

January 3, 2012

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 A WITHDRAWN resolution is so noted and Italicized. A motion that was moved but did not receive a second is considered a failed or lost motion.

2012-01) Authorize the approval of the Official Undertaking as to its form and manner of execution and the sufficiency of the insurance, as surety as prescribed by law.

2012-02) Regular meetings of the Town Board will generally be held at 7 p.m. on the second and fourth Thursdays of each month, at the Schodack Town Hall at 265 Schuurman Road unless otherwise duly noticed, as follows:

January 12	July 12
January 26	
February 9	August 9
February 23	August 23
March 8	September 13
March 22	September 27
April 12	October 11
April 26	October 25
May 10	November 8
May 24	
June 14	December 13
June 28	December -27 (7 p.m.) for year-end close of business

2012-03) Full-time employees (non-union) shall be given the following holidays for the year 2012:

<u>Date</u>	<u>Holiday</u>
January 16	Martin Luther King, Jr. Day
February 20	President' Day
May 28	Memorial Day
July 4	Independence Day
September 3	Labor Day
October 8	Columbus Day
November 12	Veteran' Day Observance
November 22	Thanksgiving Day
November 23	Day after Thanksgiving
December 24	Christmas Eve
December 25	Christmas Observance

2012-04) Designate Transfer Station holidays for year 2012 as follows:

<u>Date</u>	<u>Holiday</u>
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February 21	President' Day Observance*
May 29	Memorial Day Observance*
July 4	Independence Day Observance*
September 4	Labor Day Observance*
October 9	Columbus Day Observance*
November 6	Election Day
November 22	Thanksgiving Day
November 23	Day after Thanksgiving
December 25	Christmas Observance

*Transfer Station is closed on Mondays, therefore, pursuant to the Collective Bargaining Agreement, Monday holidays will be observed on Tuesday.

2012-05) As the post of Deputy Supervisor was created by the Town Board during 2002, pursuant to §42 of the Town Law, Supervisor Dowds hereby appoints Frank Curtis, Councilman, as Deputy Supervisor.

2012-06) Designate the following banks as depositories for all Town funds for the calendar year 2012: Key Bank, N.A., MBIA, First Niagara, Pioneer and HSBC.

2012-07) Supervisor Dowds, being the Chief Fiscal Officer or the officer having custody of monies of the said Town of Schodack, has the authority to temporarily deposit or invest monies of the said Town of Schodack, not required for immediate expenditures, except proceeds of loans and monies the investment of which otherwise is provided by law, in special time deposit accounts or certificates of deposit issued by a bank or trust company located and authorized to do business in this State; provided, however, that such time deposit accounts or certificates of deposit be secured by a pledge of obligations of the State of New York or obligation of any municipal corporation, school district or district of the State of New York as authorized pursuant to the provisions of Section II of the General Municipal Law of the State of New York. Investment may also be made in obligations of the State of New York subject to conditions set forth in Section II of the General Municipal Law.

2012-08) Adopt the following annual salaries for the calendar year 2012:

Town Board Members	\$	10,000.00	
Town Justices	\$	28,326.28	
Court Officer	\$	19.83	/hour
Secretary to the Town Justice	\$	20.15	/hour
Secretary to the Town Justice	\$	13.94	/hour
Supervisor	\$	58,366.80	
Secretary to the Supervisor	\$	38,644.03	
Comptroller	\$	75,685.75	¹
Assistant Comptroller	\$	29.05	/hour

Staff Accountant	\$	49,898.25	
Payroll/Personnel Clerk	\$	29,131.20	
Receiver of Taxes	\$	33,619.20	
Deputy Tax Receiver	\$	15.41	/hour
Senior Tax Clerk	\$	12.37	/hour
Tax Clerk	\$	11.85	/hour
Budget Officer	\$	6,916.34	
Assessor	\$	51,000.00	
Assistant to the Assessor	\$	32,698.86	
Data Collector	\$	12.64	
Board of Assessment Review (BAR)- Chair	\$	550.80	²
BAR Members	\$	459.00	²
BAR- Secretary	\$	253.37	²
Town Clerk	\$	53,961.15	
Deputy Town Clerk	\$	42,637.26	
Deputy Town Clerk	\$	32,698.86	
Records Coordinator	\$	23.43	/hour
Buildings/Janitorial	\$	18.17	/hour
Police Chief	\$	74,421.00	
Police Officers (part-time)	\$	18.43	/hour
Dog Control Officer	\$	13,514.34	
Highway Superintendent	\$	60,033.58	
Secretary to Highway Superintendent	\$	16.58	/hour
Secretary to Park	\$	16.58	/hour
Park Attendants	\$	12.50	/hour
Director of Youth and Recreation	\$	10,194.49	
Historian	\$	2,106.30	
Director of Transfer Station Operations	\$	48,586.49	
Park Manager	\$	17.85	/hour
Building Inspector	\$	52,357.56	
Secretary to Building Department	\$	35,145.72	
Registrars of Vital Statistics	\$	1,193.22	
Director of Planning and Zoning	\$	47,175.00	³
Secretary to Director of Planning/Zoning	\$	28,745.73	
Secretary to Director of Planning/Zoning	\$	15.79	/ ⁴ hour
Zoning Board Attorney	\$	13,164.81	
Zoning Board Chairperson	\$	1,575.90	⁵
Zoning Board Members	\$	1,050.60	⁶
Planning Board Attorney	\$	19,747.22	
Planning Board Chairperson	\$	4,202.40	⁷
Planning Board Members	\$	2,626.50	⁸
Pee Wee Wrestling Instructors	\$	500.00	
Summer Grounds	\$	13.02	/hour

Transfer Station Attendants	\$	13.02 /hour
Wingmen	\$	12.41 /hour

Estimated allocation: Comptroller - \$73,685.75; Capital Project Fiscal Analyst - \$2,000.00

1. Board of Assessment Review – Chairperson- \$91.80/meeting; Members-\$76.50/meeting; Secretary- \$42.23/meeting. Six meetings scheduled, not to exceed annual amount stated above without further Town Board approval.
2. Director of Planning - \$28,305.00; Director of Zoning - \$18,870.00
3. Secretary to Director of Planning/Zoning – Hourly rate paid for attendance at planning/zoning meetings only.
4. Zoning Board Chairperson - \$131.33/meeting. Twelve meetings scheduled, not to exceed annual amount stated above without further Town Board approval.
5. Zoning Board members - \$87.55/meeting. Twelve meetings scheduled, not to exceed annual amount stated above without further Town Board approval.
6. Planning Board Chairperson - \$191.02/meeting. Twenty-two meetings scheduled, not to exceed annual amount stated above without further Town Board approval.
7. Planning Board Members - \$119.39/meeting. Twenty-two meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

2012-09) Pursuant to the Article III, Section 29 (15) of the Town Law, Supervisor Dowds hereby appoints Dawne M. Kelly, as Confidential Secretary to the Supervisor, at the annual salary set forth in resolution 2012-08.

2012-010) Pursuant to the Arts and Cultural Affairs Law, Supervisor Dowds hereby appoints Diane Hutchinson, Town Historian at the annual salary set forth in resolution 2012-08.

2012-011) Appoint David L. Gruenberg as Attorney to the Town, pursuant to retainer agreement dated January 28, 2010, remuneration as set forth in Year 2012 adopted budget (\$24,000.00).

2012-012) Pursuant to Town Law § 150(2), appoint Dennis Dowds as Police Commissioner without additional compensation. Term to expire on December 31, 2013.

2012-013) Appoint Walter Wheeler as Web-master, remuneration as set forth in Year 2012 adopted budget (\$4,130.00) and further authorize Supervisor Dowds to execute a independent contractor agreement with Walter Wheeler as Web-master, subject to approval by Attorney to the Town as to form.

2012-014) Appoint Kathleen A. Blake as Payroll/Personnel Clerk at an annual salary as set forth in resolution 2012-08.

2012-015) Appoint Melissa A. Knights, Secretary to Director Planning/Zoning, at annual salary as set forth in resolution 2012-08.

2012-016) Appoint Jennifer L. Mulligan, CPA, as Comptroller at annual salary as set forth in resolution 2012-08.

2012-017) **WITHDRAWN:** “Appoint Cherie Gitto as Staff Accountant at annual salary as set forth in resolution 2012-08.”

2012-018) Appoint Laura Palmer as Assistant Comptroller on a part-time basis at the hourly rate set forth in resolution 2012-08.

Amended 2/23/12 –resolution 2012-093

- 2012-019)** Pursuant to Article III, §30 of the Town Law, the Receiver of Taxes hereby appoints Nancy Lawlor as Deputy Receiver at the hourly rate set forth in resolution 2012-08.
- 2012-020)** Appoint Sandra Schell (\$12.37), Elizabeth Swahlan (\$11.85) Kelly Krebs (\$11.85) and Michael Lubbers (\$11.85) as part-time Tax Clerks at an hourly rate as set forth in resolution 2012-08.
- 2012-021)** Appoint Kathleen VanOrt as Secretary to Justice Court on a full-time basis at the hourly rate as set forth in resolution 2012-08.
- 2012-022)** Appoint William Dikant part-time Justice Court Officer for the calendar year 2012 at hourly rate set forth in resolution 2012-08.
- 2012-023)** Appoint Sheila Golden as Director of Youth and Recreation for the calendar year 2012 at salary set forth in resolution 2012-08.
- 2012-024)** Appoint Gene Paul Martel as the Dog Control Officer for the calendar year 2012 pursuant to the Year 2012 adopted budget.
- 2012-025)** Appoint Stuart McKnight to the position of Park Manager at the hourly rate set forth in resolution 2012-08.
- 2012-026)** Appoint Roland D. Ferris as Data Collector on a part-time basis as deemed appropriate by the Assessor at an hourly rate as set forth in resolution 2012-08.
- 2012-027)** Appoint Nicole A. Thomas as part-time janitorial staff at an hourly rate as set forth in resolution 2012-08.
- 2012-028)** Appoint Stuart McKnight, Josh Walters, Jason Lorenzo, Thomas M. D. Jones, Alan Roehr Jr., Peter Zownir and Clark Roehr as part-time police officer at an hourly rate as set forth in resolution 2012-08.
- 2012-029)** **WITHDRAWN:** *“Appoint Frank Ball, Michael DeJulio, James Harrington, Thomas Prevost and Albert Saville as part-time Transfer Station Attendants for the calendar year 2012 pursuant to Resolution No. 2012-08, such individuals will be called in, as needed, after the call-out roster, pursuant to Article IV of the collective bargaining agreement between the Town of Schodack and CSEA, Inc., Local 1000 AFSCME, AFL-CIO (Town of Schodack Unit), is exhausted. “*
- 2012-030)** Pursuant to Article 3 Section 30 of the Town Law, the Town Clerk hereby appoints Lois Ciccolella Deputy Town Clerk at the annual salary set forth in the Year 2012, 2013, 2014 and Year 2015, respective adopted budgets. Term to run concurrent with the term of Town Clerk and expires on December 31, 2015.

- 2012-031)** Pursuant to Article 3 Section 30 of the Town Law, the Town Clerk hereby appoints Karen A. Vecchione Deputy Town Clerk at the annual salary set forth in the Year 2012, 2013, 2014 and Year 2015, respective adopted budgets. Term to run concurrent with the term of Town Clerk and expires on December 31, 2015.
- 2012-032)** Appoint Donna Conlin as Registrar of Vital Statistics, Karen A. Vecchione as Deputy Registrar of Vital Statistics and Lois Ciccolella as Sub-Registrar of Vital Statistics pursuant to Section 4122 of the Public Health Law at salary set forth in the Year 2012 budget. Terms to run concurrent with the term of Town Clerk and expires on December 31, 2015.
- 2012-033)** Appoint Karen A. Vecchione ADA Coordinator for the calendar year 2012 at no additional compensation.
- 2012-034)** Pursuant to Schodack Town Law Section 60.5 the Records Advisory Board shall consist of five members, being the Town Supervisor, the Town Historian, the Town Attorney, the Town Clerk and the Records Coordinator. Karen A. Vecchione is hereby appointed Records Coordinator at an hourly rate as set forth in the Year 2012 adopted budgets.
- 2012-035)** Appoint Kathleen A. Blake Affirmative Action Coordinator for the calendar year 2012 at no additional compensation.
- 2012-036)** Appoint Kenneth Holmes as Superintendent of Highways. Term to run concurrent with the term of Supervisor and expires on December 31, 2013. At the Salary for the year 2012 as set forth in the Year 2012 adopted budget.
- 2012-037)** Appoint David Calarco as Chairman of the Zoning Board of Appeals for the calendar year 2012.
- 2012-038)** Appoint Robert W. Linville, Esq., as Attorney for the Planning Board and Zoning Board of Appeals at salary as set forth in resolution 2012-08.
- 2012-039)** Appoint James Church as a member of the Planning Board. Term to expire on December 31, 2018.
- 2012-040)** Appoint Louis Spada as a member of the Zoning Board of Appeals. Term to expire December 31, 2016.
- 2012-041)** Appoint Philip Danaher, Esq., to act as Deputy Attorney to the Town (at no compensation) and to act as the Town/Traffic Prosecutor for Vehicle and Traffic matters at Schodack Justice Court, pursuant to retainer agreement dated January 29, 2010, remuneration as set forth in Year 2012 adopted budget (\$11,400).
- 2012-042)** Appoint Bryan Goldberger, Esq. of Goldberger & Kremer as Labor Counsel at an hourly rate of \$195.00. This authorization shall not exceed the 2012

Rescinded 2/9/12 – resolution 2012-088

budgeted allotment [~~without further action of the Town Board~~] for an amount not to exceed \$15,000.00

- 2012-043)** Appoint Tabner, Ryan and Keniry, LLP as Special District Counsel based on per hour fee schedule dated July 30, 2010, Partners \$225.00, Associates \$175.00 and Paralegals \$100.00 This authorization shall not exceed the 2012 allotment [~~without further action of the Town Board~~] for an amount not to exceed \$25,000.00.
- 2012-044)** Pursuant to Chapter 32 Section 1 of the Code of the Town of Schodack, appoint Peter D. Schweigert; Allison Signor; Gary Ziegler, Code Enforcement Officer; Jeffrey Arno, Police Officer; Detective James Morgan; Steven Kelly, and Matthew Carner to the Town of Schodack Fire Investigation Unit for the calendar year 2012.
- 2012-045)** Appoint members to the Public Safety Advisory Committee as follows: Chief Bernhard Peter, Dennis Dowds and Kenneth Holmes to two-year terms to expire on December 31, 2013.
- 2012-046)** Appoint the following as Fire Marshals for 2012: Dawne M. Kelly - Town Hall; Stuart McKnight - Police Station; and Harry Duncan - Highway Garage.
- 2012-047)** Establish the mileage rate of 55.5 cents per mile pursuant to I.R.S. rate for the calendar year 2012.
- 2012-048)** Designate **The Record** as official Town newspaper for the calendar year 2012.
- 2012-049)** Authorize Supervisor Dowds to execute New York State Office of Children and Family services, Individual Program Application, Agency Summary for Youth and Recreation for the Period of January 1 through December 31, 2012.
- 2012-050)** Approve contracts and authorize Supervisor Dowds to execute and administer contracts with Castleton Volunteer Ambulance Service, Inc., and Nassau Ambulance for provision of emergency medical services for 2012 as set forth in the Year 2012 adopted budget.
- 2012-051)** Authorize Supervisor Dowds to execute and administer contracts with Village of Castleton-on-Hudson, Castleton Fire Company, the Board of Commissioners of Nassau Fire District Number One, and the Board of Commissioners of the East Schodack Fire District for provision of fire and emergency services in each of the respective fire protection districts.
- 2012-052)** Approve contracts and authorize Supervisor Dowds to execute contracts with the Castleton Public Library (\$95,000.00), East Greenbush Community Library (\$220,511.00), and Nassau Free Library (\$25,000.00) as set forth in the Year 2012 adopted budget.

2012-053) Authorize Supervisor Dowds to execute and administer a contract with the Peter J. Andrews VFW Post No. 7337 for the establishment, maintenance and operation of programs devoted, in whole or in part, to the welfare of veterans for an amount not to exceed \$4,500.00 Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance. (As budgeted)

2012-054) Authorize Supervisor Dowds to execute contracts with the Edward C. Swartz Southern Tier Senior Center (\$4,000.00) and Castleton Senior Citizens (\$4,000.00) for the establishment, maintenance and operation of programs devoted, in whole or in part, to the welfare of the aged. The terms and conditions of said contracts are subject to the approval by Attorney to the Town. (As budgeted)

2012-055) Authorize Supervisor Dowds to execute agreement on behalf of the Town of Schodack with the Rensselaer County STOP DWI program for the calendar year 2012.

2012-056) Town officials and/or personnel authorized by resolution of the Town Board to attend the Annual Meeting of the Association of Towns of New York State shall be reimbursed for expenses under Section 77-b of the General Municipal Law up to an amount of \$1,000.00. Such amount will reimburse all lodging, transportation, meals, and registration expenses. Those so authorized may obtain an advance of expenses as provided in subsection 6 of Section 77-b. Receipts must be obtained for all applicable expenses.

2012-057) Authorize Supervisor Dowds to execute and administer contract for professional services from the Laberge Group to assist the Town Board for 2012. Hourly rates for 2012 are as follows: Principal/project manager \$157.00, Project Engineer \$108.00, Assistant Engineer \$81.00 and Administrative Assistant \$57.00.

1-12-12 Resolutions

2012-058) Amend resolution 2011-289 as adopted on October 27, 2011 to increase authorization from \$20,000.00 to \$28,000.00 with Tabner, Ryan and Keniry, LLP relative to Water and Sewer issues.

2012-059) Authorize Supervisor Dowds to execute lease agreement with Pitney Bowes for a new mail system Connect+ 1000 with 5-pound scale and 100-departmental accounting for a period of 51-months and at the monthly rate of \$325.00.

2012-060) AMENDED: Authorize Supervisor Dennis Dowds, Acting Assessor Peter Gould, [~~Assistant to the Assessor Karen Justus, Town Councilman James Butt,~~] Planning Board Chairman Denise Mayrer and Director of Planning and Zoning Nadine Fuda to attend seminars for the Annual Meeting of the Associations of Towns February 20-23, 2012 with appropriate expenses to be borne by the Town.

2012-061) Authorize Donna Conlin as the voting delegate for the Town of Schodack at the Annual Meeting of the Association of Towns.

2012-062) WITHDRAWN: *“WHEREAS, in connection with the Lucey Bank Project, R. J. Valente Gravel filed a certain irrevocable line of credit #S313625 with the Town Clerk on April 16, 2008, in the sum of \$48,000; and*

WHEREAS, said letter of credit has been extended annually, and is now scheduled to expire on April 9, 2012; and

WHEREAS, the Town Clerk has now received notification from the New York State Department of Environmental Conservation that all work required at the site has been completed, to the satisfaction of that Department, and that therefore the letter of credit may be cancelled and released;

NOW, THEREFORE, be it resolved that the Town Clerk is authorized to execute a release of said letter of credit, and to execute any documents required for that purpose, after the Schodack Planning Board has approved the close-out of the project.”

2012-063) WITHDRAWN: *“Authorize Supervisor Dowds to execute and administer the Authorization to Proceed for services as set forth in said proposal dated December 22, 2011 with Laberge Group, relative to the grant application entitled “Local Government Efficiency Grant Dissolution Study, Implementation Plan and Alternatives” in an amount not to exceed \$4,500.00”.*

2012-064) WITHDRAWN: *“Appoint Frank Ball, Michael DeJulio, James Harrington, Thomas Prevost, Clyde Knot and Albert Saville as part-time Transfer Station Attendants for the calendar year 2012 pursuant to Resolution No. 2012-08, such individuals will be called in, as needed, after the call-out roster, pursuant to Article IV of the collective bargaining agreement between the Town of Schodack and CSEA, Inc., Local 1000 AFSCME, AFL-CIO (Town of Schodack Unit), is exhausted.”*

2012-065) 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 600 copier on the third floor at the Town Hall, ID # 285CH, for the period February 2, 2012 to February 1, 2013 for \$1,205.00 annually. Contract includes 168,000 copies annually with an overage charge of \$0.00714 per copy.

2012-066) Authorize Supervisor Dowds to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Muratec 2030D copier in the Court/Meeting room, ID#144CH, for the period February 2, 2012 to February 1, 2013 for \$504.00 annually. Contract includes 24,000 copies annually with an overage charge of \$0.01998 per copy.

- 2012-067)** Authorize Supervisor Dowds to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox Work Centre M20 copier in the Justice Ct., ID#938CH, for the period February 2, 2012 to February 1, 2013 for \$508.00 annually. Contract includes 24,000 copies annually with an overage charge of \$0.02108 per copy.
- 2012-068)** Authorize Supervisor Dowds to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox Work Centre 4150x copier in the Police Dept., ID#812CH, for the period February 2, 2012 to February 1, 2013 for \$592.00 annually. Contract includes 42,000 copies annually with an overage charge of \$0.01404 per copy.
- 2012-069)** Authorize Supervisor Dowds to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox Work Centre 5225p copier on the second floor (Assessor & Receiver of Tax offices) at the Town Hall, ID # 973CH, for the period February 2, 2012 to February 1, 2013 for \$511.00 annually. Contract includes 30,000 copies annually with an overage charge of \$0.01686 per copy.
- 2012-070)** Authorize Supervisor Dowds to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox Savin 8025 copier on the first floor (Town Clerk's office) at the Town Hall, ID # 655BA, for the period February 2, 2012 to February 1, 2013 for \$294.00 annually. Contract includes 30,000 copies annually with an overage charge of \$0.00932 per copy.
- 2012-071)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-0001 to 12-0125 on Abstract No. 2012-01, in the amount of \$309,203.03, including the claims paid (\$25,608.51) since the previous town board meeting.
- 2012-072)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

January 26, 2012

- 2012-073)** **WITHDRAWN:** *"Appoint Clyde Knott as a part-time Park Attendant, under the direction of Stuart McKnight, at the hourly rate set forth in resolution 2011-08, effective April 1 through October 31, 2012, as needed."*
- 2012-074)** **WITHDRAWN:** *"Appoint Thomas Prevost as a part-time Park Attendant, under the direction of Stuart McKnight, at the hourly rate set forth in resolution 2011-08, effective April 1 through October 31, 2012, as needed."*

2012-075) Authorize the following individuals for appointment to the Winter Youth Recreation Program, as recommended by the Director of Youth and Recreation for Pee Wee Wrestling - Thomas Gibbons and Geoff Scheilding at salary as set forth in the Year 2012 adopted budget.

2012-076) Authorize Supervisor Dowds to execute ASCAP License Agreement, subject to review and approval as to form by Attorney to the Town, and authorize payment of \$320.00 licensing fee to ASCAP.

2012-077) WHEREAS, the Town Board delegated its annual auditing responsibilities of all Town Departments which received or disbursed money in the previous fiscal year 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 2011.

2012-078) **MOTION FAILED:** "WHEREAS, in connection with the Lucey Bank Project, R. J. Valente Gravel filed a certain irrevocable line of credit #S313625 with the Town Clerk on April 16, 2008, in the sum of \$48,000; and

WHEREAS, said letter of credit has been extended annually, and is now scheduled to expire on April 9, 2012; and

WHEREAS, the Town Clerk has now received notification from the New York State Department of Environmental Conservation that all work required at the site has been completed, to the satisfaction of that Department, and that therefore the letter of credit may be cancelled and released;

NOW, THEREFORE, be it resolved that the Town Clerk is authorized to execute a release of said letter of credit, and to execute any documents required for that purpose, after the Schodack Planning Board has approved the close-out of the project."

2012-079) Authorize Supervisor Dowds to contract with musicians to perform at the 2012 Music in the Park as follows:

Triskele	June 5 th	\$400.00
Fast Company	June 12 th	\$400.00
Sally Mac Band	June 19 th	\$600.00
Winchester & Young	June 26 th	\$250.00

Tri-County Banjo Band July 3rd \$400.00

2012-080) WHEREAS, it is the tradition of the Schodack Town Board to recognize the achievements of those who have given so generously to their community, exemplifying the ideals and values cherished by the Town of Schodack, and

WHEREAS, Lawrence Cooper has distinguished himself as a person of outstanding ability and integrity, recognized for his selfless dedication and service to his community through his various roles as a member of Nassau Hose Company Number One over the past 50 years, and

WHEREAS, Larry grew up on Elm Street in the Village of Nassau and, deciding to follow in his family's tradition, joined Nassau Hose Company Number One in March of 1962 at the age of 16, and

WHEREAS, in the years that followed, Larry met and married Pat, purchased a home on Chatham Street "a stone's throw away from the firehouse" and, subsequently, raised their children, and

WHEREAS, Larry, taking on more responsibility, served in various positions with Nassau Hose Company Number One, serving as Lieutenant and Captain from 1965 to 1970, Assistant and Deputy Chief from 1970 to 1974, rising to the rank of Chief, serving in that position from 1974 until 1976, and

WHEREAS, Larry has shared his high energy and colorful style throughout his career in the fire service, and further demonstrated a strong commitment to the community by serving on the Nassau Ambulance in the "old days of load and go" responses, and

WHEREAS, Larry has mentored many members of the department over the years including his son Matthew, recapping stories and experiences from traffic accidents,

water emergencies, drills, parades and firematic competitions to memorable structure fires such as Delson's Department Store and Millbrook Kitchen fires, and

WHEREAS, in the winter of 2000, Larry and Pat relocated to their country home on Lape Road in the Town of Schodack where Larry enjoyed a brief "retirement" from leadership responsibilities, while their son Matthew was becoming a full fledged member in his own right, following in father's footsteps with Nassau Hose Company Number One and rising through the ranks to Chief, Larry once again assumed the role as Assistant and Deputy Chief from 2002 through 2007, and

WHEREAS, in 2010 Larry switched hats to take on an administrative role, thereby, following in his father's footsteps became the second generation of Coopers to serve as President of Nassau Hose Company Number One, the office in which he continues to serve

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Lawrence Cooper, who has given himself to this community in so many ways and distinguishing himself throughout his career, bringing great pride to his family, his peers, his associates and his community by being a person of commitment, integrity, honor, and an impressive role model for all, and

BE IT FURTHER RESOLVED, that the Legislative Body of the Town of Schodack did pause in its deliberations of the 26th of January, 2012, to acknowledge and honor Lawrence Cooper in recognition of his fifty years of active service in Nassau Hose Company Number One also serving Nassau Lake West Protective District in the Town of Schodack. A copy of this resolution, suitably engrossed, will be transmitted to him by the Supervisor.

2012-081) Approve fees for Winter Recreation program: Pee Wee Wrestling \$25 per child with maximum of \$50 per family.

February 9, 2012

- 2012-082)** Amend Resolution 2012-057 as adopted January 3, 2012 Supervisor Dowds to execute and administer contract for professional services from the Laberge Group to assist the Town Board for 2012. Hourly rates for 2012 are as follows: Principal/project manager \$162.00, Project Engineer \$111.00, Assistant Engineer \$83.00 and Administrative Assistant \$59.00.
- 2012-083)** Amend resolution 2011-284 adopted October 13, 2011, Resolution 2010-224 adopted June 1, 2010, resolution 2009-135 adopted February 26, 2009, resolution 2009-165 adopted March 26, 2009 and resolution 2009-415 adopted September 24, 2009 to increase authorized amount for Barton and Loguidice, P.C. for remediation work at Town Landfill from \$45,520.00 to \$50,447.00 pursuant to correspondence dated January 23, 2012 to provide supplemental engineering service and inspection services for an increased amount of \$4,927.00.
- 2012-084)** Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2011 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.
- 2012-085)** Whereas, the Town Board adopted Resolution 2010-077 authorizing Supervisor Dowds to execute Change Order No. 1 dated January 11, 2010 for Contract No. 8G – General Construction Water System Improvements to Water District Nos. 1 and 3 (Jersen Construction Group, LLC, Contactor) decreasing said contract by \$3,240 and;
- Whereas, part of Item No. 5 in Change Order No. 1 was not completed in the amount of \$17,160 related to closing the Water District No. 3 loop and;
- Whereas, Change Order No. 1 should be revised to reflect the work not completed and;
- Now therefore it be resolved that the Town Board authorizes Supervisor Dowds to execute Change Order No. 1 – Revised dated January 30, 2012 for Contract No. 8G – General Construction Water System Improvements to Water District Nos. 1 and 3 (Jersen Construction Group, LLC, Contractor) to increase said contract by a revised estimated \$27,300 and decrease said contract by an estimated total amount of \$47,700 thereby, resulting in a net decrease in the amount of \$20,400.
- 2012-086)** Whereas, the Town Board adopted Resolution 2010-337 authorizing Supervisor Dowds to execute Change Order No. 3 dated October 29, 2010 for Contract No. 8G – General Construction Water System Improvements to Water District Nos. 1 and 3 (Jersen Construction Group, LLC, Contactor)decreasing said contract by \$21,500 and;
- Whereas, as a result of the adoption of Resolution 2012-084 related to revising Change Order No. 1, which decreased the contract by \$17,160, the unit price under-run contained in Change Order No. 3 should be revised and;
- Now therefore it be resolved that the Town Board authorizes Supervisor Dowds to execute Change Order No. 3 – Revised dated January 30, 2012 for Contract No. 8G – General Construction Water System Improvements to

Water District Nos. 1 and 3 (Jersen Construction Group, LLC, Contractor) to increase said contract by an estimated total amount of \$80,500 for additional scope, decrease said contract by an estimated total amount of \$63,840 for excess funds available in the contract and decrease said contract by \$21,000 for a contracted negotiated deduction thereby, resulting in a net decrease in the amount of \$4,340.

- 2012-087)** Authorize Supervisor to execute and administer agreement with Upstate Appraisal Services for professional services for 2012 relative to commercial assessment for Tax Map Parcel Numbers 211.-3-8.122- Rensselaer County Commission on Economic Opportunity- new daycare facility at 24 New Rd, Nassau, N.Y, 198.11-1-2.2, 2.1 & 2.35 Sisters of the Resurrection Nursing Home, N. Main St, Castleton, N.Y. 12033, 178.-4-2.1- Spinney at Pond View Apts., 2501 Pond View Rd, E. Greenbush, N.Y, and 189.-7-12.243 Brooke Pointe Senior Housing, 2055 E. Schodack Rd, E. Schodack, N.Y. 12063, in an amount not to exceed \$1,600.00, based on 16 billable hours maximum.
- 2012-088)** Amend Resolution 2012-060 as adopted on January 12, 2012 to additionally authorize Town Councilman Michael Kenney, to attend seminars for the Annual Meeting of the Associations of Towns February 20-23, 2012 with appropriate expenses to be borne by the Town.
- 2012-089)** Rescind [~~that portion of~~] Resolution 2012-042. [~~as adopted on January 3, 2012 which authorized expenditure of funds up to the 2012 budgeted allotment of \$15,000 without Board approval.~~]
- 2012-090)** **WITHDRAWN:** *"Rescind that portion of Resolution 2012-043 as adopted on January 3, 2012 which authorized expenditure of funds up to the 2012 budgeted allotment of \$25,000 without Board approval."*
- 2012-091)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-0126 to 12-0276 on Abstract No. 2012-02, in the amount of \$1,379,406.36, including the claims paid (\$132,207.04) since the previous town board meeting.
- 2012-092)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

February 23, 2012

- 2012-093)** Amend resolution 2012-013 as adopted on January 3, 2012 Appoint Walter Wheeler as Web-master, remuneration as set forth in Year 2012 adopted budget (\$4,130.00) to (\$6,000.00) and further authorize Supervisor Dowds to execute a independent contractor agreement with Walter Wheeler as Web-master, subject to approval by Attorney to the Town as to form.
- 2012-094)** Authorize Peter Goold, Acting Assessor to retain Sharon Martin, former Sole Assessor on a consulting basis at an hourly rate of \$28.25 not to exceed seventy (70) hours for 2012.

Amended 4/12/2012 – resolution 2012-099

2012-095) Authorize Sergeant Jon Reickert (member) and Officer Steven Roy (non-member) to attend the New York Tactical Association Conference and Expo in Verona, New York on May 1st through May 3rd, 2012 at an estimated cost of \$676.99 and \$726.99 respectively. (This is a 2012 budgeted item)

2012-096) **WITHDRAWN:** *“Authorize Supervisor Dowds to execute and administer proposal dated February 17, 2012 with Goldberger and Kremer for Labor matters, for the year 2012 at a retainer fee of \$15,000.00 plus disbursements and additional services at an hourly rate of \$215.00 per hours for services listed in said proposal.”*

2012-097) **WITHDRAWN:** *“Pursuant to Local Law No. 7 of 2006, the Town Board of the Town of Schodack hereby establishes a singular issue Committee. Said Committee is to be known as the Zoning Update Committee. The purpose of the Committee is to identify, review, and recommend options relating to zoning in the Town of Schodack. Said recommendations are to include the manner in which to achieve or enact said goals and objectives. The committee’s report should be submitted to the Town Board on or before _____.*

The following individuals are hereby appointed as members of the Committee: David Calarco, Lou Spada, David Smith, Anthony Maier and Edward Brewer.”

2012-098) **WITHDRAWN:** *“Authorize Supervisor Dowds to execute a supplemental shelter agreement with Drumm Veterinary Hospital to satisfy the requirements of the New York State Department of Agriculture and Markets. It is the policy of the Town that owners, if located, shall be responsible for charges incurred at Drumm Veterinary Hospital and/or Columbia-Greene Humane Society when pets are claimed, as may be allowed by law.”*

2012-099) Authorize Supervisor Dowds to contract with musicians to perform at the 2012 Music in the Park as follows:

Mixed Company	July 10 th	\$600.00
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2012-100) WHEREAS, pursuant to the franchise agreement between Time Warner Cable (“TWC”) and the Town of Schodack, TWC 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 ~~[2010]~~ 2011 TWC paid the Town of Schodack ~~[\$79,189.30]~~ \$80,387.35 in franchise fees, and

WHEREAS, TWC was levied a total of ~~[\$3,449.12]~~ \$3,432.46 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 Tax Department returned the Town's Special Franchise tax bill, and

WHEREAS, TWC 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 2011 from the franchise fees paid during 2010,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of [~~\$3,449.12~~ \$3,432.46 to Rensselaer County Bureau of Finance based on the 2011 TWC Utility report on said franchise properties assessed within the Town of Schodack.

2012-101) WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, TOWN OF SCHODACK herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for STATE Aid for the Household Hazardous Waste program to be held on September 22;

NOW, THEREFORE, BE IT RESOLVED BY TOWN BOARD

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That Bruce Goodall or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;

3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.
4. That four (4) Certified Copies of this Resolution be prepared and sent to New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

2012-102) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Name</u>	<u>Number of Units</u>
Cedar Acres	
Garden Home Mgmt.	21
Clow, Robert	1
Creekside Park	
DCJ Enterprises, LLC	52
Curtis Trailer Park	
Garden Home Mgmt.	70
Field, George	1
Gaylord, Donald	1
Hanson, Thomas & Debra	6
King, Joseph	1
Leavenworth Trailer Park	
Clemens Buck	16
Rapin, Mary Joy and John	1
Rensselaer Estates	
DCJ Enterprises, LLC	53
Skarzynski, Kim and Jerry	1

2012-103) Authorize Donna L. Conlin, Town Clerk, to attend the annual New York State Town Clerk's Association Conference in Saratoga Springs, New York, April 22 – 25, 2012, with Deputy Town Clerks Karen Vecchione and Lois Ciccolella to attend on alternating days. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town per the 2012 adopted Town Budget, which are estimated to be \$775.00 for the Town Clerk and \$375.00 and \$275.00 for the Deputy Clerks, respectively.

2012-104) Whereas, the Town of Schodack Police Department is a member of the Community Emergency Response Team (CERT) comprised of the Town of East Greenbush, Town of North Greenbush, Town of Schodack, and the City of Rensselaer.

Whereas, the four municipalities share the annual operating cost of the CERT by the Town of East Greenbush billing each municipality as costs are incurred;

Whereas, as a matter of efficiency, the Town of East Greenbush would like to bill each municipality at the beginning of the year for its annual share of CERT anticipated costs. Currently budgeted at \$3,500.00. Any unspent funds will be carried over into the next fiscal year reducing the next year's billing and;

Now therefore be it resolved, that the Town Comptroller is authorized to remit on an annual basis, the amount budgeted for the Town of Schodack's share of CERT anticipated costs to the Town of East Greenbush for the Community Emergency Response Team's operating fund.

2012-105) WITHDRAWN: *"WHEREAS, the Town of Schodack with the assistance from URS, has gathered information and prepared the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan; and*

WHEREAS, the County Multi-Jurisdictional Natural Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Schodack is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Schodack has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by the Town Board that the Town of Schodack adopts the County Multi-Jurisdictional Natural Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan."

March 8, 2012

2012-106) All civil service requirements having been met for the position of Police Sergeant, the Town hereby appoints Stephen Roy to the position of Police Sergeant effective March 9, 2012 [this is a budgeted item]

2012-107) Authorize Town Clerk to publish legal notice of Public Hearing to seek public comment on Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan to be held on Thursday, March 22, 2012 at the Schodack Town Hall at 7:45 p.m.

2012-108) WHEREAS, the Town executed the collective bargaining agreement (CBA), by and between the Town of Schodack and CSEA, Inc., Local 1000 AFSCME, AFL-CIO (Town of Schodack Unit) for the term of January 1, 2009 through December 31, 2012 on September 7, 2011 authorized by Resolution No. 2011-232, and

WHEREAS, the CBA Appendix A outlines the salary schedule in effect during each contract year, and

WHEREAS, the Town paid wages retroactive to January 1, 2009 based on Appendix A on October 7, 2011, and

WHEREAS, the Town began making payments for the increase in longevity, the increase in the health insurance buy-out and withheld additional health insurance contributions with the contract execution date and did not make the payments/contributions retroactive to January 1, 2009, and

WHEREAS, the Unit filed a grievance, dated November 15, 2011 indicating that a retroactive payment to January 1, 2009 was due on the increase in longevity and health insurance buy-out, and

WHEREAS, the Town Board and Unit negotiated the resolution to the grievance, and

NOW THEREFORE IT BE RESOLVED, that the Supervisor is authorized to make a retroactive payment on the increase in longevity and health insurance buy-out to January 1, 2009 through September 7, 2011 to each unit member, as applicable.

2012-109) Appoint Clyde Knott as a part-time Park Attendant, under the direction of Stuart McKnight, at the hourly rate set forth in resolution 2011-08, effective April 1 through December 31, 2012, as needed.

2012-110) Appoint Thomas Prevost as a part-time Park Attendant, under the direction of Stuart McKnight, at the hourly rate set forth in resolution 2011-08, effective April 1 through December 31, 2012, as needed.

2012-111) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Name</u>	<u>Number of Units</u>
Freeman, Donna	1
Johnson, Kenneth	2

2012-112) WHEREAS, Edward Leininger, on the twelfth day of March in the year two thousand twelve, will be recognized for his lifelong achievement and 70 plus years in scouting; and

WHEREAS, Ed began his career in scouting as a Boy Scout in Troop 72 in February 1932 in Glen Rock, New Jersey earning numerous Merit Badges, and

WHEREAS, Ed after becoming a Life Scout on February 4, 1935, served as Assistant Scoutmaster and Scoutmaster to the Council in New Jersey, and attended the very first National Jamboree in the summer of 1937 in Washington D. C., and

WHEREAS, Ed relocated to East Greenbush, New York, in 1945 and joined the ranks of Scouters with Governor Clinton Council area starting first as Assistant Scoutmaster and then as Scoutmaster of Troop 57 in the Fort Orange Council and beginning in 1964, served as Scoutmaster of Troop 522, and

WHEREAS, Ed diligently and conscientiously served the Hudson District as Assistant District Commissioner for Scout Roundtables from 1967 to 1973, and

WHEREAS, throughout Ed's scouting career he has received innumerable awards and badges such as the Training Award, the Scouters Key and Wood Badge, and

WHEREAS, Ed is the recipient of the American Legion Citation of Honor, as well as the holder of two of the most prestigious awards in scouting - the Lutheran Lamb Award and the Silver Beaver – Silver Fawn Award from the Governor Clinton Council, and

WHEREAS, Ed has served his church well and his community in his roles of volunteer firefighter, Fire Policeman, officer and commissioner of the East Greenbush Fire Company,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Schodack commends and congratulates Edward Leininger upon the auspicious occasion of being honored for a lifetime in scouting of 70 plus years; and BE IT FURTHER

RESOLVED, that the Legislative Body of the Town of Schodack did pause in its deliberations on the 8th of March, 2012, to acknowledge and honor Edward Leininger, and a copy of this resolution, suitably engrossed, will be presented to him by Supervisor Dowds.

- 2012-113)** Authorize the purchase of a 2012 Chevrolet 3500 HD, 4WD, Dual Rear Wheeled, Regular Cab, with a new Reading Classic II Service Body on NYSOGS Contract, Group 40570, Award #PC63529 for an amount not to exceed \$35,049.86 for the Water/Sewer Department. [This is a budgeted item]
- 2012-114)** Authorize Supervisor Dowds to execute and administer Professional Services Proposal dated March 1, 2012, with Laberge Group, LLC relative to Proposal Consolidated Water District 101 Extension for proposed services as described in an amount not to exceed \$5,500.00.
- 2012-115)** WHEREAS, the Town of Schodack, is currently a participant of the NYCLASS program; and

WHEREAS, the Town of Schodack, has been notified of an Amendment to the Cooperation Agreement governing NYCLASS which reflects that the Village of Potsdam will become the new Lead Participant and provides for changes to the Investment Advisor from time to time as determined by the Governing Board of NYCLASS; and

WHEREAS, Comptroller Mulligan recommends that the Town Board approve an Amendment to the Cooperative Liquid Assets Securities System Municipal Cooperation Agreement, in which certain terms are modified to reflect the change in the Lead Participant and Investment Advisor for the program.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Schodack does hereby authorize Supervisor Dowds to execute and administer the amendment.

2012-116) Authorize Supervisor Dowds to execute and administer Professional Services Proposal dated February 28, 2012, with Laberge Group, LLC relative to Proposal Sewer District 6 Extension for proposed services as described under Task 1 - Preliminary Engineering Report & Concept Design, Task 2 - SEQRA Requirements and Task 3 - District Formation of proposal in an amount not to exceed \$13,500.00.

2012-117) **WHEREAS**, the Town Building Inspector has reported to the Town Board that a building or structure known as 302 Morey Park Road (Tax Map 202.1-1-36) should be repaired or removed; and

WHEREAS, the Town Board wishes to proceed pursuant to Chapter 99 of the Schodack Code, relating to Unsafe Buildings

NOW, THEREFORE, be it resolved that the Building Inspector shall, pursuant to §99-2(B) forward a notice with the particulars required therein to the owner, directing the owner to commence the securing or removal of the buildings within 30 days and to complete such securing or removal within 60 days; and it is further

RESOLVED, that a copy of this notice shall be filed in the office of the Rensselaer County Clerk, pursuant to the provisions of §99-2(D); and it is further

RESOLVED, that a hearing shall be held before the Town Board in this matter on May 24, 2012 at 7 p.m., to determine whether the owner has complied with such notice, and to take such other and further actions as may be authorized by Chapter 99.

2012-118) Authorize Town Clerk to publish legal notice of Public Hearing to seek public comment on Proposed Local Law 1 of 2012 relating to residency requirements for certain town employees of the Town of Schodack to be held on Thursday, March 22, 2012 at the Schodack Town Hall at 7:30 p.m.

- 2012-119) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-0277 to 12-0408 on Abstract No. 2012-03, in the amount of \$362,266.59, including the claims paid (\$176,219.83) since the previous town board meeting.
- 2012-120) Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

March 22, 2012

- 2012-121) Authorize Supervisor Dowds to execute renewal application with St. Paul Travelers for crime, employee faithful performance and computer fraud bond at the annual cost of \$1,279.00.
- 2012-122) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Name</u>	<u>Number of Units</u>
Ed Miller	3
Sue Miller	2

- 2012-123) Authorize Supervisor Dowds to execute a supplemental shelter agreement with Drumm Veterinary Hospital to satisfy the requirements of the New York State Department of Agriculture and Markets. It is the policy of the Town that owners, if located, shall be responsible for charges incurred at Drumm Veterinary Hospital and/or Columbia-Greene Humane Society when pets are claimed, as may be allowed by law.
- 2012-124) Authorize closure of capital project for Proposed Golf Course Purchase (H021) with an interfund transfer from General Fund (A) of \$3,859.49 and a repayment of interfund loan of \$10,000 to General Fund (A), effective January 31, 2012.
- 2012-125) **WITHDRAWN:** *"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 March 22, 2012 at 7:30 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 1 of 2012 relating to residency requirements for certain Town employees of the Town of Schodack, entitled Schodack Residency Requirement Law of the Town of Schodack, and*

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on March 12, 2012 and advertised in the March 14, 2012 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on March 22nd 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 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 of the Town of Schodack hereby adopts Proposed Local Law Number 1 of 2012 (P1 of 2012) to be known as Local Law 1 of 2012 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."

- 2012-126)** Authorize waiver of 10% penalty in the amount of \$724.00 on the sale of water to the Town of East Greenbush that was billed pursuant to Resolution No. 2011-342.
- 2012-127)** **WITHDRAWN:** "Resolution for the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan as a result of the public hearing. "
- 2012-128)** Authorize Supervisor Dowds to execute a contract for additional services with the Laberge Group for the MS4 Consulting Services for the Town of Schodack for 2012/13 MS4 year (March 10, 2012 – March 9, 2013). Fees for Additional Services per Addendum No. 02 are as follows: Administration \$12,000.00, Field Work \$15,500.00, Coalition Meetings \$4,000.00 and Testing Allowance 2,500.00 for a total amount not to exceed \$34,000.00.
- 2012-129)** Authorize Stuart McKnight to purchase a Kubota RTV500-H utility vehicle with V4311 modular hard cab including V4310 mounting kit and V4308 60" front blade, RTV500 lift kit, V4325 front grille guard, K7311-97312 front winch mount platform, V377 winch, V4314 cab heater, V4367 windshield wiper kit and 9Y121-01400 shop manual from Emerich Sales and Service for a cost of \$13,205.00 for use in the park to maintain trails, remove brush and debris, and enhance park security and to further authorize the appropriation of the Parkland Fund in the amount of \$13,205.00. [this is a budgeted item]

April 12, 2012

- 2012-130)** Ratify and affirm authorizing Supervisor Dowds to execute and administer Byrne Justice Assistance Grant Agreement for \$25,000.00 towards the purchase of a marked patrol vehicle dated February 23, 2012.
- 2012-131)** Authorize the appropriation of the Federal Forfeiture Reserve Fund to fund the remaining balance of a marked patrol vehicle after the Byrne Grant award is applied in an amount not to exceed \$11,000.00
- 2012-132)** Authorize the purchase of a 2012 Chevrolet Silverado, 2500 HD, 4WD, Crew Cab Work Truck on NY SOGS Contract, Group 40450, Award #21910-PF for an amount not to exceed \$24,890.48 for the Highway Superintendent. [This is a budgeted item].
- 2012-133)** Authorize interfund transfer from Highway Equipment Capital Project No. H028 in the amount of \$15,268.08 to the Highway Town Outside Village Fund (DB) and further authorize establishment of a debt reserve fund in the

Highway Town Outside Village Fund (DB) in the amount of \$15,268.08 effective March 1, 2012.

2012-134) Authorize closure of Capital Project No. H033 Police Department Radio Upgrade Project with an interfund transfer of \$13,195.62 to General Town-wide Fund (A) comprised of \$8,208.19 from the Federal Forfeiture Reserve Fund and \$4,987.43 in unrestricted funds effective March 1, 2012.

2012-135) Authorize final payment for the work completed by Jersen Construction Group, LLC Contract No. 8 Water District Nos. 1 & 3 in the total amount of \$8,296.62, which includes retainage. This authorization is contingent upon review and approval of documentation for ARRA compliance, contractor's release of liens and the Town Comptroller.

2012-136) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewal:

<u>Name</u>	<u>Number of Units</u>
Saville, Richard & Rita	1

2012-137) WHEREAS, on February 9, 2012 the Schodack Town Board approved by resolution (2012-084) the Volunteer Ambulance Workers Service Award Program List of all 2011 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Services, Inc., and

WHEREAS, the list was forwarded to authorized representatives of the Castleton Volunteer Ambulance Services, Inc. and was posted for thirty (30) days as required by law, and

WHEREAS, they have certified on April 6, 2012 no changes were made to the listing,

NOW, THEREFORE, BE IT RESOLVED, that the Schodack Town Board authorizes Supervisor Dowds to certify to PENFLEX, Inc., that the listing as submitted and posted should be used to determine the funding, the requirements of the Service Award Programs (SAP), the eligibility of persons to be paid benefits and the amount of benefits to be paid to eligible persons.

2012-138) Authorize Supervisor Dowds to execute and administer Professional Services Proposal dated February 17, 2012, Addendum No. 03 with Laberge Group, LLC relative to Castleton Water Interconnection for continued service in an amount not to exceed \$10,000.00.

2012-139) Authorize Town Clerk to publish legal notice of Public Hearing to seek public comment on Proposed Local Law 1 of 2012 relating to residency requirements for certain town employees of the Town of Schodack as amended to be held on Thursday, April 26, 2012 at the Schodack Town Hall at 7:30 p.m.

- 2012-140)** Amend resolution 2012-099 adopted February 23, 2012 to substitute Bent Rail Band for Mixed Company as the musical performers on July 10th at Music in the Park for a total amount not to exceed \$500.
- 2012-141)** Authorize Town Clerk to publish legal notice of Public Hearing to seek public comment on Proposed Local Law 2 of 2012 relating to installation of wells in the Town of Schodack to be held on Thursday, April 26, 2012 at the Schodack Town Hall at 7:45 p.m.
- 2012-142)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-0409 to 12-0580 on Abstract No. 2012-04, in the amount of \$699,828.11, including the claims paid (\$543,091.23) since the previous town board meeting.
- 2012-143)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.
- 2012-144)** Appoint Colleen Papas as Secretary to Town Building Inspector, at an annual salary of \$27,245.00, effective May 1, 2012. Further, this is a provisional appointment which requires said appointee to take the next civil service exam offered for that title.

April 26, 2012

- 2012-145)** **WITHDRAWN:** *"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 April 26, 2012 at 7:30 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 1 of 2012 relating to residency requirements for certain Town employees of the Town of Schodack, entitled Schodack Residency Requirement Law of the Town of Schodack, and*
- WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on April 13, 2012 and advertised in the April 18, 2012 edition of THE RECORD, official newspaper of the Town, and*
- WHEREAS, said public hearing was held on April 26th 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 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 of the Town of Schodack hereby adopts Proposed Local Law Number 1 of 2012 (P1 of 2012) to be known as Local Law 1 of 2012 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."*

- 2012-146)** 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.

BE IT FURTHER RESOLVED to authorize Sheila Golden, Director of Youth and Recreation to execute contract with Sidney Albert Albany Jewish Community Center (SAAJCC) for use of the swimming pool facility for Summer Recreation Program from July 9 to August 3, 2012 for the Schodack Youth and Recreation Department in an amount not to exceed \$4,800.00. A deposit of \$2,400.00 shall be payable by June 1, 2012 and the remaining \$2,400.00 shall be paid by August 3, 2012.

Amended by [[2012-271] on 10/25/12

2012-147) To approve the 2012 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on Bridle Court, Phillips Road, and Doelner Circle. In addition, crack sealed/surface treatments on Berzin Road, Sagendorf Road, Orchard Road, Northern Boulevard, Loretta Lane, Tina Lane, Funk Road, McKnight Road and Veering Lane.

2012-148) Authorize the Town Clerk to publish legal notice to solicit bids for one (1) Single Axle Dump Truck with sander, plow and wing attachments pursuant to specifications prepared by the Superintendent of Highways.

2012-149) Authorize Town Clerk to publish legal notice of Public Hearing to seek public comment on Proposed Local Law 1 of 2012 relating to residency requirements for certain town employees of the Town of Schodack to be held on Thursday, May 10, 2012 at the Schodack Town Hall at 7:15 p.m.

2012-150) Cancel the public hearing for Proposed Local Law 2 of 2012 relating to the installation of wells in the Town of Schodack which had been scheduled for April 26, 2012 at 7:45 p.m.

2012-151) Authorize Town Clerk to publish legal notice of Public Hearing to seek public comment on Proposed Local Law 2 of 2012 relating to installation of wells in the Town of Schodack to be held on Thursday, May 10, 2012 at the Schodack Town Hall at 7:30 p.m.

May 10, 2012

2012-152) 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 May 10, 2012 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 1 of 2012 relating to residency requirements for certain Town employees of the Town of Schodack, entitled Schodack Residency Requirement Law of the Town of Schodack, and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on April 30, 2012 and advertised in the May 1, 2012 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on May 10th 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 of the Town of Schodack hereby adopts Proposed Local Law Number 1 of 2012 (P1 of 2012) to be known as Local Law 1 of 2012 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.

2012-153) WITHDRAWN: *"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 May 10, 2012 at 7:30 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 2 of 2012 relating to installation of Wells in the Town of Schodack, entitled Installation of Wells Law of the Town of Schodack, and*

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on April 30, 2012 and advertised in the May 1, 2012 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on May 10th 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 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 of the Town of Schodack hereby adopts Proposed Local Law Number 2 of 2012 (P2 of 2012) to be known as Local Law 2 of 2012 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."

2012-154) Appoint Coleen Papas and Melissa A. Knights as part-time Board of Assessment Review Secretaries with compensation of \$40 per meeting per 2012 Adopted Budget.

- 2012-155)** Authorize Kenneth Holmes and George Flanders to attend New York Rural Water Associate's Technical Conference, May 21 - 24, 2012 in Verona at a cost of \$578.50 each, at an estimated total cost of \$1,157, as budgeted.
- 2012-156)** Authorize Katherine E. Lubbers, Receiver of Taxes, to attend the New York State Tax Receiver and Collectors 2012 Annual Training in Albany, New York, June 17 -20, 2012 at an estimated total cost of \$406.00, as budgeted.
- 2012-157)** Authorize Supervisor Dowds to execute consulting contract with Upstate Appraisal Services for professional services for 2012 relative to commercial assessments at an hourly rate of \$100.00 including travel, preparation and analysis, for an expenditure not exceed \$1,200.00 [This is a budgeted item contingent on grievances filed.]
- 2012-158)** Adopt the fee schedule for Spring Clean Up Days (May 17, 18 & 19) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 6.00
Tires, rimless (maximum size 16")	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors	FREE
Propane Tanks	FREE
Furniture	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

*****Please note: all other pricing remains the same*****

- 2012-159)** BE IT RESOLVED, that the Town of Schodack hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and the Local Employees' Retirement System based on the record of activities retro-active from December 2010:

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)
Elected Officials					
Town Justice	Paul Peter	7	1/1/2008 - 12/31/11	N	9.77

- 2012-160)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-0581 to 12-0727 on Abstract No. 2012-05, in the amount of \$1,400,117.11, including the claims paid (\$1,270,614.38) since the previous town board meeting.

2012-161) Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

May 17, 2012

2012-162) Ratify the reappointment of William Kayser as a member of the Board of Assessment Review. Term to expire September 30, 2016.

May 24, 2012

2012-163) Ratify and affirm authorizing four Summer Youth Counselors to attend American Red Cross Lifeguard training, held on Saturdays and Sundays between May 20 and June 23, 2012 in Albany at a cost of \$400.00 each. Total cost of \$1,600, as budgeted.

2012-164) Ratify and affirm proposal dated April 24, 2012 with Empire State Appraisal Consultants, Inc. (ESAC) to prepare a preliminary and trial ready appraisal report relative to Tax Map Parcel No. 189.5-1-.12 in an Article 7 Proceeding entitled Rite Aid Corporation –v- Town of Schodack. In an amount not to exceed \$4,000.00. Further authorize any additional court preparation and testimony to be compensated at \$150 per hour. Including travel, preparation and analysis, for an expenditure not exceed \$2,400.00. [This is a budgeted item contingent on grievances filed.]

2012-165) WHEREAS, the Town Building Inspector reported to the Town Board that a building or structure known as 302 Morey Park Road (Tax Map 202.1-1-36) should be repaired or removed; and

WHEREAS, the Town Board wished to proceed pursuant to Chapter 99 of the Schodack Code, relating to Unsafe Buildings; and

WHEREAS, it was resolved that the Building Inspector shall, pursuant to §99-2(B) forward a notice with the particulars required therein to the owner, directing the owner to commence the securing or removal of the buildings within 30 days and to complete such securing or removal within 60 days; and

WHEREAS, a copy of that notice was filed in the office of the Rensselaer County Clerk, pursuant to the provisions of §99-2(D); and

WHEREAS, resolution 20[47]12-117 adopted on March 8, 2012, scheduled a hearing on this matter on May 24, 2012 at 7 p.m., to determine whether the owner has complied with such notice, and to take such other and further actions as may be authorized by Chapter 99; and

WHEREAS, the hearing was held on May 24, 2012 at the time and place as specified in the notice; and

WHEREAS, proof was submitted of timely service of notice pursuant to Chapter 99; and

Amended by [2013-1311 on 5/9/13

WHEREAS, based on proof submitted at the hearing, the remaining premises located at 302 Morey Park Road are unsafe for human habitation and should be removed;

NOW THEREFORE BE IT RESOLVED that said remaining premises located at 302 Morey Park Road shall be removed by the town,
BE, IT FURTHER RESOLVED that all costs and expenses in said removal shall be assessed on the property at 302 Morey Park (Tax Map 202.1-1-36) and that said charges shall be levied and collected as provided by law.

2012-166) Accept proposal dated May 18, 2012, from Lawlor Construction, LLC. to repair and install additional anchors relative to the suspended ceiling in the vault area at the Town Hall at a cost not to exceed \$649.00.

2012-167) Authorize Supervisor Dowds to execute and administer Escrow Agreement dated May 16, 2012, with Schodack Realty, LLC relative to Proposal Sewer District 6 Extension – Dunkin Donuts for proposed services as described under Exhibit A.

2012-168) Authorize the establishment of Capital Project No. H039 for Water District No. 101 Proposed Extension – Curtis Lumber with a budget as follows:

Appropriations in the amount of \$8,000.00 in account 8340.2 to be funded by the applicant for the preparation of a Map, Plan and Report, by the Town's engineer and estimated legal fees.

June 14, 2012

2012-169) Authorize the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

Site Directors: Tommy Gibbons, David Austin, Rebecca Cioffi and Bryan Lussier

Pool Supervisor - Patrick Austin

Water Safety Instructor (WSI) - Sarah Timmons

Lifeguards: Ricky Crist, Patrick Curtin, Anna Curtin, Norman Bullinger, Ryan Krupa and Max Flatow

Transportation Director - Tracey Roehr

Arts and Crafts Supervisor - Trudy Valli

Assistant Directors: Jessica Decker, Paige Deitz, Kara Taylor and Amanda Richards

Nurses: Debborah Sweet, Laualynn Kulpa (2 weeks) and Heather Brewer (2 weeks)

Bus Aides: Collin Legge, Sierra Legge, Katherine Lindeman, Alyssa O'Connor, Shelby Fierrere and Pam Warnken

Counselors: Chelsea Mannion, Ryan Smith, Paul Ancin, Caitlin Beebe, Nicholas Kern, Erin Duffy, Jessica Haynor, Erin Spillman, Alicia Biernik, Heather Dugan, Chelsea Decker, Meghan Splain, Erin Mosher, Emily Santore, Jordanne Unser, Theresa Fuller, Alysia Brunner, Anna Despart,

Meghan Wood, Alec Hicks, Matt Seeberger, Lauren Olsen, Morgan Cooper, Elaine Herron, AubreyRacz, Allison Fuller, Julie LeBlanc Alysha Tempel, Kelly McInerney, Joseph Wantuch, Abbigael Hicks, Brad Tempel, Emily Fuller, Nick Mannion, Sierra Pizzola, Rachel Larsen Cameron Renslow, Alex Flood, McKenzie Heffernan, Shannon McCormick, Carolyn Morris, Kara Shaw, Jenna Rodriguez, Elizabeth Haran, Sarah Roehr, Sean Smith, Emma Myers, Kellen Nugent, Heather D'Angelo and Abby Hines
 Special Instructors: Mary Holliday – Music; Jacob Parslow – Wrestling; Siobhan Sorenson - Special Crafts; Terry Jackson - Project Adventure and Kandee Goodall - Project Adventure
 Summer Soccer Instructor - Daniel Gillespie
 Summer Basketball Instructor - Mark Bubniak
 Substitutes: Alexandria Hays, Matthew Fuller, Michael Evans, Patrick Warren, Stuart Allen, Madeline Donnelly

2012-170) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Name</u>	<u>Number of Units</u>
Davis III, John H.	1

2012-171) Appoint Nadine Fuda as Temporary Building Inspector as recommended by the Building Inspector on an as needed basis at her current rate of pay until July 12, 2012.

2012-172) Approve the attached list of items (surplus vehicles and equipment) and authorize Kenneth Holmes, Highway Superintendent to post said list of items on www.AuctionsInternational.com at no cost to the Town. (Bidders must be registered to bid. Cost of registration is \$10.00)

2012-173) Ratify and affirm Lawlor Construction, LLC. to replace damaged and/or missing ceiling tiles and installation of additional anchors relative to the suspended ceiling throughout the Town Hall and further authorizing the installation of a security mirror in the Town Clerk’s office at a cost not to exceed \$712.50.

2012-174) Ratify and affirm non-resident registration fees for Summer Day Camp Recreation program: Full day session consisting of four weeks \$200 per child with maximum of \$500 per family. (provided spaces are available once children residing in the Town are accommodated)

2012-175) Authorize Supervisor Dowds to submit a 211 Waiver Application for Police Chief Bernhard Peter to the New York State Civil Service Commission for approval.

2012-176) Authorize Supervisor Dowds to execute and administer Civil Rights Certification relative to submission of the Housing Choice Voucher Annual Plan and the Public Housing Agency (PHA).

2012-177) Authorize Bruce Goodall, Director of the Transfer Station to exercise the option with Care Environmental Corporation to extend the 2010 bid package for the 2012 Household Hazardous Waste Collection to be held September 22, 2012.

2012-178) WHEREAS, state law now requires the separate collection and recycling of certain materials defined as electronic waste or E-waste; and

WHEREAS, the Town wishes to conform to these requirements, and has received a sole offer from WeRecycle! LLC, a firm registered and qualified with the NYS Department of Environmental Conservation to collect and remove such materials from the Town transfer station,

NOW, THEREFORE BE IT RESOLVED, that the Supervisor is authorized to execute and administer a contract with said firm on behalf of the Town, subject to review and approval by the attorney to the Town.

2012-179) WHEREAS, it is the intention of the Schodack Town Board to act in accordance with its longstanding traditions to honor and recognize those memorable milestones cherished by this great Town, and

WHEREAS, parks are a cornerstone of our society, enabling individuals to experience the great outdoors, to relax, hike, fish, hunt and boat, providing unrestricted access to nature for lifelong pleasure, recreation and learning experiences, and

WHEREAS, parks are essential to preserving our natural resources, in a world undergoing constant change, providing enduring connections to the past and future of our communities, nature and civilizations, and

WHEREAS, in the early 1980's the project to establish a state park along the Hudson River south of the Village of Castleton was proposed, and

WHEREAS, in 1985 former Senator Joseph Bruno sponsored a \$50,000 member item to conduct a feasibility study into the 1,052-acre site steeped in rich history, once inhabited by prehistoric Native Americans as well as modern Mohican Indians, whose name means "people of the waters that are never still" and the site where Henry Hudson moored the Half Moon in 1609 to inquire about starting a settlement on what tribal chiefs considered to be sacred ground, and

WHEREAS, construction was slowed over the interim years due to the discovery of historic riverside ice houses and legal proceedings claiming a portion of the site as an ancestral territory containing an Indian burial ground were worked to be resolve, and

WHEREAS, Schodack Island State Park was constructed to provide residents of Schodack and neighboring communities with access to nature and recreation opportunities, to help them live more productive and fulfilling lives, and

WHEREAS, on June 19, 2002 then Governor George Pataki unveiled the new \$7.4 million New York State Park that offered the only east side public boat launch along the Hudson River between Rensselaer and Hudson possessing a riverside promenade, bike trails and seven miles of shoreline with an abundance of native plants, freshwater intertidal mudflats, floodplain forests, tidal marshes and swamps, and

WHEREAS, 864 acres of this park were dedicated to establishment of the Schodack Island Bird Conservation Area, home to bald eagles, cerulean warblers, blue herons, protecting a variety of wading birds as well as other species considered at risk, and

WHEREAS, the Park, available for day use, has expanded its offerings over the years, boasting 4 pavilions, 40 plus picnic tables, a double boat launch, miles of maintained trails that are available for hiking, biking, cross-country skiing and snow shoeing, an outdoor ice skating rink, and events that include a Fall Festival and a Spring 5-K race entitled "Dodge the Deer", and

WHEREAS, staff and the Friends of Schodack Island State Park insure that the cultural artifacts remain undisturbed, restricting users of the Park from sensitive areas, locating a Kiosk in the park to provide information regarding the historical and ancestral significance of those areas, and

WHEREAS, Schodack Island State Park continues to provide residents of Schodack and neighboring communities with access to nature, recreation and educational opportunities, to help them live more productive and fulfilling lives,

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack recognizes Schodack Island State Park upon its 10 years of vital service to our community, and

BE IT FURTHER RESOLVED, that the Town Supervisor present a certified copy of this resolution suitably engrossed commemorating Schodack Island State Park on the occasion of its 10th Anniversary Celebration on June 16, 2012.

2012-180) Authorize reimbursement to Kenneth Holmes, Jan Spring and Shawn Zinzow the cost of tuition and books to attend Grade A/B Water Treatment Plant Operator Course at Hudson Valley Community College, evening division, having successfully completed the course at a cost of \$747.40 each, at a total cost of \$2,242.20.

2012-181) Authorize the sale of the 2003 Chevrolet Silverado used by the Highway Superintendent from the General Town-Wide Fund (A) to the Highway Part-Town Fund (DB) for the Grounds Crew in the amount of \$6,245.00, effective June 11, 2012.

2012-182) Authorize the establishment of Capital Project No. H040 for Sewer District No 6 Proposed Extension – Dunkin Donuts with a budget as follows:

Appropriations in the amount of \$85,200.00 in account 8130.2 to be funded by the applicant's escrow deposit for Engineering Services as outlined in the Escrow Agreement dated May 16, 2012 Exhibit A authorized by resolution No. 2012-167.

2012-183) **WITHDRAWN:** *"Amend Resolution No. 2012-06 adopted January 3, 2012 to remove HSBC and to add _____ Bank as designated bank(s) for depositories."*

2012-184) Authorize Town Clerk to publish legal notice of Public Hearing to seek public comment on Proposed Local Law 3 of 2012 to amend Chapter 219 of the Schodack Town Code to permit mixed use development along the Columbia

Turnpike Corridor of the Town of Schodack to be held on Thursday, July 12, 2012 at the Schodack Town Hall at 7:15 p.m.

2012-185) **WITHDRAWN:** “Accept proposal dated _____, from to install Cat 5E cable to center of each floor area at the Town Hall at a cost not to exceed \$_____.”

2012-186) Authorize the Comptroller’s recommendation to direct the Town Supervisor to pay the claims #12-0728 to 12-0893 on Abstract No. 2012-06, in the amount of \$220,328.03, including the claims paid (\$91,170.24) since the previous town board meeting.

2012-187) Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

June 28, 2012

2012-188) Ratify and affirm appointment of Peter Goold, as acting assessor until December 31, 2012, at the annual salary set forth in resolution 2012-08.

2012-189) Reschedule [Cancel] the public hearing for Proposed Local Law 3 of 2012 to amend Chapter 219 of the Schodack Town Code to permit mixed use development along the Columbia Turnpike Corridor of the Town of Schodack which had been scheduled for Thursday, July 12, 2012 at 7:15 p.m. to Thursday, August 9, 2012 at 7:15 p.m. and authorize Town Clerk to publish the legal notice for the Public Hearing.

2012-190) **WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12A of the Town Law of the State of New York, relating to the establishment of Consolidated Water District 101, Extension No. 2 in the Town of Schodack, County of Rensselaer, State of New York, and has been filed in the Town Clerk’s Office; and

WHEREAS, said map, plan and report was prepared by Laberge Group, competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed District and the general plan of the proposed District; and

WHEREAS, said map shows the location and description of the public works which will be required and the lands or easements to be acquired; and

WHEREAS, the boundaries of the proposed district 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 Twenty Thousand Five Hundred (\$20,500.00) Dollars; and all details as to the payment of the water district extension are set forth in the aforesaid Engineer’s Report; and

WHEREAS, pursuant to Section 209(f) of the Town Law, approval of the New York State Comptroller will not be required for establishing this extension since the benefited property is not a typical property as defined in Section 209-a of the Town Law, and since the cost of constructing the improvements shall be paid by the benefited real property owner and the operation and maintenance costs shall be on a benefit basis for this single user; and

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

WHEREAS, the first year cost of full operation for the single property within the extension is approximately \$4,000.

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York 12033, in said Town, on the 12th day of July, 2012, at 7:15 p.m., local time, to consider said map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

IT IS FURTHER ORDERED and DETERMINED that the Town Board of the Town of Schodack, Rensselaer County shall act as lead agency relative to all SEQRA proceedings on this project.

- 2012-191)** Accept proposal dated June 19, 2012, from John Coyne Electric, Inc. to install Cat 5E cable to center of each floor area at the Town Hall at a cost not to exceed \$500.00.
- 2012-192)** Accept proposal dated May 31, 2012, from Berkshire Fence Company to install a commercial grade all galvanized steel chain link backstop 30 +/- lineal feet x 10 high with a 7'6" long overhang on backstop at the Town Park at a cost not to exceed \$4,210.00 and further authorize the appropriation of the Parkland Fund for the aforementioned capital improvement in the amount of \$4,210.00 [this is a budgeted item].
- 2012-193)** Authorize interfund transfer from Lease with Purchase Option – SEFCU Bldg (Town Hall) Capital Project No. H023 in the amount of \$510.13 to the General Town-wide Fund (A) and further authorize establishment of a debt reserve fund in the General Town-wide Fund (A) in the amount of \$510.13. The remaining balance represents excess debt proceeds from the May 2012 serial bond issue.
- 2012-194)** **WITHDRAWN:** *“Authorize Peter Goold, Acting Assessor to circulate a Request for Proposal (RFP) for the Real Property Reassessment Project.”*
- 2012-195)** Authorize the establishment of Capital Project No. H043 for Water/Sewer Equipment with a budget as follows: Appropriations in the amount of \$21,396.25 in account 8320.2 to be funded as follows:

By an interfund transfer from:

SW1 – Clearview Water District No. 1	\$1,816.58
SW3 – Maple Crest Water District No. 3	\$ 248.71
SWC1 – Consolidated Water District No. 101	\$1,884.58
SS2 – Castleridge Sewer District No. 2	\$ 141.02
SS5 – East Schodack Sewer District No. 5	\$1,124.49
SS6 – Exit 10 Sewer District No. 6	\$1,025.52
SS8 – Schodack Landing Sewer District No. 8	\$891.16
Total Interfund Transfer	<u>\$7,132.06</u>

and by an interfund loan in the amount of \$14,264.19 from the General Town-Wide Fund (A) for the purchase of the 2012 Chevrolet 3500 HD authorized by Resolution No. 2012-113 to be repaid by the Water and Sewer Districts to be allocated based on the time study of the water operator. Further authorize the remaining cost of the truck of \$13,653.61 to be purchased by the Enterprise Water Fund based on the time study of the water operator to be funded by an interfund loan from the General Town-Wide Fund (A) of \$9,102.41 and the 2012 budget amount of \$4,551.20.

2012-196) WITHDRAWN: *“Appoint James E. Girvin of Girvin & Ferlazzo, P.C., as Labor, Human Resources and Civil Service Counsel at an hourly of \$200.00 for partner and \$175.00 for Associate Attorney. This authorization shall not exceed the 2012 budgeted amount of \$15,000.00 without further action of the Town Board.”*

July 12, 2012

2012-197) Authorize the Supervisor to issue a renewal bond anticipation note (BAN) of the Town in the aggregate amount of \$517,505 dated July 19, 2012 for the following purposes: \$61,820 for improvements to East Schodack Sewer District #5; \$238,000 for improvements to East Schodack Sewer District #5-Phase 1; \$38,360 for improvements to Maple Crest Water District #3; \$5,810 for appraisal of all the real property in the Town of Schodack to assist in the assessment thereof for purposes of taxation; \$15,346 for Acquisition of 2009 Dump Truck Model 4300 SBA; \$158,169 for acquisition of 2010 Gradall Model XL3100.

2012-198) BE IT RESOLVED, that the Town of Schodack hereby establishes the following as standard work days for elected and appointed officials 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 these officials 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
Elected Officials						

Town Board Member	Michael Kenney	7	1/1/12 – 12/31/15	N	3.31	
Justice	Paul Peter	7	1/1/12 – 12/31/15	N	9.77	
Tax Receiver	Kathy Lubbers	7	1/1/12 – 12/31/15	N	14.21	
Appointed Officials						
Acting Assessor	Peter Goold	7	1/1/12 – 12/31/12	Y	N/A	
Assistant to Assessor	Karen Justus	7	1/1/12 – 12/31/12	Y	N/A	
Comptroller	Jennifer Mulligan	7	1/1/12 – 12/31/12	Y	N/A	
Assistant Comptroller	Laura Palmer	7	1/1/12 – 12/31/12	Y	N/A	
Payroll & Personnel Clerk	Kathleen Blake	7	1/1/12 – 12/31/12	Y	N/A	
Secretary to Highway Superintendent	Diane Lebrecht	7	1/1/12 – 12/31/12	Y	N/A	
Asst. to Senior Court Clerk	Kathy Van Ort	7	1/1/12 – 12/31/12	Y	N/A	
Janitorial Staff	Nichole Thomas	8	1/1/12 – 12/31/12	Y	N/A	
Planning & Zoning Secretary	Melissa Knights	7	1/1/12 – 12/31/12	Y	N/A	
Part-Time Police Officer	Thomas Jones	8	1/1/12 – 12/31/12	Y	N/A	
Part-Time Police Officer	Jason Laurenzo	8	1/1/12 – 12/31/12	Y	N/A	
Part-Time Police Officer	Alan Roehr, Jr.	8	1/1/12 – 12/31/12	Y	N/A	
Part-Time Police Officer	Clark Roehr, Jr.	8	1/1/12 – 12/31/12	Y	N/A	
Part-Time Police Officer	Joshua Walters	8	1/1/12 – 12/31/12	Y	N/A	
Part-Time Police Officer	Peter Zownir	8	1/1/12 – 12/31/12	Y	N/A	
Secretary to Supervisor	Dawne Kelly	7	1/1/12 – 12/31/12	Y	N/A	
Director of Youth & Recreation	Sheila Golden	7	1/1/12 – 12/31/12	Y	N/A	

2012-199) To appoint Nadine Fuda, Paul Puccio, Lou Spada, Doug Hamlin, Mark Teliska, Rich Sinclair, Norman Nichols and Anthony Pfister to the Capital District Transportation Committee (CDTC) Advisory Committee relative to the Linkage Study.

2012-200) Accept proposal dated May 18, 2012, from Lawlor Construction LLC to repair 6-7 holes in sheetrock in various locations throughout the Town Hall and install door stops as necessary at a cost not to exceed \$748.00.

2012-201) Authorize Supervisor Dowds to execute and administer Professional Services Proposal dated July 5, 2012, with Laberge Group, LLC relative to amending

Chapter 219 of the Schodack Town Code for proposed services as described in an amount not to exceed \$2,500.00.

2012-202) **WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schodack, relating to the establishment of Extension No. 2 for Consolidated Water District 101, in the Town of Schodack, County of Rensselaer, State of New York; and

WHEREAS, such map, plan and report was prepared by Laberge Group, competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed extension, general plan of the extension, the improvements to be made to the extension, and a report showing the costs thereof; and

WHEREAS, said project will require compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations of the Department of Environmental Conservation, Part 617, State Environmental Quality Review Act and the Town of Schodack has established that the Town Board act as lead agency for the review of plans and environmental impact, if any, of the proposed establishment of Extension No. 2 for Consolidated Water District 101.

NOW, THEREFORE, the Town Board of the Town of Schodack as lead agency has determined that the establishment of Extension No. 2 for Consolidated Water District 101 as described in the map, plan and report prepared by Laberge Group is an unlisted action and that establishment of the proposed Extension No. 2 for Consolidated Water District 101 will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of Schodack be authorized to execute any documentation with respect to the determination that the establishment of Extension No. 2 for Consolidated Water District 101 is an unlisted action and that the establishment of Extension No. 2 for Consolidated Water District 101 will not result in any significant adverse environmental impacts.

2012-203) **WHEREAS**, a map, plan and report relating to the establishment of Extension No. 2 of the Town of Schodack Consolidated Water District 101, prepared by Laberge Group, 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 June 28, 2012, 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 July 12, 2012 at 7:15 p.m. at Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, 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, 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 12th day of July, 2012, beginning at 7:15 p.m. 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 Bult, 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 Extension No. 2 of Consolidated Water District 101;

(d) That it is in the public interest to create Extension No. 2 of Consolidated Water District 101;

(e) That the estimated cost to construct the improvements to Extension No. 2 of Consolidated Water District 101 shall equal Twenty Thousand Five Hundred (\$20,500.00) Dollars. The estimated debt service shall equal approximately \$2,396.56 for the first year, and estimated user charges shall equal approximately \$1,580.00 for the first year.

(f) That the approval of the New York State Comptroller is not required for the creation of Extension No. 2 of Consolidated Water District 101; and it is

FURTHER RESOLVED AND DETERMINED, that the establishment of Extension No. 2 of Consolidated Water District 101, 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.

2012-204) WHEREAS, the town of Schodack with the assistance from URS Corporation, has gathered information and prepared the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan; and

WHEREAS, the County Multi-Jurisdictional Natural Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Schodack is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Schodack has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

WHEREAS, Rensselaer County has determined that there is no significant negative environmental impact so stated in the Rensselaer County Legislature's resolution G/305/12 due to the following reasons:

- a) the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan provides a framework for Rensselaer County and its local municipalities to plan and prepare for natural disasters to reduce the impacts, damage and destruction from these disasters; and
- b) the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan will reduce the risk of toxic releases during a natural disaster, reduce hazards exacerbated by man-made actions, and lessen the amounts of man-made debris from natural hazards; and
- c) the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan will improve community and cultural resources by providing guidance for the retrofit of existing facilities and buildings, proper citing and design of future buildings;

NOW THEREFORE, BE IT RESOLVED by the Town Board that the Town of Schodack adopts the County Multi-Jurisdictional Natural Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

Amended 8/23/12 – resolution 2012-227

2012-205) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-0894 to 12-1059 on Abstract No. 2012-07, in the amount of \$316,919.89, including the claims paid (\$81,465.09) since the previous town board meeting.

2012-206) Authorize the following budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller:

August 9, 2012

2012-207) Amend resolution 2012-189 as adopted on June 28, 2012 to reschedule [Cancel] the public hearing for Proposed Local Law 3 of 2012 to amend Chapter 219 of the Schodack Town Code to permit mixed use development along the Columbia Turnpike Corridor of the Town of Schodack which had

been scheduled for Thursday, July 12, 2012 at 7:15 p.m. to Thursday, August 9, 2012 at 7:15 p.m. and authorize Town Clerk to publish the legal notice for the Public Hearing for Thursday, August 23, 2012 at 7:15 p.m.

2012-208) Accept proposal dated August 6, 2012 from Nielsen Direct Inc., for dog enumeration services at a cost not to exceed \$2,150.00. [This is a budgeted item].

2012-209) Authorize Bruce J. Wagner, Justice and Paul W. Peter, Justice to attend New York State Magistrates Association Fall Conference September 9 through 12 at Syracuse, New York with registration fees not to exceed \$50.00 per Justice, lodging (meals included) not to exceed \$542.00 per person and travel estimated costs (mileage) \$347.44 and (tolls) \$23.00 for a total estimate cost not of \$1,554.44.

2012-210) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Name</u>	<u>Number of Units</u>
Maier, Anthony	1
Day, Clayton	1

2012-211) Authorize James M. Morgan, Jeffrey Arno, Gary Ziegler and Steven Kelly, members of the Fire Investigation Unit to attend New York State Academy of Fire Science Course #01-01-0018 – Fall Seminar, November 7 through 9, 2012 in Montour Falls, New York, at an estimated cost per person of \$25.00 – registration fee (\$100.00) and lodging (\$468.00) and meals (\$168.00), and estimated cost for mileage (\$528.36) and tolls (\$30.00) for a total estimated cost of \$1342.36. [This is a budgeted item.]

2012-212) Authorize the appropriation of reserves of bonded indebtedness to be used towards 2012 debt service payments as provided in the 2012 Budget as follows:

General Town-Wide Fund (A)	\$16,000.00
Town Outside Village Highway Fund (DB)	\$ 3,895.00
Enterprise Town-Wide Water Supply Fund (EW)	\$35,000.00
East Schodack Sewer District No. 5 (SS5)	\$ 2,600.00

2012-213) Authorize Supervisor Dowds to execute three agreements with Key Bank for Wire Transfer Services, including the Wire Transfer Service Schedule, Wire Transfer Service Payment Authorization Form (new service), and the Wire Transfer Service Payment Authorization Form (revised service) to enhance internal controls over online banking wire transfers.

2012-214) Authorize the Comptroller's Office to reverse water penalties assessed through August 9, 2012 on the Rensselaer County Swartz Senior Center water bill (customer no. W090095) in an amount not to exceed \$22.50.

- 2012-215)** Authorize Peter Goold, Acting Assessor to attend a course at Manfred Real Estate Learning Center on October 9, 10, 16 and 17, 2012, entitled R5 – Basic Appraisal Principles. Cost is estimated to be \$375.00 which includes training and mileage.
- 2012-216)** Authorize Peter Goold, Acting Assessor to attend a course at Manfred Real Estate Learning Center on November 7, 8,14 and 15, 2012, entitled R – 6 Basic Appraisal Procedures. Cost is estimated to be \$416.00 which includes training, textbook and mileage.
- 2012-217)** Pursuant to Chapter 80-4 of the Code of the Town of Schodack, the Schodack Town Board hereby resolves to grant a Mass Assembly Permit for Goold Orchards' 24th Annual Apple Festival to be held October 6th and 7th, 2012 on their premises, pursuant to the written application submitted by Goold Orchards, Inc., except that applicant must comply with all off-site parking provisions of the Code and any other requirements, if any, of State, County and other regulatory agencies. Provided also that applicant shall be given notice that this approval is solely from the Town of Schodack and does not constitute approval by any other approving authority or governing agency. Further, a waiver of surety bond is granted subject to the provision that the Town is named as an additional insured on the applicant's liability policy and applicant will indemnify the Town of Schodack for any damage to Town property, vehicles, by participants or employees of the event and reimburse the Town for any other additional expense incurred by the event.
- 2012-218)** Ratify and affirm the following Town of Schodack Day Camp employee for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation: Nurse - Kristina Macyowski.
- 2012-219)** A resolution authorizing settlement of claim by Columbia-Green Humane Society in the amount \$15,000.00.
- 2012-220)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-1060 to 12-1220 on Abstract No. 2012-08, in the amount of \$1,032,039.98, including the claims paid (\$789,031.46) since the previous town board meeting.
- 2012-221)** Authorize the following budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller:

August 23, 2011

- 2012-222)** **WITHDRAWN:** *"Appoint _____ as part-time Accountant, at an hourly rate of _____, effective _____, 2012. Further, this is a provisional appointment which requires said appointee to take the next civil service exam offered for that title."*
- 2012-223)** **WITHDRAWN:** *"Appoint _____ as part-time Assistant Building Inspector/Code Enforcement Officer, at an hourly rate of _____, effective _____, 2012."*

_____, 2012. Further, this is a provisional appointment which requires said appointee to take the next civil service exam offered for that title.”

- 2012-224) WITHDRAWN:** “Appoint James E. Girvin of Girvin & Ferlazzo, P.C., as Labor, Human Resources and Civil Service Counsel at an hourly of \$200.00 for partner and \$175.00 for Associate Attorney. This authorization shall not exceed the 2012 budgeted amount of \$8,000.00 without further action of the Town Board.”
- 2012-225)** Accept proposal dated August 6, 2012 from Champagne Demolition LLC to provide Professional Services in an amount not to exceed \$12,000.00 and further accept proposal dated August 21, 2012 from Alpine Environmental Services for Asbestos Air Monitoring Services at a rate of \$350.00 per day. Both proposals are relative to 302 Morey Park Road (Tax Map 202.1-1-36) and said charges shall be levied and collected as provided by law as previously authorized in resolution 2012-165 as adopted on May 24, 2012.
- 2012-226) WITHDRAWN:** “Accept deed transfer from Rensselaer County of Real Property further described as a tract, piece or parcel of land situate (approximately 0.18 acres, encompassing Dorns Mill Hill Spur) in the Town of Schodack, County of Rensselaer and State of New York for the Castleton Stuyvesant PT 1 County Highway No. 1674 and authorize Supervisor Dowds to execute all necessary forms to record said deed (estimated recording fees of \$325.00) to be borne by the Town.”
- 2012-227)** Amend resolution 2012-207 as adopted on August 9, 2012 amending resolution 2012-189 as adopted on June 28, 2012 to reschedule [Cancel] the public hearing for Proposed Local Law 3 of 2012 to amend Chapter 219 of the Schodack Town Code to permit mixed use development along the Columbia Turnpike Corridor of the Town of Schodack which had been rescheduled for Thursday, August 23, 2012 at 7:15 p.m. to reschedule and authorize Town Clerk to publish the legal notice for the Public Hearing for Thursday, September 13, 2012 at 7:15 p.m.

September 13, 2012

- 2012-228)** 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 September 13, 2012 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 3 of 2012 relating to amending Chapter 219-5 Definitions (accessory apartment), 219-72 Specific Standards (#31 accessory apartments A-D), and Zoning schedule of use regulations, Part 3 of the Town of Schodack, entitled Zoning of the Town of Schodack, and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk’s official sign board on August 24, 2012 and advertised in the August 27, 2012 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on September 13 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 of the Town of Schodack hereby adopts Proposed Local Law Number 3 of 2012 (P3 of 2012) to be known as Local Law 2 of 2012 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.

2012-229) WHEREAS, it is the privilege and duty of the American people to commemorate the anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities, and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as *Constitution Week*,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack does hereby proclaim the week of September 17 through 23 as *Constitution Week* and urges all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

2012-230) Authorize Supervisor Dowds to execute and administer 2012-2013 Snow and Ice Agreement with Rensselaer County Department of Engineering and Highways for reimbursement for snow and ice removal on Stony Point Road.

2012-231) Authorize Supervisor Dowds to execute a one year maintenance agreement 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 \$2,350.00 for Town Hall, 265 Schuurman Road.

2012-232) Appoint Catherine Sager as Secretary to Town Justice Court, at an hourly rate as set forth in the Year 2012 adopted budget. Appointment shall be effective as of September 17, 2012.

2012-233) Authorize Nadine Fuda, Zoning Control Officer to attend the Capital District Building Officials educational seminar at the Holiday Inn in Albany, New York, on October 15, 16 and 17, 2012. Cost is \$265 for all three (3) days. The cost of the seminar is inclusive of meals.

2012-234) Accept proposal dated August 27, 2012 from TSI to clean and calibrate the Porta Count 8020 housed at South Schodack Fire Department in an amount not to exceed \$710.00.

2012-235) Authorize Supervisor Dowds to execute and administer Professional Services Proposal dated September 5, 2012, Addendum No. 07 with Laberge Group, LLC relative to Dunkin Donuts for services as described in Professional Services Proposal dated February 14, 2012 in an amount not to exceed \$85,300.00.

C. Young made a motion to adopt the following resolution, seconded by C. Curtis:

NOW, THEREFORE BE IT KNOWN, THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY RESOLVE TO:

2012-236) WHEREAS, Kyle Robert Matters, son of William and Nancy Matters, on the 16th of July in the year two thousand twelve, was promoted to Eagle Scout, the highest rank a boy can achieve in scouting; and

WHEREAS, Kyle started his journey in scouting as a Cub Scout in 2002, with Pack 257, and

WHEREAS, Kyle is a member of Boy Scout Troop 522, and has earned 22 Merit Badges in his 7 1/2 years of Boy Scouting, and

WHEREAS, Kyle has represented the troop as a Den Chief, and

WHEREAS, Kyle has served the troop as the Quartermaster, Assistant Patrol Leader, Patrol Leader, Assistant Senior Patrol Leader, and Senior Patrol Leader, and

WHEREAS, as his Eagle Scout project, Kyle renovated the handicap ramp of the St. Stephen's Lutheran Church in East Schodack, and

WHEREAS, Kyle graduated at Columbia High School 2012, and while attending, Kyle was on the Honor Roll and High Honor Roll, and

WHEREAS, Kyle achieved the Tae Kwon Do 3rd Degree Black Belt at Columbia Tae Kwon Do, and

WHEREAS, Kyle was an avid competitor for the Capital District Champion East Greenbush Scholastic Chess Team.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack commends and congratulates Kyle Matters upon the auspicious occasion of being awarded the rank of Eagle Scout, Boy Scouts of America; and

BE IT FURTHER RESOLVED that Supervisor Dowds will present a copy of this resolution, suitably engrossed to Kyle Matters at his Court of Honor on September 22, 2012.

2012-237) WHEREAS, The Spinney at Pond View, LLC having substantially completed the sewer main installation required by the Schodack Planning Board as a condition of the approved site plan,

WHEREAS, Richard Laberge, P.E., Review Engineer, to the Schodack Planning Board has reviewed the sewer main installation legal descriptions of the proposed easement and has found them satisfactory with the exception of outstanding items in Laberge Group's letter and Work List dated August 1, 2012, and

WHEREAS, the Town Board has determined the sewer infrastructure, consisting of approximately 2550 feet of sewer main, valves and appurtenances along Antwerp Drive, Delft Drive, Hague Drive, Maasricht Drive and Zeeland Drive and easements further described in Schedule A, be accepted, and

WHEREAS, an irrevocable offer of cession will be presented to the Town by The Spinney at Pond View, LLC developers, Edward Feinberg and Rex Ruthman, which will offer dedication of sewer infrastructure, sewer mains, valves and appurtenances and easements to the Town,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby accepts said offer of dedication and hereby accepts the sewer infrastructure, consisting of approximately 2550 feet of sewer main, valves and appurtenances along Antwerp Drive, Delft Drive, Hague Drive, Maasricht Drive and Zeeland Drive and easements as further described in Schedule A contingent upon the following:

1. Laberge Group's report of completion of items on the Work List dated August 1, 2012
2. Receipt of documents in proper form
3. Receipt of proof of title, and
4. Payment of County Clerk filing fees related to this acceptance.

All of the above as satisfactory to the Attorney to the Town; and

BE IT FURTHER RESOLVED, that Supervisor Dowds is hereby authorized to execute and file all necessary documents relating to this acceptance.

2012-238) Authorize the Supervisor Dowds to issue bond anticipation notes (BANS) in the aggregate amount of \$360,410.00 dated October 5, 2012 for the following purposes: \$29,740.00 to finance the improvements to East Schodack Sewer District No. 5; \$20,528.00 to finance the acquisition of a 2008 Volvo Loader L70F; \$69,185.00 to finance the acquisition of a 2010 IHC Model 7500 Dump Truck with sander, plow and wing attachments; \$110,000.00 to finance the Repair, Reconstruction and Restoration of Eroded Drainage Areas at the Capped Landfill at the Town Transfer Station; \$130,957.00 to finance the acquisition of a 2012 IHC Single Axle Dump Truck.

2012-239) **WHEREAS**, a map, plan and report relating to the establishment of Extension No. 2 of Consolidated Water District 101 to the Town of Schodack, 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 June 28, 2012, reciting the filing of the map, plan and report, the boundaries of the proposed 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 July 12, 2012 at 7:15 p.m. at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, 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 12th day of July 2012, beginning at 7:15 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 extension are benefitted thereby, that all property and property owners benefitted are included within the limits of the proposed extension, and that it was in the public interest to establish Extension No. 2 of Consolidated Water District 101 in the Town of Schodack and to grant, in whole, the relief sought, and it having been then and there duly resolved that establishment of said extension be approved, and the permission of the Department of Audit and Control not being required for the extension, and the aforesaid Town Board resolution of July 12, 2012, 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 Consolidated Water District 101 be extended so as to include therein the following lands which are hereby established as Extension No. 2 to Town of Schodack Consolidated Water District 101 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-f of the Town Law; and, it is further,

ORDERED, RESOLVED AND DETERMINED, that the establishment of the water district extension, as set forth in the map, plan and report be approved; and, it is further,

ORDERED, RESOLVED AND DETERMINED, the requested improvements shall be constructed, and the necessary easements and lands be acquired, upon the required funds being made available and provided for, and such extension shall be know and designated as Extension No. 2 to the Town of Schodack Consolidated Water District 101 in the Town of Schodack, and shall be bounded and described as set forth in Schedule "A" annexed hereto.

- 2012-240)** Appoint Nadine Fuda as Temporary Building Inspector as recommended by the Building Inspector on an as needed basis at her current rate of pay until September 21, 2012.
- 2012-241)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-1221 to 12-1364 and 12-2221 to 12-2228 on Abstract No. 2012-09, in the amount of \$251,684.81, including the claims paid (\$117,208.69) since the previous town board meeting.
- 2012-242)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller

September 27, 2012

- 2012-243)** Appoint Susan Pilipczuk as part-time Accountant (not to exceed 20 hours per week), at an hourly rate of \$24.00, effective October 9, 2012. Further, this is a provisional appointment which requires said appointee to take the next civil service exam offered for that title. [This position does not include benefits other than as provided in the Town of Schodack Personnel Policy and Procedure Manual.]
- 2012-244)** Authorize the establishment of Capital Project No. H044 for Water District No. 101 Proposed Extension – Timber Ledge with a budget as follows:
Appropriations in the amount of \$4,000.00 in account 8340.2 to be funded by an interfund transfer from the General Part-Town Fund (B).
- 2012-245)** Authorize Supervisor Dowds to execute and administer a Memorandum of Understanding by and between the Town of Schodack and Commission on Economic Opportunity for the Greater Capital Region, Inc. (CEO) to provide space as a temporary satellite site for CEO's Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) for the period of August 1, 2012 to August 1, 2014.
- 2012-246)** Waive the requirement pursuant to Chapter 177 §1 of the Code of the Town of Schodack to hold Water Rate hearings on or before October 20th each

year, in order to schedule said hearings at a special meeting at a later date to be determined.

2012-247) Waive the requirement pursuant to Chapter 176 §4 of the Code of the Town of Schodack to hold Sewer Rent hearings on or before October 20th each year, in order to schedule said hearings at a special meeting at a later date to be determined.

2012-248) Adopt the fee schedule for Fall Clean-up Days (October 18, 19 & 20) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 6.00
Tires, rimless (maximum size 16")	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors	FREE
Propane Tanks	FREE
Furniture	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

*******Please note: all other pricing remains the same*******

2012-249) Resolved that the 2013 Budget Presentation Meeting will be held Tuesday, October 2, 2012 at 5 p.m. Further, the following schedule is set to review the 2013 Preliminary Budget:

Wednesday, October 10, 2012 @ 7:00 p.m.

Wednesday, October 17, 2012 @ 7:00 p.m.

Wednesday, October 24, 2012 @ 7:00 p.m.

All meetings are scheduled to take place at the Schodack Town Hall, 265 Schuurman Rd., Schodack, NY in the 3rd Floor Conference Room

October 10, 2012

2012-250) Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 1. Said hearing shall be held on Thursday, November 15, 2012 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road.

2012-251) Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 3. Said hearing shall be held on Thursday, November 15, 2012 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

- 2012-252)** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of the capital charges for Water District Number 101. Said hearing shall be held on Thursday, November 15, 2012 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-253)** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 2a. Said hearing shall be held on Thursday, November 15, 2012 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-254)** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 5. Said hearing shall be held on Thursday, November 15, 2012 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-255)** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 8. Said hearing shall be held on Thursday, November 15, 2012 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-256)** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 9. Said hearing shall be held on Thursday, November 15, 2012 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-257)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 1. Said hearing shall be held on Thursday, November 15, 2012 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-258)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 2. Said hearing shall be held on Thursday, November 15, 2012 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-259)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 4. Said hearing shall be held on Thursday, November 15, 2012 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

- 2012-260)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 5. Said hearing shall be held on Thursday, November 15, 2012 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-261)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 6. Said hearing shall be held on Thursday, November 15, 2012 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-262)** 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, November 15, 2012 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-263)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 8. Said hearing shall be held on Thursday, November 15, 2012 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2012-264)** Authorize Town Clerk to publish legal notice of hearing to seek public input relative to the 2013 Preliminary Budget and proposed fees for 2013 to be held on Thursday, November 8, 2012 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson.
- 2012-265)** Authorize Supervisor Dowds to execute and administer a one year agreement with eLot Electronics Recycling, Inc. for recycling of electronics at prices as set forth on Schedule A of the eLot Sales Agreement.
- 2012-266)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-1365 to 12-1548 on Abstract No. 2012-10, in the amount of \$1,693,459.17, including the claims paid (\$1,167,789.10) since the previous town board meeting.
- 2012-267)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller

October 25, 2012

- 2012-268)** **WITHDRAWN:** *“Authorize the Town Clerk to publish legal notice to solicit bids for one (1) Single Axle Dump Truck with sander, plow and wing attachments pursuant to specifications prepared by the Superintendent of Highways.”*

2012-269) **WITHDRAWN:** “Authorize Supervisor Dowds to execute and administer, on behalf of the Town, a collective bargaining agreement, by and between the Town of Schodack and CSEA, Inc., Local 1000 AFSCME, AFL-CIO (Town of Schodack Unit)”.

2012-270) **WITHDRAWN:** “Authorize Supervisor Dowds to execute and administer, on behalf of the Town, a collective bargaining agreement, by and between the Town of Schodack and United Public Service Employees Union (Police Unit).”

2012-271) Amending resolution 2012-147 as adopted on April 26, 2012, regarding the 2012 road program to add to the resurface with hot-mix asphalt list the following roads: Langenbach Road, Shelterwood Road, Green Avenue (Town owned portion) and Brashear Place.

2012-272) Authorize Town Clerk to publish legal notice to solicit sealed bids for demolition of the old Town Hall building located at 1777 Columbia Turnpike [Tax Map #189.-10-7]. Bids to be opened on November 13, 2012 in the Office of the Town Clerk at 10 a.m.

2012-273) Whereas, Schodack Realty, LLC, as owners of the existing Dunkin Donuts facility located at 1792 Columbia Turnpike, Schodack, New York, has requested to extend an existing sewer district to incorporate its property, and

Whereas, the project entails the construction of approximately 1,300 linear feet of gravity sewer, a sewage pumping station and approximately 5,500 linear feet of both 6 inch and 2 inch force mains, 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 of the Town of Schodack is hereby designated as lead agency for this project pursuant to the State Environmental Quality Review Act.

The foregoing resolution was moved by Councilmember Michael Kenney, and seconded by Councilmember Curtis.

2012-274) WHEREAS, the Schodack Island State Park is used by many of our Town of Schodack residents, and is considered valuable to our community, and

WHEREAS Friends of Schodack Island State Park, Inc. have worked tirelessly over the years to enhance the Schodack Island State Park, with education and awareness, and

WHEREAS, Friends of Schodack Island State Park, Inc. are in the process of applying to Parks and Trails New York for a \$1,000 grant to help develop a

website to: educate the public, communicate with their members, recruit new members, solicit donations, and keep the public informed about activities and events at Schodack Island State Park

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack, authorizes Supervisor Dowds to execute a letter of support to Parks and Trails New York in support of the Friends of Schodack Island State Park, Inc. making application to Parks and Trails New York for a \$1,000 grant.

November 8, 2012

2012-275) Authorize Supervisor Dowds to execute and administer, on behalf of the Town, a collective bargaining agreement, by and between the Town of Schodack and CSEA, Inc., Local 1000 AFSCME, AFL-CIO (Town of Schodack Unit).

2012-276) Authorize Supervisor Dowds to execute and administer, on behalf of the Town, a collective bargaining agreement, by and between the Town of Schodack and United Public Service Employees Union (Police Unit).

2012-277) Amend resolution 2011-060 adopted January 13, 2011 appointing David Gruenberg, Esq. to represent the Town as special counsel in the matter of The Spinney at Pond View LLC and Cobleskill Properties Associates LLC-v-Town Board of the Town of Schodack as Improvement District Commissioners for Consolidated Water District No. 101 and Katherine E. Lubbers as Town of Schodack Receiver of Taxes to increase authorized total amount of legal fees from \$3,500.00 to a total not to exceed \$7,311.00.

2012-278) Approve the following application under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Name</u>	<u>Number of Units</u>
Mann, Carol	1

2012-279) WHEREAS, the Town Board met on Thursday, November 8, 2012 at the Schodack Town Hall, as specified in the Notice of Public Hearing for the 2013 Preliminary Budget, with said notice appearing in the October 30, 2012 edition of The Record, and was posted on October 26, 2012, and

WHEREAS, said public hearing was held on November 8, 2012 at 7 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 Preliminary Budget or any part thereof,

NOW, THEREFORE, BE IT RESOLVED that the 2013 Preliminary Budget, as amended and revised, and as hereinafter set forth, is hereby adopted.

2012-280) The Town Board of the Town of Schodack will hold the second monthly November Town Board meeting on ~~Tuesday~~ Thursday, November 15 at 7 p.m. at the Schodack Town Hall.

Amended 1/24/13 by resolution [2013-070]

Amended by [2012-318] on 12/13/12

- 2012-281)** Authorize Supervisor Dowds to execute and administer a supplemental shelter agreement with Rensselaer County Humane Society to satisfy the requirements of the New York State Department of Agriculture and Markets. It is the policy of the Town that owners, if located, shall be responsible for charges incurred at Rensselaer County Humane Society when pets are claimed, as may be allowed by law.

- 2012-282)** Authorize the purchase of a Brush Chipper for the Highway Department for an amount not to exceed \$30,000.00.

- 2012-283)** WHEREAS, Chapter 175 of the Town of Schodack Code (Water Regulations) provides for capital costs to be allocated to each parcel of property within the water district based on the assessed valuation, units or front footage of property along which water mains are constructed or a combination of these methods as approved by the Town Board, and

WHEREAS, the Town Board defined the basis, through the adoption of Resolution No. 2011-321 on December 8, 2011, on which capital costs are to be allocated that is in accordance with the districts' legal formation and/or method by which the capital costs were approved, and

NOW THEREFORE BE RESOLVED that the Town Board of the Town of Schodack updates the definitions of an equivalent dwelling unit (EDU), for all Town Water Districts, except Water District No. 5 because of the related Agreement to Construct Public Water Supply Improvements and Sewer Collection Improvements dated April 5, 1999 between the Town of Schodack and Schodack Exit Ten, LLC and RNP Associates, Inc., as follows:

<u>Property Type</u>	<u>Property Code</u>	<u>Equivalent Dwelling Unit (EDU) Assigned</u>
<i>A typical property is defined as a single family residence with estimated annual water usage of 72,000 gallons or less.</i>		
Exempt Properties	Varies, 315,822, 971	Cemetery without water use, underwater land, catch basins, access roads, district owned parcels, water supply, wetlands and homeowner associations.
Residential Properties		
Vacant Land	311	0.75 EDU
Vacant Land - Rural 10 acres or less	314	0.50 EDU (less than .10 acres, then 0 EDU)
Vacant Land - Rural over 10 acres	322	1.00 EDU
1 family w/ no water main on the road	210	0.0 EDU
1 family w/ curb stop, w/ easement or flag lot, dwelling > 600 feet from curb stop	210	0.50 EDU
1 family, with acreage	210	1.00 EDU
1 + family	215	1.50 EDU
2 family	220	2.00 EDU
3 family	230	3.00 EDU
With acreage, Multi-purpose	240, 280	Based on property specifics using definitions contained herein, except water usage is not a

		component. (i.e. 1 family plus 1 apartment = 1.50 EDU)
With Incidental Commercial Use. <u>Incidental Commercial use is defined as a residence which has been partially converted or adapted for commercial use with the primary use being residential.</u>	283	2.00 EDU (1 EDU for Residential plus 1 EDU for Commercial) The residential component may increase based on property specifics using definitions contained herein (i.e. 1 family plus 1 apartment = 1.50 EDU). Additional units will be added based upon actual water usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons for usage greater than the first 72,000 gallons. *
With small improvement	312	1.00 EDU

<u>Property Type</u>	<u>Property Code</u>	<u>Equivalent Dwelling Unit (EDU) Assigned</u>
Commercial Vacant Land Properties		
Vacant Land; Commercial Vacant with small improvement; Agricultural Vacant Land	330,331, 105	<u>An assessed value per acre of less than or equal to \$10,000 shall have an EDU value of .25, an assessed value per acre greater than \$10,000 and less than or equal to \$25,000 shall have an EDU value of .50, and an assessed value per acre greater than \$25,000 shall have an EDU value of .75; then dividing the total assessed value of the property by \$20,000 (2012-AAV) to determine the units of assessment and then multiplying the EDU value by the units of assessment, rounded up to the nearest quarter. AAV-Average Assessed Value 0.25 or 0.50 or 0.75 EDU for properties with a per acre value of: up to \$10,000, greater than 10,000 but less than or equal to \$25,000, or greater than \$25,000, respectively (determined by dividing each property's assessed value by its number of acres), for every X dollar amount of assessed value of the property rounded up to the next quarter of an EDU. X dollar amount is calculated annually based upon the average assessed value per acre of residential vacant property in property code no. 311 for all Town Water Districts. Should properties become water users, additional units will be added based upon actual usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^</u>
Parking Lots, Mining/Quarry	438, 720	1.00 EDU. Should properties become water users, additional units will be added based upon actual usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
Commercial Residential Properties		
Apartments, Mobile Home Parks	411, 416	1.00 EDU; plus 0.50 EDU per apartment/mobile home; plus 0.50 EDU for each excess 36,000 gallons or portion thereof in excess of the total of

		the EDUs per apartment/mobile home times 72,000 gallons.*
Hotel, Motel	414, 415	1.00 EDU; plus 1.00 EDU per 3 rooms or portion thereof; plus 1/3 of 1.00 EDU for each excess 24,000 gallons used or portion thereof in excess of the total of the EDUs per 3 rooms times 72,000 gallons.*
Commercial Properties		
Commercial properties as listed: Restaurants, Diner/Luncheonettes, Fast Food Franchises, Auto Dealers – Sales & Service, Auto Body/ Tire/ Related Auto, Automatic Car Wash, Mini Warehouse (self storage), Lumber Yards, Other Storage/ Warehouse/ Distribution Facilities, Retail Services, Neighborhood Shopping Centers, Drive-In Branch Bank, Office Building, Professional Building, Dog Kennel/ Veterinary Clinic, Converted Residence, One Story Small Structure, One Story Small Structure – Multi-Occupancy, Minimart, Schools, Other Educational Facilities, Religious, Benevolent & Moral Associations, All Other Health Facilities, Governmental Highway Garage, Governmental Office Building, Police & Fire Protection, Industrial, Electric & Gas	421, 422, 426, 431, 433, 434, 442, 444, 449, 450, 452, 462, 464, 465, 472, 483, 484, 485, 486, 612, 615, 620, 632, 642, 651, 652, 662, 700, 870	1.00 EDU; plus 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
* Based upon actual water consumption for the period July 1 – June 30 preceding the adoption of the assessment roll, or ^ Based upon estimated water consumption for non-connected properties per DEC design flow guidelines as follows: .01 gallon/square foot/day for Warehouse/Storage Facilities or .1 gallon/square foot/ day for Office/Retail Facilities discounted by 50% of estimated water usage.		

2012-284) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-1549 to 12-1685 on Abstract No. 2012-11, in the amount of \$287,282.86, including the claims paid (\$102,762.90) since the previous town board meeting.

2012-285) Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

November 15, 2012

2012-286) WHEREAS, the Town Board of the Town of Schodack received four (4) bids for demolition of the old town hall located at 1777 Columbia Turnpike, and

WHEREAS, the bids as follows: Cristo Demolition Inc. in the amount of \$85,412.00; Dan's Hauling & Demos, Inc. in the amount of \$42,000.00;

Champagne Demolition, LLC in the amount of \$34,000.00; and Provincial Contractor Services in the amount of \$25,997.00, and

WHEREAS, all bids were reviewed for conformance to specifications and submittal of required bid bond and non-collusive certificates

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the lowest responsible bid from Provincial Contractor Services in the amount of \$25,997.00.

BE IT FURTHER RESOLVED, that the stipulated 10 day period stated in the bid shall begin once National grid has disconnected power to the old town hall building.

2012-287) Accept proposal dated November 13, 2012 from Alpine Environmental Services for Asbestos Air Monitoring Services at a rate of \$350.00 per day. Proposals is relative to 1777 Columbia Turnpike (Tax Map #189.-10-7).

2012-288) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Water District No. 1 (Clearview), and

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

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 15th day of November 2012, said hearing being duly convened at the time and place specified in said notice, and

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

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2013 billing period for water rates for Water District No. 1 (Clearview) for 166 users shall be \$50.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

2012-289) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 1 (Clearview), and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 15, 2012 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 15th of November 2012, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 244.5 units and adopted on November 15th 2012 and filed in the office of the Town Clerk of the Town of Schodack.

2012-290) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Water District No. 3 (Maplecrest), and

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

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 15th day of November 2012, said hearing being duly convened at the time and place specified in said notice, and

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

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2013 billing period for water rates for Water District No. 3 (Maplecrest) for 44 users shall be \$100.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

2012-291) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 3 (Maplecrest) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 15, 2012 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 15th of November 2012, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 44 units and adopted on November 15th 2012 and filed in the office of the Town Clerk of the Town of Schodack.

2012-292) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Consolidated Water District No. 101, and

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

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 15th day of November 2012, said hearing being duly convened at the time and place specified in said notice, and

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

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2013 billing period for water rates for Water District No. 101 for 333 existing users shall be \$75.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

2012-293) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll for Consolidated Water District No. 101 (formerly Water Districts Nos. 2a, 2b, 4, 5, 8 and 9) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 15, 2012 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 15th of November 2012, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED, that the said assessment roll be and the same is hereby affirmed for ~~853.75~~ 857.75 units and adopted on November 15th, 2012 and filed in the office of the Town Clerk of the Town of Schodack.

2012-294) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 2A (Inglewood) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the

public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 15, 2012 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 15th of November, 2012, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 33 units and adopted on November 15th 2012 and filed in the office of the Town Clerk of the Town of Schodack.

2012-295) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 5 (Exit 10), and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 15, 2012 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 15th of November, 2012, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 1,423 units and adopted on November 15th, 2012 and filed in the office of the Town Clerk of the Town of Schodack.

2012-296) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 8 (Schodack Center), and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 15, 2012 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 15th of November 2012, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 261.5 units and adopted on November 15th, 2012 and filed in the office of the Town Clerk of the Town of Schodack.

2012-297) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 9 (Highway Garage/Route 20) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 15, 2012 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 15th of November 2012, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 176 units and adopted on November 15th, 2012 and filed in the office of the Town Clerk of the Town of Schodack.

2012-298) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 15, 2012 to consider proposed sewer rents for Sewer District No. 1 (Castleton) and

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

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 15th day of November 2012, said hearing being duly convened at the time and place specified in said notice, and

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

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2013 to June 30, 2013) the sewer rents for Sewer District No. 1 (Castleton) for 96 users shall be \$160.00 semi-annual rate per unit.

2012-299) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 15, 2012 to consider proposed sewer rents for Sewer District No. 2 (Castleridge) and

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

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 15th day of November 2012, said hearing being duly convened at the time and place specified in said notice, and

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

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2013 to June 30, 2013) the sewer rents for Sewer District No. 2 (Castleridge) for 54 users shall be \$230.00 semi-annual rate per unit.

2012-300) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 15, 2012 to consider proposed sewer rents for Sewer District No. 4 (Brickyard) and

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

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 15th day of November 2012, said hearing being duly convened at the time and place specified in said notice, and

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

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2013 to June 30, 2013) the sewer rents for Sewer District No. 4 (Brickyard) for 2 users shall be \$340.00 semi-annual rate per unit.

2012-301) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 15, 2012 to consider proposed sewer rents for Sewer District No. 5 (East Schodack) and

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

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 15th day of November 2012, said hearing being duly convened at the time and place specified in said notice, and

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

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2013 to June 30, 2013) the sewer rents for Sewer District No. 5 (East Schodack) for 27 users shall be \$340.00 semi-annual rate per unit.

2012-302) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of Sewer District No. 5, Extension 1 (East Schodack) Capital Costs of the collection

system and that portion of non-reimbursed Capital Costs of the East Schodack Sewage collection system and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to receive and consider any comments regarding said assessment roll to be held on November 15, 2012 at 7:30 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 15th of November, 2012, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Extension 1,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for Extension 1 as 30 units and filed in the office of the Town Clerk of the Town of Schodack.

2012-303)

WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of Sewer District No. 5, Extensions 1 and 2 (East Schodack) Capital Costs of the collection system and that portion of non-reimbursed Capital Costs of the East Schodack Sewage collection system and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to receive and consider any comments regarding said assessment roll to be held on November 15, 2012 at 7:30 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 15th of November, 2012, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Extensions 1 and 2,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for Extensions 1 and 2 as 32 units and filed in the office of the Town Clerk of the Town of Schodack.

2012-304)

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 15, 2012 to consider proposed sewer rents for Sewer District No. 6 (Exit 10) and

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

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman

Road, Castleton-on-Hudson, New York, on the 15th day of November 2012, said hearing being duly convened at the time and place specified in said notice, and

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

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2013 billing period for the sewer rents for Sewer District No. 6 (Exit 10) for 48 users shall be \$7.10 per thousand based on water meter.

2012-305) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 15, 2012 to consider proposed sewer rents for Sewer District No. 7 (Hamilton Printing) and

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

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 15th day of November 2012, said hearing being duly convened at the time and place specified in said notice, and

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

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2013 to June 30, 2013) the sewer rents for Sewer District No. 7 (Hamilton Printing) for 12 units shall be \$165.00 semi-annual rate per unit.

2012-306) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 15, 2012 to consider proposed sewer rents for Sewer District No. 8 (Schodack Landing) and

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

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 15th day of November 2012, said hearing being duly convened at the time and place specified in said notice, and

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

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-

annual billing period (January 1, 2013 to June 30, 2013) the sewer rents for Sewer District No. 8 (Schodack Landing) for 68 units shall be \$200.00 semi-annual rate per unit.

2012-307) WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of Sewer District No. 8 (Schodack Landing) Capital Costs of the collection system and that portion of non-reimbursed Capital Costs of the Schodack Landing Sewage collection system and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to receive and consider any comments regarding said assessment roll to be held on November 15, 2012 at 7:30 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 15th of November, 2012, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and is the same is hereby affirmed for 75.25 units and filed in the office of the Town Clerk of the Town of Schodack.

2012-308) WHEREAS, Brian Liam Murphy, son of Dee and Bill Murphy, on the 16th of October in the year two thousand twelve, was promoted to Eagle Scout, the highest rank a boy can achieve in scouting; and
WHEREAS, Brian started his journey in scouting as a Tiger Cub with Pack 257, subsequently advancing to Cub Scout and earned the Arrow of Light before advancing to Boy Scouts, and

WHEREAS, Brian became a member of Boy Scout Troop 522 in April 2008, and has earned 33 Merit Badges on his trail to Eagle, and

WHEREAS, Brian has attended Rotary Scout Reservation summer camp with his troop for the past five years, and was awarded Honor Camper in 2009, and

WHEREAS, Brian is currently the Senior Patrol Leader for troop 522, has also served as Assistant Senior Patrol Leader, Patrol Leader, Assistant Patrol Leader, and Troop Guide, and

WHEREAS, for his Eagle Project, Brian renovated the maintenance building at Woodlawn Cemetery in East Schodack by replacing two windows, painting the metal roof and repairing and painting the building, and

WHEREAS, Brian is a sophomore at Columbia High School where he has achieved High Honor Roll and since middle school, has maintained a 90 or above average in every class, and

WHEREAS, Brian has participated in the Science Olympiad with East Greenbush Central Schools since 2010 with recorded winnings of 1 gold, 1 silver, and 1 bronze medal in competition, and

WHEREAS, Brian plays the French Horn for the Columbia High School Band and the Empire State Youth Orchestra, and has received recognitions from his school and New York State School Music Association (NYSSMA).

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack commends and congratulates Brian Liam Murphy upon the auspicious occasion of being awarded the rank of Eagle Scout, Boy Scouts of America; and

BE IT FURTHER RESOLVED that Supervisor Dowds will present a copy of this resolution, suitably engrossed, to Brian Murphy at his Court of Honor on November 25, 2012.

December 13, 2012

2012-309) Authorize the Town Clerk to post the year-end meeting for the 27th day of December 2012 at 7:00 p.m. at the Schodack Town Hall.

2012-310) Whereas, the connection was made, and a water meter was installed and subsequently sealed on May 21, 2010, and

Whereas, pursuant to Article III Section 175-10 (A) of the Town of Schodack Water Regulations “on acceptance by the [Building Department], the application shall constitute a contract between the town and the applicant, obligating the applicant to pay the town its applicable rates and charges as set forth in Article X and comply with the rules and regulation of this chapter, and

Whereas, pursuant to Article X – Rates and Charges Section 175-40, were set by the town board resolution, and

Whereas, said property owner(s) relative to account number W090630 in Consolidated Water District No. 101 water customer was not previously billed for the period 5/21/10 thru 9/30/12 and

Whereas, the property owner(s) have subsequently been contacted and billed for the period 5/21/10 thru 9/30/12, and

Whereas, the property owner(s) have requested that the 10% penalty on the outstanding \$725.00 be waived.

Now, Therefore Be It Resolved, that the Town Board of the Town of Schodack waive the 10% penalty on \$725.00 for billing period 5/21/2010 thru 9/30/12 relative to account number W090630 in Consolidated Water District No. 101.

- 2012-311)** Ratify and affirm the selection of the \$15 co-pay Medicare HMO with Capital District Physicians' Health Plan, Inc. (CDPHP) with monthly premiums of \$215.70 effective January 1, 2013. All eligible retirees enrolled in CDPHP will be required to enroll in the Medicare Choice Plan, unless it costs the Town additional premiums over the Non-Medicare Eligible selected Plan.
- 2012-312)** Authorize the selection of Empire Blue Cross Insurance for Health Insurance coverage effective January 1, 2013 with monthly premiums as follows: Individual \$652.83 and family \$1,697.37.
- 2012-313)** Authorize the selection of the HMO \$25 co-pay plan with Capital District Physicians' Health Plan, Inc. (CDPHP) with monthly premiums as follows: Individual \$579.53, Two-person \$1,159.07 and family \$1,506.79 effective January 1, 2013.
- 2012-314)** Authorize Supervisor Dowds to execute and administer Administrative Agreement and Business Associate Contract with Capital District Physicians' Healthcare Network, Inc. for the Town of Schodack's Flexible Benefits Plan administration effective January 1, 2013.
- 2012-315)** Approve the attached Transfer Station Fee schedule, to be effective January 1, 2013. (See separate schedule).
- 2012-316)** Full-time employees (non-union) shall be given the following holiday for the year 2013:
- | <u>Weekday</u> | <u>Date</u> | <u>Holiday</u> |
|----------------|-----------------|---------------------------|
| Tuesday | January 1, 2013 | New Year's Day Observance |
- 2012-317)** Authorize Supervisor Dowds to transmit a request to Rensselaer County Legislature to relevel outstanding fees of \$12,856.00 for tax map number 202.1-1-36), and \$1,376.66 for tax map number 191.3-1-14.2, on their respective January 2013 tax bills for demolition and cleanup of said properties.
- 2012-318)** Amend resolution 2012-281 as adopted on November 8, 2012 to authorize Supervisor Dowds to execute and administer an amended supplemental shelter agreement with Rensselaer County Humane Society for the period December 14, 2012 to December 31, 2013.

- 2012-319)** Authorize the elimination of the Town Board Designated Library Reserve Fund in the General Town Outside Village Fund (B) by appropriating the reserve to assigned unappropriated fund balance as the Library services are not accounted for in the B Fund in the amount of \$21,147.03 plus accrued interest.
- 2012-320)** Authorize Gary Ziegler, Building Inspector, to attend the Northern Adirondack Code Enforcement Officials Association Conference at the Crown Plaza Hotel in Lake Placid, New York, March 3 - 7, 2013. Cost is \$240.00. Town vehicle to be used for transportation. Lodging and other appropriate expenses are to be borne by the Town. [as budgeted]
- 2012-321)** Authorize the establishment of a Town Board Designated Reserve Fund – Crimson Court Road Improvements (Committed Fund Balance) in the amount of \$34,595.69 (balance as of 11/30/12) plus accrued interest, if any, in the Town-Outside Village Highway Fund (DB) to be transferred from the Vista Bella Cash Security account in the Trust and Agency Fund account TA143.
- 2012-322)** Authorize interfund transfer of \$13,372.84 from the H000 Capital Project to the following Funds: Maplecrest Water District No. 3 (SW3) \$7,622.52; General Town-Wide Fund (A) \$4,145.58 related to the landfill; and General Town-Wide Fund (A) \$1,604.74 related to the acquisition of the AJR property.
- 2012-323)** Authorize closure of Capital Project No. H011 – Municipal Water Project Study with an interfund transfer of \$735.28 to the General Town-Outside Village Fund (B).
- 2012-324)** Authorize closure of Capital Project No. H013 – Clove Road Schoolhouse Improvements with an interfund transfer of \$29,527.05 to the General Town-Wide Fund (A).
- 2012-325)** Authorize closure of Capital Project No. H014 – Inglewood Water District No. 2a Water Improvements with an interfund transfer of \$16,367.62 to the Inglewood Water District No. 2a (SW2a) and further authorize the establishment of a reserve fund for bonded indebtedness pursuant to GML Section 6-h in the amount of \$16,367.62.
- 2012-326)** Authorize closure of Capital Project No. H020 – Proposed Water District No. 8 with an interfund transfer of \$11,694.18 to the Schodack Center Water District No. 8 (SW8) and further authorize the establishment of a reserve fund for bonded indebtedness pursuant to GML Section 6-h in the amount of \$11,694.18.
- 2012-327)** Authorize closure of Capital Project No. H022 – Proposed Water District No. 9 with an interfund transfer of \$8,357.08 to the Route 20 Water District No. 9 (SW9) and further authorize the establishment of a reserve fund for bonded indebtedness pursuant to GML Section 6-h in the amount of \$8,357.08.
- 2012-328)** Authorize an interfund transfer from Capital Project No. H031 – Landfill Drainage Capital Project to the General Town-Wide Fund (A) and further

authorize the establishment of a reserve fund for bonded indebtedness pursuant to GML Section 6-h in the amount of \$11,552.47.

- 2012-329)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-1686 to 12-1873 on Abstract No. 2012-12, in the amount of ~~\$731,457.87~~ \$727,457.87, including the claims paid (\$105,553.97) since the previous Town Board meeting.
- 2012-330)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller

December 27, 2012

- 2012-331)** **WITHDRAWN:** *"Ratify and affirm pursuant to Article 3 Section 37 of the Town Law, the Tax Receiver appointed Rena Peter Deputy Tax Receiver effective December 14, 2012 at an hourly as set forth in the Year 2012 adopted budget."*
- 2012-332)** **WITHDRAWN:** *"Authorize Supervisor Dowds to execute and administer a Mutual Community Sharing Plan for High Intensity Law Enforcement Activity between the Towns of Schodack, East Greenbush, North Greenbush, City of Rensselaer, and Village of Nassau relative to provision for high intensity law enforcement activities. The term of this agreement is January 1, 2013 through December 31, 2016."*
- 2012-333)** **WITHDRAWN:** *"Authorize Supervisor Dowds to execute the authorization form to allow _____ to represent the Town of Schodack for a Planning Board Site Plan Review Modification relative to the Cell Tower located at Town Hall Way."*
- 2012-334)** Accept transfer of two parcels of land [Tax map nos. 199.4-4-25 and 199.4-4-18.1] owned by Paul J. Glaz to be dedicated to the Town of Schodack.
- 2012-335)** **WHEREAS**, Goldstein Subdivision developer, Al Goldstein, having completed the infrastructure work required by the Schodack Subdivision Regulations on the road known as Estate Drive, and
- WHEREAS**, the Schodack Planning Board has adopted a resolution accepting the recommendation of the Town Engineer and Highway Superintendent that the road be accepted and dedicated as a Town Road contingent upon receipt of title policy, now
- THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Schodack hereby accepts the offer of dedication from Goldstein Subdivision developer, Alan Goldstein, and hereby accepts and dedicates the highway to be known as Estate Drive as a Town of Schodack Town Road contingent upon receipt of title policy, authorizing Supervisor Dowds to execute and file all necessary documents and pay appropriate filing fees.
- 2012-336)** Authorize \$175,000 to be transferred into the Town Outside-Village Highway Fund (DB) Highway Equipment Capital Reserve Fund.

2012-337) Authorize the establishment of Capital Project No. H041 for Sewer District No 6 Proposed Extension – Dunkin Donuts (excluding construction/engineering) with a budget as follows:

Appropriations in the amount of \$10,000.00 in account 8130.2 to be funded by an interfund transfer from the General Town Outside Village Fund (B). Costs are determined to be planning of capital improvements under GML §99-D.

2012-338) Designate a Transfer Station holiday for year 2013 as follows:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Tuesday	January 1	New Year's Day

2012-339) Adopt the following annual salaries for the calendar year 2013:

Town Board Members	\$	10,000.00	
Town Justices	\$	28,893.00	
Court Officer	\$	20.23	/hour
Secretary to the Town Justice	\$	20.55	/hour
Secretary to the Town Justice	\$	14.22	/hour
Supervisor	\$	58,367.00	
Secretary to the Supervisor	\$	39,417.00	
Comptroller	\$	77,160.00	¹
Assistant Comptroller	\$	29.63	/hour
Accountant	\$	24.48	/hour
Payroll/Personnel Clerk	\$	29,714.00	
Receiver of Taxes	\$	34,292.00	
Deputy Tax Receiver	\$	15.72	/hour
Senior Tax Clerk	\$	12.62	/hour
Tax Clerk	\$	12.09	/hour
Acting Assessor	\$	52,020.00	
Assistant to the Assessor	\$	33,353.00	
Data Collector	\$	12.89	
Board of Assessment Review (BAR)- Chair	\$	552.00	²
BAR Members	\$	462.00	²
BAR- Secretary	\$	258.00	²
Town Clerk	\$	55,041.00	
Deputy Town Clerk	\$	43,491.00	
Deputy Town Clerk	\$	33,353.00	
Records Coordinator	\$	23.90	/hour
Buildings/Janitorial	\$	18.53	/hour
Police Chief	\$	75,909.00	
Police Officers (part-time)	\$	18.80	/hour
Dog Control Officer	\$	13,785.00	

Amended 2/14/2013 – by 2013-072

Highway Superintendent	\$	61,235.00	
Secretary to Highway Superintendent	\$	16.91	/hour
Secretary to Park	\$	16.91	/hour
Park Attendants	\$	12.75	/hour
Director of Youth and Recreation	\$	10,399.00	
Historian	\$	2,149.00	
Director of Transfer Station Operations	\$	49,559.00	
Park Manager	\$	18.21	/hour
Building Inspector	\$	55,656.00	
Secretary to Building Department	\$	27,790.00	
Registrars of Vital Statistics	\$	1,218.00	
Director of Planning and Zoning	\$	48,119.00	³
Secretary to Director of Planning/Zoning	\$	29,321.00	
Secretary to Director of Planning/Zoning	\$	16.11	/hour ⁴
Zoning Board Attorney	\$	13,165.20	
Zoning Board Chairperson	\$	1,576.00	⁵
Zoning Board Members	\$	1,051.00	⁶
Planning Board Attorney	\$	19,747.80	
Planning Board Chairperson	\$	4,203.00	⁷
Planning Board Members	\$	2,627.00	⁸
Peewee Wrestling Instructors	\$	500.00	
Summer Grounds	\$	13.28	/hour
Wingmen	\$	12.66	/hour

n: Comptroller - \$75,160.00; Capital Project Fiscal Analyst - \$2,000.00

2. Board of Assessment Review – Chairperson- \$92.00/meeting; Members-\$77.00/meeting; Secretary-\$43.00/meeting. Six meetings scheduled, not to exceed annual amount stated above without further Town Board approval.
3. Director of Planning - \$28,871.40; Director of Zoning - \$19,247.60.
4. Secretary to Director of Planning/Zoning – Hourly rate paid for attendance at planning/zoning meetings only.
5. Zoning Board Chairperson - \$131.33/meeting. Twelve meetings scheduled, not to exceed annual amount stated above without further Town Board approval.
6. Zoning Board members - \$87.58/meeting. Twelve meetings scheduled, not to exceed annual amount stated above without further Town Board approval.
7. Planning Board Chairperson - \$200.14/meeting. Twenty-one meetings scheduled, not to exceed annual amount stated above without further Town Board approval.
8. Planning Board Members - \$125.10/meeting. Twenty-one meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

2012-340) Authorize Town Clerk to execute and administer a contract with General Code for electronic document scanning services at a cost not to exceed \$9,000.00 [budgeted].

2012-341) 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, 2013 with a Six Million Dollar Umbrella, single occurrence with a Twelve Million Dollar aggregate for the premium not to exceed \$122,000.00.

- 2012-342)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #12-1874 to 12-1894 on Abstract No. 13-12, in the amount of \$9,822.56, including the claims paid (\$4,125.24) since the previous town board meeting.
- 2012-343)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.
- 2012-344)** The Organizational Meeting of the Town Board will be held on January 10, 2013 at 7 p.m. at the Schodack Town Hall at 265 Schuurman Road.