area which were approaching \$250,000.00. He asked when the county passed the resolution for increasing the exemption amounts. Atty. Langlois said in January. Mr. Curtis said he was concerned with the date of the public hearing which would take place after March 1<sup>st</sup> which is Taxable Status Day. He asked the board to consider moving up the date of the public hearing to February 28<sup>th</sup> to ensure that the law would apply for January 2020 tax bills. Atty. Langlois said he had spoken to William Film, who explained exemptions were already in place and as long as the local law amendment was set before April, there should be no issues. Mr. Curtis said he was concerned that the veterans would not get their optimal exemption. S. Harris consulted the clerk who said there would be plenty of time to notice the hearing with the change to February 28, 2019. C. Kenney said he saw no issue in changing the date. D. Kelly noted a change would be needed to the numbering sequence of the local law if the meeting were changed. **Determination:** All board members agreed to change the date for the public hearing for now proposed local law 1-2019 to February 28, 2019 at 7:10 p.m.

**Resolution 2019-099:** K. Stokem asked if this additional change order was a planned item under the original bid. P. Harter it was not anticipated and added that, even with the additional cost, the project was under budget based on the original unit bid pricing calculated by the engineer. K. Stokem asked if the board was satisfied with engineering they had received for the project. S. Harris said yes.

**Resolution 2019-100:** K. Stokem asked if it was necessary for the town board to concur with the planning board regarding lead agency. Atty. Langlois said, based on how the State Environmental Quality Review Act works regarding multiple agency involvement, it was

necessary for the planning board to ask the town board to concur regarding who would be the lead agency. In the event the town board chose to be lead agency, there would be a process set before NYSDEC to resolve who would take the lead. K. Stokem recommended changing the lead agency to the town board as he felt they better service the residents, as elected officials, by listening to their input. He felt the last meeting of the Zoning Board of Appeals (ZBA) did not do an adequate job of listening to the residents and chose to take the word of professionals. He said this project would have a dramatic effect on all residents of the town. G. Hodgson asked that the planning board be given direction for protection of the environment with regard to the Stewarts Project. He said the ZBA had voted to give an exemption for the water quality law for the project and noted two ZBA members stated that they did not understand the material they had been given.

**Resolution 2019-101:** M. Sherwood recommended adding a maximum, not to be exceeded amount to the resolution. S. Harris noted Mr. Jones had worked previously as the IT person for the police while he was a uniformed officer. His normal rate was double the amount he would be charging the town. M. Sherwood asked if he would have an unlimited budget for service. S. Harris said it would be on an as needed basis. This would include monthly services, updates and routine maintenance. C. Swartz asked if this was a budgeted item. P. Harter said no; however, with Mr. Jones leaving the department and no new part-time officer being hired, there should be adequate funds in the police budget to cover the cost. K. Stokem said he also felt a maximum should be placed on Mr. Jones' services.

**Resolution 2019-103:** K. Stokem asked if Mr. Keller was operating a sanitary landfill. Atty. Langlois said no, he operates a quarry requires him to obtain state permission to make any changes. The town board must name NYSDEC as lead agency just as they named the planning board in resolution 2019-100.

**Resolution 2019-105:** Mr. Stokem said applications had been received for members of the LWRP in the past and wondered if the members had been picked from those names. S. Harris said some had been picked from the previous applicants and the rest were selected with guidance from the Mayor of the Village of Castleton. Mr. Stokem asked if each board member was able to contribute a name. C. Rex said she had submitted a name back in 2016; however, she was not aware the resolution would be set for this meeting and was not able to contribute that name. She said she was confident in the members selected but was disappointed that she could not contribute.

**Departmental Reports:** The following monthly departmental reports were read and/or posted and filed in the Office of the Town Clerk: Town Clerk, Building Department, and Historian.

**Review of Abstracts of Claims and Budget Amendments:** The Board reviewed claims #19-0117 to 19-0315 on Abstract No. 2019-02, in the amount of \$743,948.47, including the claims paid (\$591,416.35) since the previous town board meeting.

### **Adoption of Resolutions**

The resolutions voted upon reflect additions, deletions and amendments approved by the consensus of the majority Board.

**EXPLANATION: Bracketed and strikethrough indicates language that was stricken from the resolution when adopted. Underlined indicates language that was added to the resolution when adopted. A WITHDRAWN resolution is so noted and italicized.**

C. Bult made a motion to adopt the following resolution, seconded by C. Kenney:

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

- 2019-080)** Authorize Supervisor Harris to execute an annual maintenance agreement for the period of January 1 through December 31, 2019 with B & L Control Service Inc. for assistance, service and chemical products to treat the heating and cooling loops and cooling tower in an amount not to exceed \$3,715.00 for Town Hall, 265 Schuurman Road.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Swartz made a motion to adopt the following resolution, seconded by C. Rex:

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

- 2019-081)** **WHEREAS**, the Town of Schodack Town Board, has determined that it is desirable and in the public interest to act as Lead Applicant to undertake the necessary activities for the submittal of an application under the Department of State 2019 Local Government Citizens Re-Organization Empowerment Grant (CREG) Reorganization Planning Program to be titled, Town of Schodack Sewer District Consolidation, and
- WHEREAS**, the Town of Schodack Town Board hereby authorizes the Supervisor to submit the grant application, and
- WHEREAS**, the Supervisor will serve as the Lead Applicant Contact Person to execute all financial and/or administrative processes relating to the grant program; and
- WHEREAS**, the intent of the proposed project is to provide the Town of Schodack with financial assistance for sewer district consolidation as services and responsibilities are transferred to the Town of Schodack, and to execute all the steps that will complete the re-organization, and
- WHEREAS**, the amount of funds to be requested from the 2019 Local Government Citizens Re-Organization Empowerment Grant (CREG) Reorganization Planning Program are not to exceed \$23,500, and

**WHEREAS**, the Town of Schodack hereby commits to providing the 50% local cash match of \$11,750 or less should less funds be expended; and

**IT IS HEREBY RESOLVED:** that the Town of Schodack is the Lead Applicant in an application for financial assistance under the 2019 Local Government Citizens Re-Organization Empowerment Grant (CREG) Reorganization Planning Program for a Town of Schodack Sewer District Consolidation.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Kenney made a motion to adopt the following resolution, seconded by S. Harris:

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

**2019-082)** Amend resolution 2019-07 as adopted on January 10, 2019 to reflect hourly rates as follows: Adopt the following 2019 annual salaries schedule

Secretary to the Supervisor	\$	<del>43,959.00</del>	\$24.15/per hour
Deputy Town Clerk	\$	<del>37,197.00</del>	\$20.44/per hour
Secretary to Director of P/Z	\$	<del>32,702.00</del>	\$17.97/per hour
Secretary to Building Department	\$	<del>30,993.00</del>	\$17.03/per hour
Ice & Snow Manager at Town Hall			\$20.31/per hour

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Bult made a motion to adopt the following resolution, seconded by C. Swartz:

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

**2019-083)** Authorize the appropriation of the Federal Forfeiture Reserve Fund in the total amount not to exceed \$16,651.00 for purchase of 18 Body cameras per quote dated October 31, 2018 from Axon Enterprises, Inc.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

S. Harris made a motion to adopt the following resolution, seconded by C. Kenney:

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

**2019-084)** Authorize the purchase of 18 Body cameras from Axon Enterprises not to exceed \$20,764.00. [\$4,113.00 budgeted and \$16,651.00 contingent upon resolution 2019-083]

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Rex made a motion to adopt the following resolution, seconded by C. Swartz:

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

**2019-085)** 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>
Rapin-Plant, John & Mary Joy	3804 US 20	1
Clow, Robert	739 Co. Rt. 7	1
Field, George	85 Veering Rd.	1
Beberwyk, MaryAnn	7 Beberwyk Way	1
Leavenworth Trailer Park c/o Buck, Clemens	1477 Bame Rd.	17

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Swartz made a motion to adopt the following resolution, as amended, seconded by C. Bult:

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

**2019-086)** **WHEREAS**, the town of Schodack has undertaken a review of Chapter 174, Article XI and Chapter 176, Article I of the town of Schodack Town Code; and

**WHEREAS**, based upon the review of the aforesaid chapters and articles certain revisions will be required to Chapter 174, Article XI and to Chapter 176, Article I of the town of Schodack Town Code; and

**WHEREAS**, the revisions to Chapter 174, Article XI and to Chapter 176, Article I of the town of Schodack Town Code require the adoption of two local laws; and

**WHEREAS**, the town board is desirous of scheduling public hearings to consider the revisions to Chapter 174, Article XI and to Chapter 176, Article I of the town of Schodack Town Code.

**NOW, THEREFORE, IT IS:**

**RESOLVED**, the town board of the town of Schodack hereby schedules a public hearing to consider adoption of Local Law Number 42 amending Chapter 174, Article XI of the town of Schodack Town Code which public hearing shall be held on March 14, 2019 at 7:10 p.m. at Schodack Town Hall, 265 Schuurman Road, Castleton, New York, and it is further

**RESOLVED**, the town board of the town of Schodack hereby schedules a public hearing to consider adoption of Local Law Number 23 amending Chapter 176, Article I of the town of Schodack Town Code which public hearing shall be held on March 14, 2019 at 7:20 p.m. at Schodack Town Hall, 265 Schuurman Road, Castleton, New York, and it is further

**RESOLVED**, the town clerk of the town of Schodack is hereby requested to publish notice of the public hearings at least five days prior to the public hearings in the town's newspaper of record, on the town clerk's bulletin board and on the town's website, and it is further

**RESOLVED**, that proposed Local Law Number 4 2 and proposed Local Law Number 2 3 are attached hereto and made a part hereof and are incorporated herein by reference.

Town of Schodack

Local Law No. 2 of the year 2019

A Local Law amending Chapter 174, Article XI, Cost Allocation and Billing Provisions, of the Town of Schodack Town Code:

Be it enacted by the Town Board of the Town of Schodack as follows:

**§ 174-67. Allocation of Costs.**

- A. Capital costs shall be allocated to each parcel of real property based on the assessed valuation, front footage of property along which sewers are constructed, unit schedule or any combination of these methods. These costs shall be included in the real property taxes of all properties within the sewer district. The method of allocation will be determined by the Town Board at the time the capital expenditures are approved.
- B. Operation and maintenance expenses will be allocated to each parcel of real property connected to the sewers based on either their number of units or metered water usage.

**§ 174-68. Unit Schedule.**

- A. Unit Assignment. Following the effective date of this chapter, and in each year thereafter, on or before the first day of January, the Department shall survey the district and assign to each structure within such district a unit number. Once established, each structure shall retain that unit designation until such time as the Town Board changes such designation or until such designation is changed by appropriate court order or other legal action.



- B. **Review of Unit Schedule Assignment.** Upon assignment of a unit, the Department shall make available in the Department office a listing by real property owner of such names that appear on the assessment roll of the town, and of each parcel of real property with the unit designation. The Department shall publish, in a newspaper to be designated by the Town Board, the fact that such list is available and is open for review. Any person who wishes may review such list and may appeal the unit schedule assignment. An appeal of the unit schedule assignment may be made to the Town Board on a form to be provided by the Department for such purpose. The Town Board, upon hearing any appeal instituted under this section, shall not alter any unit schedule assignment until such time as the Town Board has been given an opportunity to have an on-site inspection made of the premises to determine estimated sewer usage.
- C. **Fractional Unit Schedule Assignment.** In making unit determinations, the Department may, in its discretion, assign a fraction of a unit to any structure which is determined to contain at least one unit, or assign a fraction of a unit to any structure which, in its determination, does not merit a unit charge.
- D. **“Vacant Property”**, as used in this chapter, shall mean any unimproved or undeveloped real property in a district which is not used for agricultural purposes. All such vacant real property shall be charged for that portion of the sewer charge devoted to capital costs, and shall include no charge for operation and maintenance expenses.
- E. **Vacant Structures**, as used in this chapter, shall be any structure or part structure which will be unoccupied or unused for a period of three months. Vacant structures shall not be assessed the full unit determination as set forth in this chapter if, prior to the time the structure becomes vacant, the owner or person having charge of the real property makes written application to the Department for a unit change. If the Department finds that in fact the structure will be vacant for a period of three months or more, it shall assign to that structure a prorated charge for operation and maintenances expenses and the full capital cost portion of the sewer charge, in the same manner as though said property were vacant property referred to in Subsection D above.
- F. **Destroyed or Permanently Vacated Real Property.** In the event that a structure becomes destroyed or permanently vacated by the owner, and not used or otherwise occupied, the owner shall advise the Department, prior to the billing period, of such fact and request that sewer service to the real property be disconnected. Once disconnected, and inspected by the Department, the real property shall become liable only for the capital cost portion of the sewer charge, as set forth in Subsection D above. Reconnection of the real property shall be made only upon application to the Department for such reconnection and upon payment to the Department of the actual costs incurred in making

such connection. Moneys received from such reconnection shall be paid to the district in which the real property is located.

**§ 174-69. General Billing Provisions.**

- A. All bills are payable in accordance with the rates and charges set forth in Article XIII. For new services installed at any time during the billing period, the charge will be prorated according to the number of days remaining to complete the billing period after the service has been made available.
- B. Where metered usage is used to determine sewer bills, the quantity of water recorded by the meter shall be considered the amount of water passing through the meter, which amount shall be conclusive on both the applicant and the Department, except when the meter has been found to be registering inaccurately or has ceased to register. In such cases, if the meter is found to be reading fast, the customer will be billed the minimum charge for the period in question. If the meter is reading slowly, the actual reading will be used but will never be less than the minimum charge.
- C. All bills are due and payable without penalty 30 days after the date thereof. All charges shall be a lien upon the real property upon which or in connection with which such sewer service is provided. If such charges are not paid within 30 days from the date due, service may be terminated and/or a penalty of 10% per quarter, of the amount of the bill shall be added to the bill for late payment.
- D. The Department shall annually file with the Town Board a statement showing the unpaid sewer charges and penalties payable, with a brief description of the applicant's real property.
- E. Bills for sewer service or services performed by the Department shall be paid to the Department.
- F. Sewer rates, penalties and charges shall be established by the Town Board on an annual basis.
- G. No bill will be rendered for less than the minimum charge for each billing period. No payment will be accepted for less than the amount stated on the bill.

**§174-70. Effective Date.**

This local law shall take effect immediately upon filing with the Secretary of State, as provided by law.

Town of Schodack

Local Law No. 3 of the year 2019

A Local Law amending Chapter 176, Article I, Sewer Rents, of the Town of Schodack Town Code:

Be it enacted by the Town Board of the Town of Schodack as follows:

**§ 176-1. Purpose.**

It is the intent of the Town Board of the Town of Schodack, in enacting this Article, to provide a fair and equitable method of determining sewer rents for consumers within all sewer districts in the town and to provide consumers with an opportunity for participation.

**§ 176-2. Definitions.**

As used in this Article, the following words shall have the following meanings:

**BUSINESS** – Any activity conducted for profit, whether or not open to the public, including, but not limited to, sales, distribution, advertising, manufacturing or other commercial activities.

**CAPITAL COSTS** – Those costs that must be paid by the districts in making annual payments on indebtedness for such purposes as construction, land acquisition and required reserves for replacements. “Capital costs” are not includable in operation and maintenance expenses.

**DISTRICTS** – All sewer districts within the town.

**OPERATION AND MAINTENANCE** – Those expenses that the districts incur for the maintenance of sewage treatment facilities, collection systems and related functions.

**PROFESSIONAL OFFICE** – A place for the transaction of business as a lawyer, doctor, engineer, architect, consultant or any similar or related activity.

**SEWER RENT** – The cost chargeable to each consumer for operation and maintenance expenses. Such “sewer rent” is to be distinguished from the assessment that is levied to recover capital costs, which is made at the same time as the assessment of taxes in the town.

**STUDIO APARTMENT** – A dwelling area within a structure that contains cooking and sanitary facilities and an area for sleeping, consisting of no more than two rooms, excluding bathrooms and closets.

**TOWN** – The Town of Schodack, New York.

**UNIT** – The measure of use that is attributable to any real property owner.

**§ 176-3. Unit Schedule Assignment.**

Each structure within the districts shall be assigned a unit number. The unit schedule is on file in the Town Clerk's Office. Once established, each structure shall retain that unit designation until such time as the Town Board changes such designation. The Town Board shall establish and change, as appropriate, the unit schedule assignments of the structures so as to reflect equitably the degree of benefit and use of such structures. Any real property owner may request the Town Board to amend the real property owner's unit determination. The Town Board shall, after reviewing such request, either alter or maintain such unit schedule determination, stating the reasons therefor.

#### **§ 176-4. Public hearing and review.**

Unless provided otherwise by resolution of the Town Board, on or about October 20 of each year a hearing shall be held by the Town Board to provide real property owners with an opportunity to comment upon the assignment of units to real property owners and the proposed sewer rents. Where practicable, such public hearing shall be combined with the public hearings on the assessment rolls for the districts for capital charges. Prior to the public hearing, there shall be made available in the office of the Town Clerk a listing by real property owner, as those names appear on the assessment roll of the Town, of each parcel of real property with its unit designation. The Town Clerk shall publish in the town designated newspaper the fact that such list is available for review. Any person who wishes may review such list.

#### **§ 176-4.1. Hearing; comptroller's report and attendance.**

- A. Unless otherwise provided by resolution of the Town Board, written notice of the public hearing required by §176-4 shall be mailed to each real property owner within the sewer district at their address on file.
- B. The Town Comptroller shall file with the Town Clerk, no later than 15 days prior to the date determined by the Town Board in §176-4 for the public hearing, a written report and recommendation setting forth the amounts currently charged and the amount of the proposed charge and setting forth the reasons supporting such change, if any. This report shall be available at the Office of the Town clerk for review and inspection no later than 15 days prior to the public hearing scheduled by the Town Board.
- C. The comptroller of the Town of Schodack shall attend the public hearing set forth in § 176-4 to assist the Town Board and to answer the questions that arise from the Town Board as well as from Town Constituents relating to the report and recommendation.

#### **§ 176-5. Calculation of Sewer Rents and Capital Charges.**

Sewer rents for operation and maintenance expenses shall be calculated using the following method. First, from the anticipated yearly operation and maintenance expenses shall be subtracted the anticipated state or federal aid for operation and maintenance. To this figure shall be added a 10% contingency figure. The result of this computation shall be the adjusted sewer operation and maintenance expense, which figure shall then be divided by the total number of units that have been determined by the Town Board to exist in all districts. This unit charge shall then be assigned to each parcel of real property and multiplied by the number of units assigned to each classification of real property. The amount of such calculations shall be rounded off to the highest nearest dollar, to avoid fractional billings and to ensure that the sewer fund is adequately compensated for all necessary expenses.

Capital charges for real property owners shall be assessed, levied and collected by the town at the same time as the assessment of taxes in the town. Capital charges shall be calculated as follows. Each year the Comptroller shall determine those costs that must be paid by the districts in making annual payments on indebtedness for bond repayment, construction, land acquisition, and required reserves for replacements. The capital cost amount shall then be divided by the total number of units that have been determined by the Town Board to exist in all districts. This unit charge shall then be assigned to each parcel of real property and multiplied by the number of units assigned to each classification of real property set forth in the Unit Schedule as determined by the Town Board by resolution on an annual basis. The amount of the calculation shall be rounded off to the highest nearest dollar. The Town Board may, by resolution, establish the apportionment of such charges so as to reflect equitably the degree of benefit of affected parcels over the life of the capital improvements.

**§ 176-6. Amount of sewer rents.**

Sewer rents shall be established and may from time to time be amended by resolution of the Town Board, subject to the provisions of §176-4 of this chapter and Article 14-F of the General Municipal Law.

**§ 176-7. Vacant real property.**

“Vacant real property” shall mean any unimproved or undeveloped real property. Such vacant real property shall not be charged a sewer rent for operation and maintenance costs, although such vacant real property shall be subject to an assessment for capital costs.

**§ 176-8. Destroyed or permanently vacated real property.**

In the event that a structure is destroyed or permanently vacated, the owner shall advise the Town Board, prior to the billing period, of such fact and request that sewer service to the real property be disconnected. Once disconnected, the real property shall no longer be subject to a sewer rent and shall be liable only for the assessment of capital costs. Reconnection to the property shall be made only upon

application to the Town Board for such reconnection and upon payment to the town of the costs incurred in making such reconnection. The town, through its Building Inspector or other representative, shall have the authority to inspect such disconnections and reconnections.

**§ 176-9. Billing of sewer rents.**

Unless otherwise provided for by resolution of the Town Board, sewer rent bills for each year shall be sent out on or before October 15 of each year and shall be for the twelve-month period ending on the preceding May 31. Payment shall be due within 30 days following the billing. Any person failing to pay such sewer bill within such thirty-day period shall be subject to late charges and interest at the rate of 1 ½ percent per month on the outstanding balance, but in no event shall such interest exceed the maximum allowable by law for delinquent taxes. Any bill that is delinquent for more than one year shall be added to the tax bill of the real property owner and become a lien on the property. In the alternative, the Town Board may authorize the collection of such delinquent sewer rents by civil action instituted in a court of competent jurisdiction.

**§ 176-10. Discharge of toxic substances.**

No person shall cause or permit to be discharged into the sewer system of the districts any substance that is prohibited by state, federal or local law or regulation. In the event that any such substance is so discharged, the person responsible shall, in addition to any other fine, penalty or forfeiture imposed by state, federal or local law, be liable to the town for any additional treatment costs or damages to the collection system and/or treatment facility.

**§ 176-11. Discharge of stormwater and groundwater.**

No person shall cause or permit to be discharged into the sewer system of the districts, without the permission of the town, any stormwater or groundwater, including, but not limited to, connections from roof drains and leaders, footing drains and sump pumps. In the event that any such unauthorized stormwater or groundwater is so discharged, the person responsible shall, in addition to any other fine, penalty or forfeiture imposed by state, federal or local law, be liable to the town for any additional treatment costs or damages to the collection system and/or treatment facility.

**§ 176-12. Right of Inspection.**

The Building Inspector shall have the right to enter upon, examine and inspect or cause to be entered, examined and inspected any building or property at any reasonable time for the purpose of carrying out his duties and to determine compliance with the provisions of this Article.

**§176-13. Effective Date.**

This local law shall take effect immediately upon filing with the Secretary of State, as provided by law.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Kenney made a motion to adopt the following resolution, seconded by C. Rex:

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

**2019-087) WHEREAS,** the Town of Schodack presently has enacted Chapter 174, Article XI, within the Town of Schodack Town Code, and

**WHEREAS,** the Town Board of the Town of Schodack is presently deliberating amending the aforesaid Chapter 174, Article XI of the Town of Schodack Town Code, and

**WHEREAS,** in connection with the amendment to Chapter 174, Article XI of the Town of Schodack Town Code certain environmental review may be necessitated under 6 NYCRR Part 617.

**NOW, THEREFORE, IT IS:**

**RESOLVED,** that the Town Board of the Town of Schodack is hereby designated as lead agency with respect to the amendment to Chapter 174, Article XI of the Town of Schodack Town Code pursuant to 6 NYCRR Part 617 of the State Environmental Quality Review Act.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Swartz made a motion to adopt the following resolution, seconded by C. Bult:

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

**2019-088) WHEREAS,** the Town of Schodack presently has enacted Chapter 176, Article I, within the Town of Schodack Town Code, and

**WHEREAS,** the Town Board of the Town of Schodack is presently deliberating amending the aforesaid Chapter 176, Article I of the Town of Schodack Town Code, and

**WHEREAS,** in connection with the amendment to Chapter 176, Article I of the Town of Schodack Town Code certain environmental review may be necessitated under 6 NYCRR Part 617.

**NOW, THEREFORE, IT IS:**

**RESOLVED**, that the Town Board of the Town of Schodack is hereby designated as lead agency with respect to the amendment to Chapter 176, Article I of the Town of Schodack Town Code pursuant to 6 NYCRR Part 617 of the State Environmental Quality Review Act.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Bult made a motion to adopt the following resolution, seconded by C. Kenney:

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

- 2019-089)** Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2018 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Rex made a motion to adopt the following resolution, seconded by C. Swartz:

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

- 2019-090)** Authorize Supervisor Harris to execute and administer the Monitoring Service Contract with Rocket Monitoring Services to perform data collection and monitoring services on the Commercial AdvanTex® AX100 – TCOM Control Panel located in Sewer District No. 8 for a cost not to exceed \$1,200.00 and to provide monitoring on the VeriComm Panel located in Sewer District No. 5 for a cost not to exceed \$300.00.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Kenney made a motion to adopt the following resolution, seconded by C. Bult:

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

- 2019-091)** Authorize Supervisor Harris to execute a purchase agreement with Eastern Copy Products, LLC. for one (1) Xerox WorkCentre 3335DNI copier for use in Justice Court room in the amount of \$579.00. [Budget line A1110.2]  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Swartz made a motion to adopt the following resolution, seconded by C. Rex:



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

- 2019-092)** Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub 654a copier on the third floor at the Town Hall, ID # 770GF, for the period February 2, 2019 to February 1, 2020 for \$1,008.00 annually. Contract includes 168,000 copies annually with an overage charge of \$0.006 per copy.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Kenney made a motion to adopt the following resolution, seconded by C. Bult:

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

- 2019-093)** Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for both the Konica Minolta Bizhub 284E copier in the Town Clerk's office, ID#731FL and for the Muratec MFX 3530 printer for Records Management, ID#227FN, combined contract, for the period February 2, 2019 to February 1, 2020 for \$486.21 annually. Contract includes 30,660 copies annually with an overage charge of \$0.01588 per copy.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Swartz made a motion to adopt the following resolution, seconded by C. Bult:

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

- 2019-094)** Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox WorkCentre 3335DNI copier for Justice Court at the Town Hall, ID # XER3335DNI, for the period February 2, 2019 to February 1, 2020 for \$384.00 annually. Contract includes 25,596 copies annually with an overage charge of \$0.015 per copy.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Bult made a motion to adopt the following resolution, seconded by C. Rex:

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

**2019-095)** Authorize Nadine Fuda, Director of Planning and Zoning and David Calarco, Zoning Board Chairman to attend the New York Planning Federation Conference in Bolton Landing, New York, April 28-30, 2019. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town at a cost of \$743.50 each, at an estimated total cost of \$1,487.00, as budgeted.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Rex made a motion to adopt the following resolution, seconded by C. Kenney:

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

**2019-096)** WHEREAS, pursuant to the franchise agreement between Time Warner Cable (“TWC”) (now known as Charter Communications) and the Town of Schodack, TWC/Charter pays the Town a fee for a special franchise to operate its cable television business in the public right-of-way, and

WHEREAS, for the year 2018 TWC/Charter paid the Town of Schodack \$93,232.38 in franchise fees, and

WHEREAS, TWC/Charter was levied a total of \$4,481.08 in Town taxes on five special franchise properties, and

WHEREAS, Section 626(1) of the Real Property Tax Law of the State of New York provides that the amount paid as a franchise fee is to be deducted from the taxes levied on a special franchise, and

WHEREAS, Section 626(2) of the Real Property Tax Law provides that the person responsible for collecting the franchise fee shall deliver to the Town of Schodack a certificate showing the amount of the franchise fee paid for the year ending on the date set forth in the certificate, and

WHEREAS, upon receipt of the certificate, the law requires the Town of Schodack to enter a credit on the tax roll in the amount shown on the certificate, and

WHEREAS, Rensselaer County Bureau of Finance is responsible for entering the credit on the tax roll, and

WHEREAS, pursuant to Section 626, the TWC/Charter Tax Department returned the Town’s Special Franchise tax bill, and

WHEREAS, TWC/Charter is required to make a request in order to receive a credit on the tax roll, and

WHEREAS, the Town has received a request for the credit on property taxes assessed in 2018 from the franchise fees paid during 2018,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of \$4,481.08 to Rensselaer County Bureau of Finance based on the 2018 TWC/Charter Utility report on said franchise properties assessed within the Town of Schodack.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Swartz made a motion to adopt the following resolution, as amended, seconded by C. Rex:

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

**2019-097)** WHEREAS, by local law #3 of the year 1997 and amended by local law # 2 of the year 1998 and further amended by local law # 2 of 2007, and pursuant to Section 458-ba of the New York State Real Property Tax Law, the Town Board authorized a limited real property tax exemption for ALT veterans; and

WHEREAS, per section A of 197-12.1 the exemption was limited to 15% of the assessed value of such property and exemption shall not exceed ~~\$27,000~~ \$45,000; and

WHEREAS, per section B of 197-12.1 Veteran who served in a combat theater or combat zone operations would be exempt from taxation to the extent of 10% of the assessed value and exemption shall not exceed ~~\$18,000~~ \$30,000; and

WHEREAS, per section C of 197-12.1 In addition Veteran who served in a compensation rating would be exempt from taxation to the extent of 50 % of the assessed value and exemption shall not exceed ~~\$90,000~~ \$150,000; 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 on proposed Local Law No. 3 1 of 2019 to amend Alternative Veteran Exemption Law for the Town of Schodack Chapter 197, Article III, Section 12.1. Said hearing to be held on Thursday, ~~March 14~~ February 28, 2019 at ~~7:40~~ 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

S. Harris made a motion to adopt the following resolution, seconded by C. Kenney:

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

**2019-098)** WHEREAS, Governor Andrew Cuomo released his Fiscal Year 2019-20 Executive Budget on January 15; and

WHEREAS, the FY 2019-20 Executive Budget is a proposed \$176 Billion spending plan; and

WHEREAS, the Executive Budget contains language to make permanent the cap on real property tax levy increases of two percent due to sunset in the year 2020; and

WHEREAS, New York State towns, villages and cities scheduled to receive Aid and Incentives to Municipalities (AIM) payments that are less than two percent of their local FY 2017 expenditures, as reported to the State Comptroller, will be removed from the program; and

WHEREAS, if the Executive proposal is enacted, more than \$60 million in funding to towns, villages and cities in New York will be eliminated; and

WHEREAS, more than 1300 villages, towns and cities will be impacted, including the town of Schodack and the Village of Castleton-on-Hudson; and

WHEREAS, the Town of Schodack will stand to lose \$69,789 in state AIM payments; and

WHEREAS, the Village of Castleton-on-Hudson will stand to lose \$13,422 in state AIM payments; and

WHEREAS, thereby, the proposed AIM payment cut to Schodack will result in a 1.82% tax increase; and

WHEREAS, the Town of Schodack will stand to lose and additional \$41,825 in Extreme Winter Recovery (EWR) payments; and

WHEREAS, elimination of EWR payments along with elimination of AIM payments will result in a 2.88% increase in taxes; and

WHEREAS, aid to localities for local roads and bridges under the state's Consolidated Local Street & Highway Improvement Program (CHIP) was maintained at 2018-19 levels in the Executive Budget; now therefore be it

RESOLVED, that the Schodack Town Board, and with support of the Castleton-on-Hudson Village Board respectfully call on Governor Cuomo to restore AIM payments to the 1300 villages, towns, and cities negatively impacted in his 30-Day Amendments to the Executive Budget and state legislative leaders negotiate to make AIM payments permanent to the state's local governments; and therefore, be it further

RESOLVED, that the Town Clerk is hereby directed to send certified copies of this resolution to Governor Andrew Cuomo, New York State Senator Daphne Jordan, New York State Assemblyman Jake Ashby, Rensselaer County Legislators, Village of Castleton-on-Hudson Mayor Schmidt, and New York State Division of the Budget Director Robert Mujica.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Swartz made a motion to adopt the following resolution, seconded by S. Harris:

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

**2019-099)** Authorize Supervisor Harris to execute contract adjustment with William J. Keller & Sons Construction Corp. for pump station, generator and chemical feed building for Town of Schodack Sewer District 1- Extension 1, representing an addition of \$63,620.00 to Contract Price. The original contract award with change orders was in the amount of \$986,380.00. The adjusted contract authorizes an amount not to exceed \$1,050,000.00.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Swartz made a motion to adopt the following resolution, seconded by S. Harris:

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

**2019-100)** To concur that the Planning Board be designated lead agency for the Stewarts Shops Corp. project.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Bult made a motion to adopt the following resolution, seconded by C. Kenney:

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

**2019-101)** Authorize Supervisor Harris to execute and administer professional services agreement with Thomas MD Jones, for the year 2019, to provide information technology services to the Town Police Department at an hourly rate of \$50.00.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Kenney made a motion to adopt the following resolution, as amended, seconded by C. Bult:

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

- 2019-102)** Appoint Daniel Garvansites as ~~Ice and Snow Manager~~ for Town Hall at hourly as set forth in resolution 2019-082, effective immediately for the purpose of removing ice and snow.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Bult made a motion to adopt the following resolution, seconded by C. Rex:

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

- 2019-103)** To concur that the New York State Department of Environmental Conservation be designated lead agency for the Mined Land Reclamation permit – Wm J. Keller & Sons Realty Corporation.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Swartz made a motion to adopt the following resolution, as amended, seconded by C. Kenney:

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

- 2019-104)** Appoint Robert Loveridge as a member of the Zoning Board of Appeals. Term to expire December 31, 2022.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Rex made a motion to adopt the following resolution, as amended, seconded by S. Harris:

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

- 2019-105)** Appoint members to the Town of Schodack/Village of Castleton-on-Hudson Waterfront Advisory Committee as follows: Lucas Ashby and Scott Seeberger to three year terms to expire on December 31, 2021, John Hourigan and Robert Mello to two year terms to expire on December 31, 2020 and Susan Kishlicky to one-year term to expire on December 31, 2019 as members of the Local Waterfront Revitalization Program Consistency and concur with the Village of Castleton-on-Hudson that Lucas Ashby is the Chair.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Bult made a motion to adopt the following resolution, seconded by C. Swartz:

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

- 2019-106)** Authorize the Comptroller’s recommendation to direct the Town Supervisor to pay the claims #19-0117 to 19-0315 on Abstract No. 2019-02, in the amount of \$743,948.47, including the claims paid (\$591,416.35) since the previous town board meeting.  
 5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Kenney made a motion to adopt the following resolution, seconded by C. Bult:

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

- 2019-107)** Authorize the January 2019 budget modifications, interfund loans and interfund transfers as provided in document dated February 2019 and recommended by the Comptroller.

**BUDGET MODIFICATIONS  
 December 2018**

**BUDGET MODIFICATIONS**

<b>Fund/</b>				
	<b>Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>2018</b>				
<b>120</b>	A-960-3120.4000	Police - Contractual	45.00	
	A-960-3120.2000	Police - Equipment		45.00
	To modify the budget for 2018 uniform purchases over budget			
<b>121</b>	A-960-3510.4000	Control of Animals - Contractual	140.70	
	A-960-3510.2000	Control of Animals - Equipment		140.70
	To modify the budget for reimbursement to MHHS for kennel costs			
<b>122</b>	A-960-8189.4000	Recycling - Contractual	370.00	
	A-960-8189.2000	Recycling - Equipment		370.00
	To modify the budget for higher recycle disposal fees			
<b>123</b>	DB-960-5130.4000	Machinery - Contractual	134.72	
	DB-960-5130.1000	Machinery - Personal Services		134.72
	To modify the budget to cover additional parts			

**January 2019**

**BUDGET MODIFICATIONS**

<b>Fund/</b>				
<b>Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>	
<b>2019</b>				
<b>1</b>	A-960-1920.4000	Muni Assoc Dues - Contractual	55.83	
	A-960-1990.4000	Contingency - Contractua;l		55.83
	To modify the budget for Assn of Towns membership dues increase			
<b>2</b>	A-960-3120.4000	Police - Equipment	16,651.00	
	A-512-9999.9999	Appropriated Reserves - Fed Forfeit	16,651.00	
	Amend budget for purchase of body cameras with portion to be funded by the Federal Forfeit Acct. (res. 2019-083 & 084)			
<b>3</b>	B-960-1460.4000	Records Mgmt Office - Contractual	366.00	
	A-960-1460.4000	Records Mgmt Office - Contractual		366.00
	To modify the budget for Avante server Maintenance contract budgeted in A 1460			
<b>4</b>	DB-960-5130.1400	Machinery - DB Highway Police Work	180.88	
	DB-960-5130.1000	Machinery - Personal Services		180.88
	To modify the budget for repairs on Police Department vehicles			
	5 Ayes 0 Noes. <b>MOTION CARRIED.</b> Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.			

**Executive Session #2**

C. Swartz made a motion at 8:22 p.m. to enter into an Executive Session of the board pursuant to public officers law, article 7 §105(h) for the proposed acquisition, sale or lease of real property and public officers law, article 7 §105(f) for the purpose of discussing a proposed salary adjustment. Seconded by C. Rex.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

K. Stokem asked why a potential purchase of property would be discussed in executive session. Atty. Langlois stated the board was under negotiations that could be affected by making the purchase public.

C. Bult made a motion to adjourn the Executive Session at 8:50 p.m., seconded by C. Rex.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.



**ADJOURNMENT**

As there was no further business before the Board, C. Kenney made a motion to adjourn the 02/14/19 Town Board meeting at 8:50 p.m., seconded by S. Harris. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk

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