



**Office of the Schodack Town Clerk
265 Schuurman Rd.
Castleton, NY 12033**

**TELEPHONE (518) 477-7590
FAX (518) 477-2439**

**DEBRA L. CURTIS
TOWN CLERK**

**MELISSA HULSOPPLE, DEPUTY
BRIDGET BAPTISTE, DEPUTY**

At the regularly scheduled public meeting of the Town Board of the Town of Schodack, held at the Schodack Town Hall, 265 Schuurman Road, Castleton, New York on Thursday, April 25 2024 at 7:05 p.m., the following resolution was duly adopted:

RESOLUTION NO. 2024-158

**RESOLUTION AND DETERMINATION AUTHORIZING THE ESTABLISHMENT OF
SCHODACK CONSOLIDATED WATER DISTRICT 101, EXTENSION #9, IN THE
TOWN OF SCHODACK, COUNTY OF RENSSELAER, STATE OF NEW YORK,
PURSUANT TO ARTICLE 12A OF THE TOWN LAW OF THE STATE OF NEW
YORK**

WHEREAS, a map, plan and report relating to the establishment of Town of Schodack Water District 101, Extension #9, prepared by Bohler Engineering and Landscape Architecture NY, PLLC, competent engineers, duly licensed by the State of New York, has been filed with the Town Clerk of the Town 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 April 11, 2024 reciting the filing of the map, 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 for public inspection, and all other matters required by law to be stated; and

WHEREAS, the order set April 25, 2024 at 7:05 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton, New York 12033, as the date, time and place of the public hearing 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, the Notice of Public Hearing was published and posted as required by law, and is otherwise sufficient; and

WHEREAS, a public hearing on the establishment of Schodack Consolidated Water District 101, Extension #9 was duly conducted by the Town Board on April 25, 2024 at 7:05

p.m. at the Schodack Town Hall and the matter being duly discussed and all interested persons having been duly heard;

NOW, upon the evidence given at the hearing,

THEREFORE, UPON MOTION of Councilmember Kenney, seconded by Councilmember Haller, it is hereby

RESOLVED AND DETERMINED:

- a) That the notice of hearing was published and posted as required by law, and it is otherwise sufficient;
- b) That all property and property owners within the proposed water district extension are benefited thereby;
- c) That all property and property owners benefited are included within the limits of the proposed water district extension;
- d) That it is in the public interest to establish Town of Schodack Consolidated Water District 101, Extension #9;
- e) The maximum amount proposed to be expended for the construction of Schodack Consolidated Water District 101, Extension #9 is One Hundred and One Thousand Four Hundred Fifty and 00/100 (\$101,450.00) Dollars;
- f) Operation and maintenance expenses for the typical property during the first year of operation shall equal a \$45.00 minimum fee up to 18,000 gallons plus \$3.00 per 1,000 gallons used over 18,000 gallons, billed quarterly with an estimated annual fee of \$240.00 for the first year of operation;
- g) The typical property for the first year of operation shall incur capital charges in the amount of \$787.62 and shall be assigned 3 Equivalent Dwelling Units based upon estimated water use of 250 gallons per day;
- h) Other costs to be paid by the property owner include:
 - (i) Permit: \$50.00;
 - (ii) Inspection: \$25.00;
 - (iii) Administration Fee: \$225.00;
 - (iv) Cost of Water Meter: at property owner expense;
 - (v) Town District Extension Fee: \$1,000.00;
 - (vi) Connection Fee: at property owner expense
- i) The approval of the New York State Comptroller is not required for the creation of Town of Schodack Water District 101, Extension #9; and it is further

RESOLVED AND DETERMINED, that the establishment of Schodack Consolidated Water District 101, Extension #9, as set forth in the map, plan and report, be approved and that the requested improvements be constructed, and the necessary easements be obtained; and it is further

RESOLVED AND DETERMINED, that this resolution shall be subject to a permissive referendum in the manner provided in Article Seven of the Town Law.

The adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

Charles Peter, Supervisor	YES
Michael Kenney	YES
Scott Swartz	YES
Jim Bult	ABS
Sarah Haller	YES

Dated: April 25, 2024

SCHEDULE A
KME PROPERTY DEVELOPMENT, LLC
TOWN OF SCHODACK COUNTY OF RENSSELAER STATE OF NEW YORK
5/15/2023

All that piece or parcel of land situate in the Town of Schodack, County of Rensselaer, State of New York, being more particularly described as follows:

Beginning at a point in the southwesterly boundary line of U.S. Routes 9 & 20 (S.H. No. 536) at its point of intersection with the northerly boundary line of New York State Route 150 (S.H. No.

1422); thence in westerly, southwesterly and southerly directions, the following seven courses and distances along said northerly boundary line of New York State Route 150 (S.H. No. 1422);

1. N 88°07'02" W, 371.66 feet to a point,
2. N 88°00'37" W, 139.41 feet to a point,
3. S 82°36'55" W, 736.00 feet to a point,
4. S 69°03'13" W, 392.00 feet to a point,
5. S 50°52'09" W, 236.34 feet to a point,
6. S 07°46'29" W, 70.10 feet to a point, and
7. S 58°34'25" W, 72.77 feet to a point in the northeasterly boundary line of Lauster Terrace (C.R. 9); thence in northwesterly, northerly northeasterly and easterly directions the following thirteen courses and distances along the last mentioned boundary line;
 1. N 46°45'28" W, 62.80 feet to a point,
 2. N 05°18'11" W, 91.38 feet to a point,
 3. N 34°08'51" E, 41.71 feet to a point,
 4. N 26°27'16" E, 245.33 feet to a point,
5. Along a tangent curve to the right with a radius of 305.65 feet, an arc length of 179.79 feet and a chord of N 43°18'19" E, 177.20 feet to a point,
 6. N 60°09'22" E, 174.54 feet to a point,
 7. N 61°10'13" E, 142.19 feet to a point,
8. Along a tangent curve to the right with a radius of 743.48 feet, an arc length of

79.01 feet and a chord of N 64°12'53.11 E, 78.97 feet to a point,

9. S 88°23'15.11 E, 48.89 feet to a point,
10. N 53°06'42.11 E, 48.47 feet to a point,
11. N 16°33'44.11 W, 2.73 feet to a point,
12. N 73°26'16.11 E, 83.99 feet to a point,
13. N 74°48'22.11 E, 180.25 feet to a point,

14. Along a tangent curve to the right with a radius of 406.90 feet, an arc length of 152.17 feet and a chord of N 85°3'11.11 E, 151.29 feet to a point,

15. S 83°45'59.11 E, 81.78 feet to a point, and

16. Along a tangent curve to the left with a radius of 264.00 feet, an arc length of 146.51 feet and a chord of N 80°20'04.11 E, 144.64 feet to a point in the division between lands on the northeast now or formerly of Darwin Delappa and lands on the southwest of the herein described parcel; thence southeasterly S 27°19'29.11 E along the last mentioned division line 30.00 feet to a point in the division line between lands on the northwest now or formerly of Darwin Delappa and lands on the southeast of the herein described parcel; thence northeasterly N 62°40'31.11 E along the last mentioned division line 94.98 feet to a point in the division between lands on the southwest now or formerly of Darwin Delappa and lands on the northeast of the herein described parcel; thence northwesterly N 27°19'29.11 W along the last mentioned division line 30.00 feet to a point in the southeasterly boundary line of the aforementioned Lauster Terrace (C.R. 9); thence northeasterly N 62°40'31.11 E along the last mentioned boundary line, 7.89 feet to a point; thence continuing along the last mentioned boundary line the following two courses and distances;

1. N 62°40'31.11 E, 68.94 feet to a point, and

2. N 73°26'59.11 E, 148.86 feet to a point in the aforementioned southwesterly boundary line of U.S. Routes 9 & 20 (S.H. No. 536); thence southeasterly the following five courses and distances along the last mentioned boundary line;

1. S 34°54'06.11 E, 149.00 feet to a point,

2. S 34°25'13.11 E, 238.01 feet to a point,

3. N 55°03'06.11 E, 25.84 feet to a point,

4. S 34°33'02.11 E, 160.81 feet to a point, and

5. S 31°54'54.11 W, 54.78 feet to the point of beginning. Containing 634,370 S.F. or 14.563 acres of land, more or less.

All as shown on a map prepared by Creighton Manning Engineering entitled, "Lot Consolidation Map for Lands of KME Property Development, LLC", Town of Schodack, County of Rensselaer, and State of New York, dated May 15, 2023.