

January 12, 2017

2017-01) 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.

2017-02) Full-time employees (non-union) are given the following holidays for the year 2017:

<u>Date</u>	<u>Holiday</u>
January 2	New Year's Day
January 16	Martin Luther King, Jr. Day
February 20	Presidents Day
May 29	Memorial Day
July 4	Independence Day
September 4	Labor Day
October 9	Columbus Day
November 10	Veterans Day Observance
November 23	Thanksgiving Day
November 24	Day after Thanksgiving
December 25	Christmas
December 26	Day after Christmas Observance

2017-03) Designate Transfer Station holidays for year 2017 as follows:

<u>Date</u>	<u>Holiday</u>
May 30	Memorial Day Observance*
July 4	Independence Day
September 5	Labor Day Observance*
November 23	Thanksgiving Day
November 24	Day after Thanksgiving

7 Floating Holidays consist of: New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Columbus Day, Veterans Day, Christmas Day and Day after Christmas Day.

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

2017-04) Designate the following banks as depositories for all Town funds for the calendar year 2017: Key Bank, N.A, and Pioneer.

- 2017-05)** 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.
- 2017-06)** 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 2016-290.
- 2017-07)** Pursuant to the Arts and Cultural Affairs Law, Supervisor Dowds hereby appoints Diane Hutchinson, Town Historian at the annual salary set forth in resolution 2016-290.
- 2017-08)** Appoint David L. Gruenberg as Attorney to the Town, pursuant to retainer agreement dated January 28, 2010, remuneration as set forth in the Year 2017 adopted budget (\$24,000.00).
- 2017-09)** Appoint Bryan Goldberger, Esq. of Goldberger & Kremer as Labor Counsel to the Town, pursuant to retainer agreement dated October 14, 2016. This authorization shall not exceed \$10,000.00 without further board approval.
- 2017-10)** Appoint Kenneth Holmes as Superintendent of Highways, at the salary as set forth in resolution 2016-290.
- 2017-11)** Appoint Kerrie D. Joiner as Part-time Human Resource Manager at an hourly rate as set forth in resolution 2016-290.
- 2017-12)** Appoint Nadine Fuda, Director Planning/Zoning, at annual salary as set forth in resolution 2016-290.
- 2017-13)** Appoint Melissa A. Knights, Secretary to Planning/Zoning Department, at annual salary as set forth in resolution 2016-290.
- 2017-14)** Appoint Martha Reed, Secretary to Building Department, at annual salary as set forth in resolution 2016-290.

- 2017-15)** **WITHDRAWN:** *“Appoint Dominic DeFruscio III as Assistant Town Building Inspector/Code Enforcement Officer, at an hourly rate as set forth in resolution 2016-290.”*
- 2017-16)** Appoint Paul Harter, as Comptroller at annual salary as set forth in resolution 2016-290.
- 2017-17)** Appoint Paul Harter, as Budget Officer at annual salary as set forth in resolution 2016-290.
- 2017-18)** Appoint Susan Pilipczuk as Accountant at the hourly rate as set forth in resolution 2016-290.
- 2017-19)** Appoint Laura Palmer as Assistant Comptroller on a part-time basis at the hourly rate set forth in resolution 2016-290.
- 2017-20)** Appoint Gertrude Valli as Secretary to Justice Court on a full-time basis at the hourly rate as set forth in resolution 2016-290.
- 2017-21)** Appoint William Gonzales part-time Justice Court Officer on a part-time basis at the hourly rate set forth in resolution 2016-290.
- 2017-22)** Appoint Sheila Golden as Director of Youth and Recreation at the salary set forth in resolution 2016-290.
- 2017-23)** Appoint Gene Paul Martel as the Dog Control Officer at the salary set forth in resolution 2016-290.
- 2017-24)** Appoint Daniel Garvansites to the position of Park Manager at the hourly rate set forth in resolution 2016-290.
- 2017-25)** 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 2016-290.
- 2017-26)** Appoint Nicole A. Thomas as part-time janitorial staff at an hourly rate as set forth in resolution 2016-290.
- 2017-27)** Pursuant to Article 3 Section 37 of the Town Law, the Tax Receiver hereby appoints Rena Peter Deputy Tax Receiver at an hourly rate as set forth in resolution 2016-290.
- 2017-28)** Appoint Sandra Schell (13.52/hr.), Elizabeth Swahlan (\$12.96/hr.) and Michael Lubbers (\$12.96/hr.) as part-time Tax Clerks at an hourly rate as set forth in resolution 2016-290.
- 2017-29)** Appoint Stuart McKnight, Josh Walters, Jason Lorenzo, Thomas M. D. Jones, Clark Roehr, Keith M. Boniface, Gregory J. Leone and Matthew R.

Montross as part-time police officers at an hourly rate as set forth in resolution 2016-290.

- 2017-30)** 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 resolution 2016-290.
- 2017-31)** Pursuant to Article 3 Section 30 of the Town Law, the Town Clerk hereby appoints Debra Curtis Deputy Town Clerk at the annual salary set forth in resolution 2016-290.
- 2017-32)** Appoint Debra Curtis ADA Coordinator for the calendar year 2017 at no additional compensation.
- 2017-33)** 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 resolution 2016-290.
- 2017-34)** Appoint Kerrie D. Joiner Affirmative Action Coordinator for the calendar year 2017 at no additional compensation.
- 2017-35)** Appoint Lawrence D'Angelo as a member of the Planning Board. Term to expire on December 31, 2023.
- 2017-36)** Appoint Denise Mayrer as Chair of the Planning Board for the calendar year 2017. (Town Law §271).
- 2017-37)** Appoint Lou Spada as a member of the Zoning Board of Appeals. Term to expire December 31, 2021.
- 2017-38)** Appoint David Calarco as Chairman of the Zoning Board of Appeals for the calendar year 2017.
- 2017-39)** Appoint Robert W. Linville, Esq., as Attorney for the Planning Board and Zoning Board of Appeals at salary as set forth in resolution 2016-290.
- 2017-40)** Appoint Gloria Brewer as a member of the Board of Assessment Review at salary as set forth in Year 2017 adopted budget. Term to expire September 30, 2021.
- 2017-41)** Appoint Joseph Belardo as part-time Assistant Police Chief, under the direction of Bernhard Peter, Police Chief, not to exceed 20 hours per week, at an hourly rate set forth in resolution 2016-290.

Amended 9/14/17 by 2017-207

Amended 9/14/17 by 2017-206

- 2017-42)** Appoint Clyde Knott as a part-time Park Attendant, under the direction of Daniel Garvansites, at the hourly rate set forth in resolution 2016-290, effective March 1 through December 31, 2017, as needed.
- 2017-43)** Authorize the following individual for appointment to the Winter Youth Recreation Program, as recommended by the Director of Youth and Recreation for Pee Wee Wrestling – Thomas Gibbons at salary as set forth in resolution 2016-290.
- 2017-44)** 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 with remuneration as set forth in the Year 2017 adopted budget (\$15,000.00).
- 2017-45)** Pursuant to professional services agreement dated January 1, 2015, appoint Tabner, Ryan and Keniry, LLP as Special District Counsel and based on per hour fee schedule dated December 30, 2014, Partners \$250.00, Associates \$170.00 and Paralegals \$95.00. This authorization shall not exceed \$10,000.00 without further board approval.
- 2017-46)** Authorize Supervisor Dowds to execute and administer professional services agreement with the Vincelette Law Firm as Counsel, for the year 2017, to represent the Town on assessment related matters at an hourly rate of \$175.00.
- 2017-47)** Authorize Supervisor Dowds to execute and administer professional services agreement with Executive Computing, LLC, for the year 2017, to provide information technology services to the Town at an hourly rate of \$108.00.
- 2017-48)** Authorize Supervisor Dowds to execute and administer professional services agreement with Purinton and Morris CPA's, LLC, for the year 2017, for accounting consulting services at an hourly rate of \$175.00.
- 2017-49)** Appoint Barclay Damon, LLP as Bond Counsel with fees in accordance with letter dated December 19, 2013.
- 2017-50)** Pursuant to Chapter 32 Section 1 of the Code of the Town of Schodack, Supervisor Dowds appoints Jeffrey Arno, Police Officer; Alan Roehr Jr., Police Officer; Peter D. Schweigert; Allison Signor; Gary Ziegler; Steven Kelly and Matthew Carner to the Town of Schodack Fire Investigation Unit for the calendar year 2017.
- 2017-51)** Appoint the following as Fire Marshals for 2017: Dawne M. Kelly - Town Hall; Stuart McKnight - Police Station; and Harry Duncan - Highway Garage.
- 2017-52)** Establish the mileage rate of 53.5 cents per mile pursuant to I.R.S. rate for the calendar year 2017.

- 2017-53)** Designate **The Record** as official Town newspaper for the calendar year 2017.
- 2017-54)** Approve the attached Transfer Station Fee schedule, to be effective January 1, 2017. (See separate schedule)
- 2017-55)** 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, 2017.
- 2017-56)** Approve contracts and authorize Supervisor Dowds to execute and administer contracts with Castleton Volunteer Ambulance Service, Inc.(\$154,500.00), and Nassau Ambulance(\$55,000.00) for provision of emergency medical services for 2017 as set forth in the Year 2017 adopted budget.
- 2017-57)** Authorize Supervisor Dowds to execute and administer contracts with Village of Castleton-on-Hudson, Castleton Fire Company(\$50,000.00), the Board of Commissioners of Nassau Fire District Number One(\$55,000.00), and the Board of Commissioners of the East Schodack Fire District(\$84,500.00) for provision of fire and emergency services in each of the respective fire protection districts as set forth in the Year 2017 adopted budget.
- 2017-58)** Approve contracts and authorize Supervisor Dowds to execute contracts with the Castleton Public Library (\$108,000.00), East Greenbush Community Library (\$272,415.00), and Nassau Free Library (\$25,000.00) as set forth in the Year 2017 adopted budget.
- 2017-59)** 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 \$5,000.00 as set forth in the year 2017 adopted budget.
- 2017-60)** Authorize Supervisor Dowds to execute contracts with the Edward C. Swartz Southern Tier Senior Center (\$5,000.00) and Castleton Senior Citizens (\$5,000.00) 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)
- 2017-61)** Authorize Supervisor Dowds to execute agreement on behalf of the Town of Schodack with the Rensselaer County STOP DWI program for the calendar year 2017.

- 2017-62)** Authorize Supervisor Dowds to execute and administer Addendum Number 2017-01 for professional services from the Laberge Group to assist the Town Board for 2017. Hourly rates for Planning and Zoning Board activities for ~~[2016]~~ 2017 are as follows: Principal/project manager \$183.00, Project Engineer \$127.00, Assistant Engineer \$95.00 and Administrative Assistant \$67.00~~], and Addendum Number 2017-01 for planning and zoning];~~ Addendum Number 2017-02 for wastewater issues not to exceed \$5,000.00; Addendum Number 2017-03 for water issues not to exceed \$10,000.00; Addendum Number 2017-04 for Planning & Economic Development related issues not to exceed \$12,000.00; Addendum Number 2017-05 for MS-4 administration (Municipal Stormwater Management) field work, coalition meetings and testing allowance services not to exceed \$37,600.00 and Addendum Number 2017-06 for WQIP MS4 Mapping Project Lump Sum not to exceed \$24,900.00.
- 2017-63)** Recommend Roland Ferris be appointed to the Rensselaer County Fire Advisory Board. Oath is to be taken at Rensselaer County Clerk's office. Term to expire December 31, 2017.
- 2017-64)** 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.
- 2017-65)** Authorize Dennis Dowds to attend seminars for the Annual Meeting of the Associations of Towns of New York State February 19-21, 2017 with appropriate expenses to be borne by the Town.
- 2017-66)** Authorize Donna Conlin, Town Clerk as the voting delegate for the Town of Schodack at the Annual Meeting of the Association of Towns of New York State.
- 2017-67)** Authorize Dominic DeFruscio III, Assistant Building Inspector to attend Northern Adirondack Code Officials Conference March 6 through March 9, 2017 in Lake Placid, New York at estimated cost for the Conference and Seminar of \$260.00, and estimated cost for mileage \$158.76 and estimated cost for lodging of \$428.00 and estimated cost for meals \$50.00 for a total estimated cost of \$896.76. [This is a budgeted item.]
- 2017-68)** Authorize Nadine Fuda, Director of Planning and Zoning to attend Northern Adirondack Code Officials Conference March 6 through March 9, 2017 in Lake Placid, New York at estimated cost for the Conference and Seminar of \$260.00, and estimated cost for mileage \$158.76, and estimated cost for lodging of \$428.00 and estimated cost for meals \$50.00 for a total estimated cost of \$896.76. [This is a budgeted item.]

2017-69) Approve the attached Planning and Zoning Fee schedule, to be effective January 15, 2017.

2017-70) **WHEREAS**, the Town of Schodack was awarded a grant from the New York State Department of Environmental Conservation in the amount of \$222,325.00 toward replacement of the existing fuel storage and dispensing system at the Town Highway facility; and

WHEREAS, Laberge Engineering & Consulting Group Ltd., has developed Plans, Specifications and Contract Documents for publically advertising a construction project to install a new code complaint fueling facility and clean, close and remove the existing fueling facility; and

WHEREAS, the Plans, Specifications and Contract Documents were circulated for review to the Town Highway Department, Town Attorney and Town Insurance Agent; and

WHEREAS, the project will be required to obtain a Bulk Petroleum Storage permit from the NYSDEC, which will be received prior to undertaking work; and

WHEREAS, the project does not propose expansion which would meet or exceed any of the thresholds in section 6 NYCRR §617.4 which would require review under SEQRA as a Type I action;

THEREFORE BE IT RESOLVED, that pursuant to 6 NYCRR §617.(c)(2), the Board hereby declares that this project be classified as a Type II Action under SEQRA because it is considered replacement, rehabilitation or reconstruction of a structure or facility, including upgrades to meet building or fire codes, and it is therefore exempt from SEQRA.

BE IT FURTHER RESOLVED THAT, the Schodack Town Clerk is authorized to advertise for construction bids for the Project using the contract documents provided by the Laberge Engineering & Consulting Group, Ltd. which will establish a bid opening date of February 2, 2017.

BE IT FURTHER RESOLVED THAT, the Supervisor is authorized to direct the Laberge Engineering & Consulting Group, Ltd. to allow bidders adequate time to address technical addendum and/or prepare competitive bids.

2017-71) Declare [8] 6 Roll off containers at the Transfer Station as surplus and accept offer from ACC Container to purchase them at \$750.00 to \$800.00 per container based on condition.

2017-72) Authorize the Town Clerk to post notice and notify media that there will be a Special Town Board meeting to discuss the employee handbook which will be

held on Thursday, January 19, 2017 at 6:00 p.m. at the Schodack Town Hall, 265 Schuurman Rd.

2017-73) Whereas, George J. Galib and James A. Giacone, as owners of the existing My Place and Company Restaurant located at 1640 Columbia Turnpike, Schodack, New York, have requested to extend an existing sewer district to incorporate their property, and;

Whereas, the project entails the construction of a sanitary sewage grinder pump and a 250 lineal foot 1.25 inch diameter force main and connection to the existing 1.5 inch diameter force main, 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.

2017-74) **WHEREAS**, the Town of Schodack is contemplating the creation of Sewer District No. 6, Extension No. 2; and

WHEREAS, the project sponsor, George J. Galib and James A. Giacone, have caused to be prepared Part 1 of a Short Environmental Assessment Form for review by the Town Board; and,

WHEREAS, the Town Board has performed a review of the subject sewer district extension; and,

WHEREAS, the Town Board of the Town of Schodack is assuming Lead Agency status for the required environmental review of the proposed project; and,

WHEREAS, in connection with the review of the project, the Town Board has reviewed and considered Part 1 of the Short Environmental Assessment Form ("EAF") and the map, plan and report prepared by Advance Engineering & Surveying PLLC, competent engineers, which map, plan and report provided information in relation to environmental factors such as wetlands, flood plains, classified stream and cultural resources; and,

WHEREAS, the Town Board has also completed Part 2 of the short EAF as required by the State Environmental Quality Review Act; and,

WHEREAS, the Town Board carefully considered the environmental impacts associated with this project and the criteria for determining significance contained within 6 NYCRR § 617.7(c),

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Schodack Town Board determines that the proposed project is an Unlisted Action pursuant to the requirements of 6 NYCRR Part 617, and
2. The facts and conclusions set forth in the Short Environmental Assessment Form attached hereto are derived from the map, plan and report, submittals and other relevant information, including the personal knowledge and familiarity of the Town Board with the project site and its surrounding areas, and
3. The Town Board hereby declares and adopts the written Negative Declaration attached hereto, and
4. Based upon the Negative Declaration, the Town of Schodack Town Board hereby declares that the project will have no significant adverse environmental impact, and hereby issues a Negative Declaration under SEQRA, and
5. The Short Environmental Assessment Form (copy attached) and a copy of this resolution shall be filed in the Office of the Town Clerk, and
6. The Negative Declaration and a copy of this resolution shall be made available for inspection and copying by the public.

2017-75) WHEREAS, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of Sewer District No. 6, Extension No. 2 in the Town of Schodack, County of Rensselaer, State of New York, has heretofore been filed in the Town Clerk's Office; and,

WHEREAS, a map, plan and report relating to the establishment of Sewer District No. 6, Extension No.2 prepared by Advance Engineering & Surveying, PLLC, competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, 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 December 29, 2016, reciting the filing of the map, 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 January 12, 2017, at 7:10 p.m. at the 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 thereof, and to take such 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 January, 2017, beginning at 7:10 p.m. and the matter being duly discussed and all interested persons having been duly heard; and,

WHEREAS, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a regularly scheduled meeting of the Town Board to be conducted on the 12th day of January, 2017 at the Schodack Town Hall.

NOW, upon the evidence given at the hearing, and upon motion of Councilmember Kenney and seconded by Councilmember Swartz, it is

RESOLVED AND DETERMINED:

- (a) That the petition is signed and acknowledged or proved as required by law and complies with the requirements of Town Law Section 191 as to sufficiency of signers and is otherwise sufficient, and the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- (b) That all property and property owners within the proposed district extension are benefited thereby;
- (c) That all the property and property owners benefited are included within the limits of the proposed district extension;
- (d) That it is in the public interest to establish Sewer District No. 6, Extension No. 2;
- (e) A hook up fee to the property line equals \$10,825.00 and the first year cost for full operation for the typical property within Sewer District No. 6, Extension No. 2 is \$2,664.50;
- (f) Approval of the New York State Comptroller is not required for the formation of Sewer District No. 6, Extension No. 2. There is no public debt to be issued or assumed by the town for the improvement; and it is further,

RESOLVED AND DETERMINED, that the establishment of Sewer District No. 6, Extension No. 2, as set forth in the map, plan and report, be approved and that the approval of the Comptroller of the State of New York is not required for the reasons set forth above, and that the requested improvements be constructed, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district shall be known and designated as Sewer District No. 6, Extension No. 2 in the Town of Schodack, and shall be bounded and

described as set forth on Schedule "A" attached hereto and made a part hereof; and it is further,

RESOLVED AND DETERMINED, that the Town Clerk of the Town of Schodack shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Office of the State Department of Audit and Control at Albany, New York, and in the office of the Rensselaer County Clerk; and it is further,

RESOLVED AND DETERMINED, that the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of Eighty-Three Thousand Nine Hundred Seventy-Seven (\$83,977.00) Dollars.

SCHEDULE "A"

Legal Description

Sewer District #6

Sanitary Sewer Extension No. 2

Lands now or formerly of Galib & Giacone

All that tract or parcel of land situate, lying in the Town of Schodack, County of Rensselaer, State of New York, (being tax map parcels 178.00-11-24.1, 189.00-2-2 and 189.00-2-3) on the westerly side of Columbia Turnpike (Routes 9 & 20) and being shown on a plan titled "Plat of Survey, Lands of Orciuoli, to be conveyed to, George J. Galib and James A. Giacone", dated September 30, 2009, as prepared by John J. Dunn, P.L.S. and being more particularly bounded and described as follows:

Beginning at a point in the westerly highway boundary of Columbia Turnpike (Routes 9 & 20) at its intersection with the division line between lands now or formerly of Rose on the north and lands now or formerly of Galib and Giacone on the south; thence along said westerly highway boundary the following three (3) courses and distances:

- 1) South 16°-16' East, 99.9 feet to a point; thence
- 2) South 14°-22' East, 96.5 feet to a point; thence
- 3) South 14°-43'-44" East, 250.00 feet to a point at its intersection with the division line between the aforementioned lands of Galib and Giacone on the north and lands now or formerly of Fox Hollow, LLC on the south; thence along said division line the following seven (7) courses and distances:

- 1) South 73°-59'-53" West, . 101.18 feet to a point; thence
- 2) South 81°-41'-24" West, 169.90 feet to a point; thence
- 3) North 12°-58'-36" West, 34.70 feet to a point; thence
- 4) North 12°-58'-36" West, 163.18 feet to a point; thence
- 5) South 77°-21' West, 727.6 feet to a point; thence
- 6) North 05°-34' East, 534.1 feet to a point; thence

- 7) South 66°-20' West, 438.0 feet to a point in the division line between lands of the aforementioned Galib and Giacone on the east and lands now or formerly of Brown and Galligan on the west; thence along said division line the following four (4) courses and distances:
 - 1) North 08°-37' West, 345.2 feet to a point; thence
 - 2) North 05°-07' West, 231.0 feet to a point; thence
 - 3) North 82°-08' East, 360.4 feet to a point; thence
 - 4) North 78°-11' East, 396.0 feet to a point in the division line between the aforementioned Galib and Giacone on the west and lands now or formerly of Community Mutual Insurance Company on the east; thence along said division line South 04°-56' West, 171.1 feet to a point in the division line between the aforementioned Galib and Giacone on the west and lands now or formerly of Vankampen on the east; thence along said division line South 07°-15' West, 117.0 feet to a point and South 87°-45' East, 276.1 feet to a point in the division line between the aforementioned Galib and Giacone on the west and lands now or formerly of Vadney on the east; thence along said division line South 08°-18' East, 75.0 feet to a point in the division line between the aforementioned Galib and Giacone on the west and lands of the aforementioned Rose on the east; thence along said division line the following three (3), courses and distances:
 - 1) South 12°-00' East, 259.6 feet to a point; thence
 - 2) North 77°-23' East, 70.5 feet to a point; thence
 - 3) North 77°-23' East, 190.3 feet to the point and place of beginning.

2017-76) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-0001 to 17-0156 on Abstract No. 2017-01, in the amount of \$353,785.60, including the claims paid (\$157,623.01) since the previous town board meeting.

2017-77) Authorize the following budget modifications, interfund loans and interfund transfers as recommended by the Comptroller:

January 26, 2017

2017-78) Amend resolution 2017-70 as adopted January 12, 2017 to reflect bid opening date of February 15, 2017 rather than February 2, 2017.

February 9, 2017

2017-79) 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, 2017 to February 1, 2018 for \$1,610.75 annually. Contract includes 168,000 copies annually with an overage charge of \$0.0095 per copy.

- 2017-80)** 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, 2017 to February 1, 2018 for \$737.58 annually. Contract includes 24,000 copies annually with an overage charge of \$0.0284 per copy.
- 2017-81)** 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, 2017 to February 1, 2018 for \$883.11 annually. Contract includes 24,000 copies annually with an overage charge of \$0.031 per copy.
- 2017-82)** 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, 2017 to February 1, 2018 for \$1030.50 annually. Contract includes 42,000 copies annually with an overage charge of \$0.021 per copy.
- 2017-83)** 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, 2017 to February 1, 2018 for \$889.72 annually. Contract includes 30,000 copies annually with an overage charge of \$0.0252 per copy.
- 2017-84)** Authorize Supervisor Dowds to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for both the Konica Minolta Bizhub 284E copier in the Town Clerk's office, ID#731FL and for the Muratec MFX 3530 printer for Records Management, ID#227FN, combined contract, for the period February 2, 2017 to February 1, 2018 for \$441.00 annually. Contract includes 30,660 copies annually with an overage charge of \$0.0144 per copy.
- 2017-85)** Authorize Supervisor Dowds to execute and administer the Monitoring Service Contract with Rocket Monitoring Services to perform data collection and monitoring services on the Commercial AdvanTex® AX100 – TCOM Control Panel located in Sewer District No. 8 for a cost not to exceed \$1,200.00 and to provide monitoring on the VeriComm Panel located in Sewer District No. 5 for a cost not to exceed \$300.00.
- 2017-86)** Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2016 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.

- 2017-87)** Authorize Supervisor Dowds to execute and administer agreement with National Joint Powers Agreement to procure goods and services via cooperative contracting, subject to review and approval as to form by Attorney to the Town. There is no cost or obligation to the Town.
- 2017-88)** Authorize the appropriation of the Highway Equipment Capital Reserve Fund, established by Resolution 2010-422 in an amount not to exceed \$288,909.34 as follows:
- Tandem Axle Dump Truck for \$207,522 with a probable useful life of fifteen (15) years and a John Deere Tractor with Alamo-Industrial Versa-Flail Roadside Mowing Unit for \$81,357.34 with a probable useful life of twenty (20) years. This resolution is subject to permissive referendum as specified in GML §6-c.
- 2017-89)** Authorize the purchase of a 2018 International, Model 7600, Tandem Axle Dump Truck with Everest Dump Body, Plow, Wing Plow with Material Spreader at a cost not to exceed \$207,522 pursuant to purchasing Contract No. 7823 from County of Onondaga, contingent upon resolution #2017-088.
- 2017-90)** Authorize the purchase of a 2017 John Deere 5085M Tractor with Alamo-Industrial Versa-Flail Roadside 74" mowing unit at a cost not to exceed \$81,357.34 from NY Piggyback NJPA. Pursuant to purchasing Contract PC67140 and PC66577 respectively, contingent upon resolution #2017-088.
- 2017-91)** Authorize the appropriation of reserves of bonded indebtedness to be used towards 2017 debt service payments as provided in the 2017 Budget as follows:
- | | |
|--|------------|
| Clearview Water District No. 1 (SW1) | \$2,886.00 |
| Inglewood Water District No. 2A (SW2a) | \$2,175.00 |
- 2017-92)** Authorize \$1,204.00 to be transferred into the Schodack Landing Sewer District No. 8 Capital Reserve Fund.
- 2017-93)** Authorize \$50,000.00 to be transferred into the Town-Wide (A Fund) Police Vehicle Capital Reserve Fund.
- 2017-94)** Approve listing the following as surplus vehicle(s) and authorize Kenneth Holmes, Highway Superintendent to post said item on www.AuctionsInternational.com at no cost to the Town. (Bidders must be registered to bid. Cost of registration is \$10.00):
- 1) 2003 Ford Expedition – Police
 - 2) Ford Backhoe, Model 555 – Transfer Station
- 2017-95)** Authorize Sergeant Steven Roy (non-member) to attend the New York Tactical Association Conference and Expo in Verona, New York April 24th

through April 27th, 2017 at an estimated cost of \$811.99. (This is a 2017 budgeted item).

2017-96) **WHEREAS**, three parcels located on Schodack Landing Road in the Town of Schodack, and otherwise identified as tax maps 218.-7-3.1, 218.-7-3.3 and 218.-7-3.4 (hereafter, “the subject properties”); and

WHEREAS, Schodack Associates, LLC commenced judicial proceedings pursuant to Article 7 of the Real Property Tax Law (RPTL) seeking reductions of the 2016 real property tax assessments of the subject properties; and

WHEREAS, the Town is represented by The Vincelette Law Firm; and

WHEREAS, counsel has recommended that these proceedings now be resolved by settlement; and

WHEREAS, the Town Board and the Town Assessor have reviewed the proposed settlement and find the terms of the proposed settlement to be in the best interests of the Town; now, therefore be it

RESOLVED, that the Town Board hereby approves the settlement, attached to and made part of this resolution; and, be it further

RESOLVED, that counsel is hereby authorized to sign the settlement on behalf of the Town Board.

2017-97) Ratify and affirm appointing Gary Ziegler as part-time Temporary Town Building Inspector at an hourly rate of \$25.00, effective February 6, 2017. [This position does not include benefits other than as provided in the Town of Schodack Personnel Policy and Procedure Manual.]

2017-98) Appoint Joseph Belardo as Chief of the Schodack Police Department effective February 22, 2017 at an annual salary of \$73,000.00, with benefits.

2017-99) Authorize Supervisor Dowds to submit a 211 Waiver Application for Police Chief Belardo to the New York State Civil Service Commission for approval.

2017-100) Authorize ESCO Heating and Cooling to remove a heat pump in the Town Clerk’s Office and install a new 19,000 BTU heat pump in an amount not to exceed \$4,520.00.

2017-101) Authorize \$161,000.00 to be transferred into the Highway (DB Fund) Capital Reserve Fund.

2017-102) Authorize \$7,000.00 to be transferred into the Consolidated Water District (SW101 Fund) Repair Reserve Fund.

- 2017-103)** Authorize Debra Curtis, Deputy Town Clerk, to attend the annual New York State Town Clerk’s Association Conference in Rochester, New York, April 23 through April 26, 2017. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town per the 2017 adopted Town Budget, which are estimated to be \$1,104.85.
- 2017-104)** Authorize Kerrie D. Joiner, Human Resource Manager to post internally the full-time positions of Building Inspector for the Town of Schodack and Operator 2 at the Highway Department and authorize advertising in the official Town newspaper as necessary.
- 2017-105)** Authorize the Comptroller’s recommendation to direct the Town Supervisor to pay the claims #17-0157 to 17-0320 on Abstract No. 2017-02, in the amount of \$1,562,272.76, including the claims paid (\$224,003.69) since the previous town board meeting.
- 2017-106)** Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

March 9, 2017

- 2017-107)** Ratify and affirm authorizing Kerrie D. Joiner, Human Resource Manager to post internally the full-time positions of Assessor for the Town of Schodack and Senior Mechanic (Heavy) at the Highway Department and authorizing advertising in the official Town newspaper as necessary.
- 2017-108)** Appoint Michael Canestro and Mark Secor as Summer Grounds persons, under the direction of Kenneth Holmes, Highway Superintendent, at an hourly rate set forth in the 2017 annual budget.
- 2017-109)** Appoint Lynne Torello as Acting Dog Control Officer for the year 2017. The Acting Dog Control Officer will serve when needed to cover for sick time or vacation time. The rate of payment shall be \$50.00 per call.
- 2017-110)** Authorize Supervisor Dowds to contract with musicians to perform at the 2017 Music in the Park as follows:

Peaceful Country Band	June 6 th (rain date 6/7/17)	\$500.00
Winchester & Young	June 13 th (rain date 6/14/17)	\$450.00
Triskele	June 20 th (rain date 6/21/17)	\$600.00
Tri-County Banjo Band	June 27 th (rain date 6/28/17)	\$400.00
Yankee Doodle Band	July 11 th (rain date 7/12/17)	\$600.00

- 2017-111)** Authorize Supervisor Dowds to execute ASCAP License Agreement, subject to review and approval as to form by Attorney to the Town, and authorize payment not to exceed \$375.00 for the licensing fee to ASCAP.

2017-112) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Owner</u>	<u>Location</u>	<u>No. of Units</u>
Beberwyk, Mary Ann	57 Beberwyk Way	1
Brown Cow Opportunities c/o Brian Chittenden	759 Schodack Landing Rd.	1
Bunker Hill Farms, LLC c/o Margaret Hutchinson	117 Bunker Hill Rd.	1
Cedar Acres c/o Garden Homes Mgmt.	16 Hoags Corners Rd.	21
Clow, Robert	739 Co. Rt. 7	1
Curtis Trailer Park c/o Garden Homes Mgmt.	2032 East Schodack Rd.	70
Heffner, Matthew	229 Clove Rd.	1
Johnson, Kenneth	2460 Phillips Rd.	1
Leavenworth Trailer Park c/o Buck, Clemens	1477 Bame Rd.	17
Mann, Carol	247 Clove Rd.	1
Rapin-Plant, John & Mary Joy	3804 US 20	1
Sundowner Trailer Park c/o Hanson, Thomas & Debra	418 Amelia Way	6
Washburn, David & LaRosa, Francesca	65 Washington Ave.	1

2017-113) **WHEREAS**, the Town Board of the Town of Schodack on January 12, 2017 authorized the Town Clerk to publish a legal notice to solicit sealed bids for Schodack Fueling Facility pursuant to specifications prepared by the Laberge Engineering & Consulting Group, Ltd.; and

WHEREAS, after due publication of the notice, the Town, on February 15, 2017 received (5) bids for the Schodack Fueling Facility as follows: a bid from Northeast Petroleum Technologies, Inc. for \$239,919.00; a bid from Environmental & Fueling Systems LLC for \$251,965.00; a bid from American Petroleum Equipment & Construction, for \$258,865.00; a bid from LaValley Bros. Construction, Inc. for \$292,813.00 and a bid from Island Pump & Tank Corp. for \$378,500.00; and

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

NOW, THEREFORE, be it resolved that pursuant to the recommendation of the Laberge Engineering & Consulting Group, Ltd., that the Town Board does hereby award the bid to Northeast Petroleum Technologies, Inc., 2940 Curry Road, Schenectady, New York 12303 for its bid for the entire package in the sum of \$239,919.00, and

BE IT FURTHER RESOLVED THAT Supervisor Dowds is authorized to execute and administer the Town of Schodack Fueling Station Project construction agreement.

2017-114) 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 \$1,200.00.

2017-115) **WHEREAS**, pursuant to the franchise agreement between Time Warner Cable (“TWC”) (now known as Charter Communications) and the Town of Schodack, TWC/Charter pays the Town a fee for a special franchise to operate its cable television business in the public right-of-way, and

WHEREAS, for the year 2016 TWC/Charter paid the Town of Schodack \$85,055.00 in franchise fees, and

WHEREAS, TWC/Charter was levied a total of \$3,250.25 in Town taxes on five special franchise properties, and

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

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

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

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

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

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

WHEREAS, the Town has received a request for the credit on property taxes assessed in 2017 from the franchise fees paid during 2016,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of \$3,250.25 to Rensselaer County Bureau of Finance based on the 2016 TWC/Charter Utility report on said franchise properties assessed within the Town of Schodack.

2017-116) Authorize the purchase of a 2017 Ford Utility Police Interceptor AWD from VanBortel Ford based on Onondaga County purchasing contract bid number 7418 2017 at a cost not to exceed \$42,585.06 plus delivery charge of \$265.00 for a total cost not to exceed \$42,850.06. **[This is an approved 2017 Budget Item]**

2017-117) Adopt the fee schedule for Spring Clean Up Days (May 11, 12 & 13) 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*******

2017-118) **WHEREAS**, the Town of Schodack and the Village of Castleton entered into an Intermunicipal agreement dated November 21, 2013 for the Village's water system to interconnect with the Town's water system, allowing the Village to purchase water from the Town, and

WHEREAS, section VI(i) of said agreement allows for an annual increase in the rate charged to the Village in correlation to the consumer price index average published in January each year, and

WHEREAS, the consumer price index average published in January 2017 was 1.3% and the current rate charged to the Village is \$4.06 per 1,000 gallons of water,

NOW THEREFORE IT BE RESOLVED, that effective January 1, 2017 the rate charged to the Village of Castleton for the purchase of water shall be \$4.11 per 1,000 gallons.

2017-119) Amend Resolution 2016-165 as adopted on June 9, 2016 authorizing Supervisor Dowds to execute and administer a letter of Engagement for Legal and Planning Services with Shulman, Howard & McPherson, LLP dated March 11, 2015 relative to Updating the Town's Zoning Laws thereby increasing the amount from \$15,000.00 to an amount not to exceed \$20,000.00.

2017-120) **WITHDRAWN:** *"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	1/1/16 – 12/31/2019	N	10.80	
Tax Receiver	Kathy Lubbers	7	1/1/16- 12/31/2019	N	14.21	
Town Justice	Paul Peter	7	1/1/16- 12/31/19	N	7.74	
Appointed Officials						
Planning Board Member	Lawrence D'Angelo	7	1/1/17- 12/31/23	N	4.29	

2017-121) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-0321 to 17-0467 on Abstract No. 2017-03, in the amount of \$434,135.05, including the claims paid (\$307,909.18) since the previous town board meeting.

2017-122) Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

March 23, 2017

2017-123) **WHEREAS**, on February 9, 2017 the Schodack Town Board approved by resolution (2017-086) the Volunteer Ambulance Workers Service Award Program List of all 2016 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 March 14, 2017 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.

2017-124) 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:

Quarterly Reporting						
Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Quarterly (based on Record of Activities)	Not Submitted Record of Activities or T/S
Elected Officials						
Town Board Member	Michael Kenney	7	1/1/16 – 12/31/2019	N	9.93	
Appointed Officials						
Planning Board Member	Lawrence D'Angelo	7	1/1/17- 12/31/23	N	4.29	
Monthly Reporting						
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						
Tax Receiver	Kathy Lubbers	7	1/1/16- 12/31/2019	N	14.21	
Town Justice	Paul Peter	7	1/1/16- 12/31/19	N	7.74	

- 2017-125)** Authorize Shawn Zinzow, Water Operator to attend New York Rural Water Association's Technical Conference, May 21st through May 25th at the Niagara Falls Conference Center, Niagara Falls, NY. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town per the 2017 adopted Town Budget, with are estimated cost of \$792.00.
- 2017-126)** Amend resolution 2016-95 as adopted on February 11, 2016 authorizing Supervisor Dowds to execute lease agreement with Pitney Bowes for renewal of mail system Connect+ 1000 with 5-pound scale and 100-departmental accounting for a period of 12-months at the monthly rate of \$325.00, to reflect a period of 51-months at the monthly rate of \$325.00.
- 2017-127)** Authorize Supervisor Dowds to execute an annual maintenance agreement for the period of January 1 through December 31, 2017 with B & L Control Service Inc. for assistance, service and chemical products to treat the heating and cooling loops and cooling tower in an amount not to exceed \$3,445.00 for Town Hall, 265 Schuurman Road.
- 2017-128)** Authorize Supervisor Dowds to execute and administer Generator Preventative Maintenance agreement for the period April 1, 2017 through March 31, 2018 with Kinsley Power Systems, Inc. for Semi Annual and Annual Preventative Maintenance as described in Proposal dated 3/21/17 for generators at Clearview Water (\$554.00), Town Hall (\$787.00), Route 20 Booster (\$746.00), Main Water (\$1,050.00), Waters Road (\$554.00), Castleridge Sewer (\$548.00), Pondview Sewer (\$548.00), Empire Front (\$552.00), Empire Back (\$552.00) and Miller Road Sewer (\$554.00) treatment facilities in an amount not to exceed \$6,445.00
- 2017-129)** Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on proposed Local Law No. 1 to amend the Dog Control Law for the Town of Schodack, Chapter 109, Article II to allow for the collection of the Animal Population Control (APC) Fund fee to exempt service/therapy dogs. Said hearing to be held on Thursday, April 27, 2017 at the Schodack Town Hall at 7:15 p.m.
- 2017-130)** Authorize Supervisor Dowds to execute and administer contract with Billy Beez USA, LLC on behalf of the Schodack Summer Camp for hosting group event on July 17, 2017 at Crossgates, for an amount not to exceed \$1,080.00. 50% - \$540.00 to be remitted with contract.
- 2017-131)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:
- | <u>Owner</u> | <u>Location</u> | <u>No. of Units</u> |
|--|-----------------------|---------------------|
| Creekside Park
c/o DCJ Enterprises, LLC | 5-77 Creekside Circle | 52 |

Rensselaer Estates	23-65 Teddie Blvd.	53
	c/o DCJ Enterprises, LLC	
Day, Carlton	777 Western Rd.	1
Field, George	85 Veering Rd.	1
Skarzynski, Kim & Jerry	402 Waterbury Rd.	1

2017-132) **WHEREAS**, Homequest Exit 12 Development, LLC and the Town of Schodack are desirous of having certain assessment issues resolved as to property owned by Homequest Exit 12 Development, LLC, in the Town of Schodack, and

WHEREAS, a settlement proposal resolving tax certiorari litigation was recommended by the Vincelette Law Firm, special counsel to the Town of Schodack, and reviewed by the Schodack Town Board as its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2016 tax certiorari proceedings filed by Homequest Exit 12 Development, LLC, in which the 2016 assessed value of the subject property shall be reduced as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Prior Assessed Value</u>	<u>New Assessed Value</u>
2016	210.-7-32.11	\$275,000	\$115,000

Real Property Tax Law §727 shall apply, and the assessment shall remain unchanged for 2017, 2018, and 2019 assessment rolls, and it is further

RESOLVED, that Homequest Exit 12 Development, LLC, shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision; and it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Homequest Exit 12 development, LLC, and the Town of Schodack as to the above referenced assessment.

2017-133) Authorize Bruce Goodall, Transfer Station Director to attend Solid Waste and Recycling Conference, May 21st through May 24th at The Sagamore Conference Center, Lake George, NY. All appropriate expenses (mileage, meals, and registration) are to be borne by the Town per the 2017 adopted Town Budget, with are estimated cost of \$592.00

- 2017-134)** Authorize Highway Superintendent Holmes to execute and administer agreement dated February 21, 2017 with Unifirst for uniform, rag and floor mat rentals as follows: Highway department laborers, Highway department mechanics, Transfer Station department laborers, Transfer Station Director, shop rags, and floor mats at the Highway Garage which includes cleaning and exchange thereof on a monthly basis in the total annual amount of \$9597.12.
- 2017-135)** Proclamation
- 2017-136)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-0468 to 17-0658 on Abstract No. 2017-04, in the amount of \$747,971.36, including the claims paid (\$551,032.60) since the previous town board meeting.
- 2017-137)** Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

April 27, 2017

- 2017-138)** **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 27, 2017 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 1 of 2017 relating to amending Chapter 109, Article I of the Code of the Town of Schodack to collect fee relating to mandated state surcharges for a program of animal population control for all dogs, and
- WHEREAS**, notice of said public hearing was duly posted on the Town Clerk's official sign board on April 14, 2017 and advertised in the April 17, 2017 edition of THE RECORD, official newspaper of the Town, and
- WHEREAS**, said public hearing was held on April 27th at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part hereof, and
- WHEREAS**, that the Town Board of the Town of Schodack, after due deliberation, finds that it is in the best interest of the Town to adopt said local law
- NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby adopts Proposed Local Law Number 1 of 2017 (P1 of 2017) to be known as Local Law 1 of 2017 of the Town of Schodack, and

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

May 11, 2017

2017-139) **WHEREAS**, Sheila Golden, Director of Youth and Recreation, has recommended that the Summer Swim Program take place at the Sidney Albert Albany Jewish Community Center (SAAJCC) in Albany and stated the advantages of using this pool facility,

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves the use of the pool at the Sidney Albert Albany Jewish Community Center (SAAJCC) for the summer camp program, subject to review as to form by the Attorney to the Town, and

BE IT FURTHER RESOLVED to authorize Sheila Golden, Director of Youth and Recreation, to execute a contract with Sidney Albert Albany Jewish Community Center (SAAJCC) for use of the swimming pool facility for Summer Recreation Program from July 10 to August 4, 2017 for the Schodack Youth and Recreation Department in an amount not to exceed \$4,850.00. A deposit of \$1,850.00 shall be payable by June 19, 2017 and the remaining \$3,000.00 shall be paid by July 31, 2017.

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

2017-141) To approve the 2017 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on Pine Drive North, Pine Drive South, Mountain View Road, Boyce Road, portion of Thoroughbred Drive and South Old Post Road. Further, Crack Fill/Single Chip Seal treatments shall be applied on Veering Lane, McKnight Rd., Funk Rd., No. Schodack Rd., Reno Rd., Payne Rd., and Crack Fill/Double Chip Seal on Eleanor Drive.

2017-142) **WHEREAS**, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and

WHEREAS, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the audit report submitted for Justice Court for the fiscal year 2016.

2017-143) Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number

7. Said hearing shall be held on Thursday, June 8, 2017 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road.

2017-144) Appoint Karen Justus Sole Assessor effective May 12, 2017 at a salary of \$54,500.00 to fill the remainder of the unexpired term until September 30, 2019.

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

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

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

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

2017-147) Eagle Scout Proclamation (Mason Slovak).

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

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

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

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

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

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

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

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

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

NOW, it is hereby **ORDERED**, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Town of Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York 12033, in said Town, on the 8th day of June, 2017, at 7:10 p.m., local time, to consider said petition and the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

SCHEDULE "A"

Legal Description
Consolidation Water District No. 101
Water Extension #5
Lands now or formerly of Snook Materials Group, LLC

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

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

N 89°54'17" E, 182.24' to a NYSDOT concrete marker
thence N 58°15'16" E, 558.13' to a NYSDOT concrete marker

thence N 80°21'54" E, 353.79' to a NYSDOT concrete marker
thence N 85°59'09" E, 384.98' to a point in the lands of Hannaford Bros. Co.
(R57/P2259);

Thence along the lands of Hannaford Bros. Co. the following four courses
and distances:

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

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

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

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

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

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

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

construction alternative chosen, and;

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

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

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

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

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

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

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

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

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

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

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

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

SCHEDULE "A"

Legal Description

Sewer District No. 6

Sanitary Sewer Extension #3

Lands now or formerly of Snook Materials Group, LLC

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

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

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

Thence along the lands of Hannaford Bros. Co. the following four courses and distances:

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

90); thence along the east line of 1-90 the following four courses and distances:

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

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

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

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

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

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

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

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

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

Amended 12/28/17 by 2017-312

- 2017-153)** Authorize Supervisor Dowds to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub C308 copier at the Police Station, for the period February 2, 2017 to February 1, 2018 for \$474.00 annually. Contract includes 42,000 b/w copies and 3,000 color copies annually with an overage charge of \$0.007 and \$0.06 respectively per copy.
- 2017-154)** Authorize Supervisor Dowds to execute and administer Addendum Number 2017-07 for professional services from the Laberge Group to assist the Town of Schodack with Code Revisions not to exceed ~~\$25,000.00~~ \$10,000.00.
- 2017-155)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-0659 to 17-0828 on Abstract No. 2017-05, in the amount of \$302,193.74, including the claims paid (\$184,102.75) since the previous town board meeting.
- 2017-156)** Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

May 25, 2017

- 2017-157)** Ratify and affirm appointing Lawrence J. Zink as Summer Grounds person, under the direction of Kenneth Holmes, Highway Superintendent, at an hourly rate set forth in the 2017 annual budget. (to fill vacancy)
- 2017-158)** Ratify and affirm authorizing Human Resources Manager to post internally the full-time position of Assistant to Assessor and to advertise in the official Town newspaper, The Record, and additionally in the Albany Times Union as necessary.

June 8, 2017

- 2017-159)** Amend Resolution 2017-110 as adopted on March 9, 2017 authorizing Supervisor Dowds to contract with Tiskele as follows:

Triskele	June 20 th (rain date 6/21/17)	\$599.00
----------	---	----------

- 2017-160)** 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: David Austin, Rebecca Cioffi, Bryan Lussier and Kara Taylor
Substitute Director - Jillian Austin
Assistant Directors: Alysia Brunner, Kerry Golden and Pamela Weidman
Assistant Director/Director of Special Education campers – Dawn Renslow

Water Safety Instructor - Ryan Krupa

Lifeguards: Nicholas Bullinger, Christopher Hayes, Cassandra Hunter, Sarah Konig, Alaina Rossetti and Kylie Salerno

Arts and Crafts Director - Victoria Roberts

Transportation Director - Sarah Lussier

Pool Supervisor - Patrick Austin

Bus Aides: Emily Bonesteel, Shelby Gipp, Megan Grandinetti, Garrett Renslow, Logan Samarija, and Skylar Van Alsytn

Camp Nurse: Shannon Hibbs and Deborah Sweet

Substitute Nurse: Heather Brewer

Traveling Nurses: Jennifer Davids, Tracy Demerico and Kristina Macyowskie

Summer Soccer – Daniel Gillespie

Counselors: Meg Albanese, Erica Appelbaum, Garrett Axtmann, Allison Basile, Bridget Bennett, Meagan Bonesteel, Lucas Bourdeau, Aidan Carney, Alyson Coyne, Matthew Crawford, Haley D'Angelo, Taylor Gerrain, Madeline Gibney, Jashton Gieser W. Tyler Giles, Michael Grandinetti, Adam Hacker, Reny Hoffman, Amanda Kern, Bryan Kern, Julia Keyoskey, Dylan Kolb, Evan Kulpa, John Paul Kulpa, Caitlin Lallier, Cameron Lankenau, Jeremy Lopez, Samuel Young Lucarelli, Connor McGarvey, Kristen McInerney, Joseph Merhige, Haley Murray, Arianna Papas, Alexander Pomakij, Quinn Pratico, Jeremy Price, Brayden Renslow, Matthew Riordan, Noah Roberts, Seth Roberts, Emily Roloson, Ethan Samarija, Alexis Smith, Colin Squires, Alexandra Stuto, Trent Svingala, Abigail Utter, Victoria Whimple, Caroline White and Alec Yager

Substitute Counselors: Alexander Bleau, Jamie Davis, Abigail Facteau, Gabriel Gibney, Tyler Heppelle, Brittany Jensis, Samuel Kirschner (also substitute lifeguard), Michaela Rossetti (also substitute Lifeguard) and Wayne Scott.

2017-161) Authorize the agreement between the Town of Schodack and Verizon for seasonal charges for the 13 cellular telephones to be used for the Town of Schodack Youth and Recreation summer program at a cost of \$6.99 per phone per month plus \$0.06 per call and 200 text messages per phone. Verizon mobile to mobile and nights and weekends are unlimited. Estimated charges are approximately 1235 calls or \$75.00. Rates per NYS Contract No. PS63766. Service will incur a total of approximately 6 weeks of billing or approximately \$212.00 in charges Said phones to be utilized by the Camp Directors for the duration of the camp. (As budgeted)

2017-162) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Owner</u>	<u>Location</u>	<u>No. of Units</u>
Davis III, John H.	1516 Rt. 9	1
Saville, Richard & Rita	46 Miller Rd.	1

2017-163) WHEREAS, the Town of Schodack is contemplating the creation of Consolidated Water District No. 101, Water District Extension No. 5; and

WHEREAS, the project sponsor, Snook Materials Group, LLC, has caused to be prepared Part 1 of a Short Environmental Assessment Form for review by the Town Board; and,

WHEREAS, the Town Board has performed a review of the subject water district extension; and,

WHEREAS, the Town Board of the Town of Schodack is assuming Lead Agency status for a coordinated environmental review of the proposed project with the Town of Schodack Planning Board; and,

WHEREAS, in connection with the review of the project, the Town Board has undertaken a coordinated review with the Town of Schodack Planning Board and has considered Part 1 of the Short Environmental Assessment Form (“EAF”) and the map, plan and report prepared by Bergmann Associates, competent engineers, which map, plan and report provided information in relation to environmental factors such as wetlands, flood plains, classified stream and cultural resources; and,

WHEREAS, the Town Board has also completed Part 2 of the short EAF as required by the State Environmental Quality Review Act; and,

WHEREAS, the Town Board carefully considered the environmental impacts associated with this project and the criteria for determining significance contained within 6 NYCRR § 617.7(c).

NOW, THEREFORE, BE IT RESOLVED that:

7. The Town of Schodack Town Board determines that the proposed project is an Unlisted Action pursuant to the requirements of 6 NYCRR Part 617, and
8. The facts and conclusions set forth in the Short Environmental Assessment Form attached hereto are derived from the map, plan and report, submittals and other relevant information, including the personal knowledge and familiarity of the Town Board with the project site and its surrounding areas, and
9. The Town Board hereby declares and adopts the written Negative Declaration attached hereto, and
10. Based upon the Negative Declaration, the Town of Schodack Town Board hereby declares that the project will have no significant adverse environmental impact, and hereby issues a Negative Declaration under SEQRA, and

11. The Short Environmental Assessment Form (copy attached) and a copy of this resolution shall be filed in the Office of the Town Clerk, and

12. The Negative Declaration and a copy of this resolution shall be made available for inspection and copying by the public.

2017-164) WHEREAS, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of Consolidated Water District No. 101, Water District Extension No. 5, in the Town of Schodack, County of Rensselaer, State of New York, has heretofore been filed in the Town Clerk's Office; and,

WHEREAS, a map, plan and report relating to the establishment of Consolidated Water District No. 101, Water District Extension No. 5, prepared by Bergmann Associates, competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, 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 May 11, 2017, reciting the filing of the map, 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 June 8, 2017, at 7:10 p.m. at the 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 thereof, and to take such 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 8th day of June, 2017, beginning at 7:10 p.m. and the matter being duly discussed and all interested persons having been duly heard; and,

WHEREAS, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a regularly scheduled meeting of the Town Board to be conducted on the 8th day of June, 2017 at the Schodack Town Hall.

NOW, upon the evidence given at the hearing, and upon motion of Councilmember Kenney and seconded by Councilmember Rex, it is

RESOLVED AND DETERMINED:

- (g) That the petition is signed and acknowledged or proved as required by law and complies with the requirements of Town

Law Section 191 as to sufficiency of signers and is otherwise sufficient, and the notice of hearing was published and posted as required by law, and is otherwise sufficient;

- (h) That all property and property owners within the proposed district extension are benefited thereby;
- (i) That all the property and property owners benefited are included within the limits of the proposed district extension;
- (j) That it is in the public interest to establish Consolidated Water District No. 101, Water District Extension No. 5;
- (k) A hook up fee to the property line will be paid by the property owner and the first year cost for full operation and maintenance for the typical property within Consolidated Water District No. 101, Water District Extension No. 5, is \$23,758.36 and the first year cost of debt repayment for typical properties within the water district extension is Eleven Thousand and 00/100 (\$11,000.00) Dollars;
- (l) Approval of the New York State Comptroller is not required for the formation of Consolidated Water District No. 101, Water District Extension No. 5. There is no public debt to be issued or assumed by the town for the improvement since the infrastructure improvements will be paid in full by the property owner; and it is further,

RESOLVED AND DETERMINED, that the establishment of Consolidated Water District No. 101, Water District Extension No. 5, as set forth in the map, plan and report, be approved and that the approval of the Comptroller of the State of New York is not required for the reasons set forth above, and that the requested improvements be constructed, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district shall be known and designated as Consolidated Water District No. 101, Water District Extension No. 5, in the Town of Schodack, and shall be bounded and described as set forth on Schedule "A" attached hereto and made a part hereof; and it is further,

RESOLVED AND DETERMINED, that the Town Clerk of the Town of Schodack shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Office of the State Department of Audit and Control at Albany, New York, and in the office of the Rensselaer County Clerk; and it is further,

RESOLVED AND DETERMINED, that the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of Seven Hundred Fifty-Four Thousand Nine Hundred Three (\$754,903.00) Dollars.

SCHEDULE "A"

Legal Description

Consolidation Water District No. 101
Water Extension #5
Lands now or formerly of Snook Materials Group, LLC

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

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

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

Thence along the lands of Hannaford Bros. Co. the following four courses and distances:

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

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

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

S 82°13'28" E, 143.80' to an iron rod
thence N 60°47'32" E, 94.50' to an iron rod
thence N 84°30'32" E, 68.60' to an iron pipe
thence S 83°07'28" E, 100.80' to an iron pipe
thence N 41°07'32" E, 106.90' to an iron pipe

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

2017-165) WHEREAS, the Town of Schodack is contemplating the creation of Sewer District No. 6, Sanitary Sewer Extension No. 3; and

WHEREAS, the project sponsor, Snook Materials Group, LLC, has caused to be prepared Part 1 of a Short Environmental Assessment Form for review by the Town Board; and,

WHEREAS, the Town Board has performed a review of the subject sewer district extension; and,

WHEREAS, the Town Board of the Town of Schodack is assuming Lead Agency status for a coordinated environmental review of the proposed project with the Town of Schodack Planning Board; and,

WHEREAS, in connection with the review of the project, the Town Board has reviewed and considered Part 1 of the Short Environmental Assessment Form ("EAF") and the map, plan and report prepared by Bergmann Associates, competent engineers, which map, plan and report provided information in relation to environmental factors such as wetlands, flood plains, classified stream and cultural resources; and,

WHEREAS, the Town Board has also completed Part 2 of the short EAF as required by the State Environmental Quality Review Act; and,

WHEREAS, the Town Board carefully considered the environmental impacts associated with this project and the criteria for determining significance contained within 6 NYCRR § 617.7(c).

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Schodack Town Board determines that the proposed project is an Unlisted Action pursuant to the requirements of 6 NYCRR Part 617, and
2. The facts and conclusions set forth in the Short Environmental Assessment Form attached hereto are derived from the map, plan and report, submittals and other relevant information, including the personal knowledge and familiarity of the Town Board with the project site and its surrounding areas, and
3. The Town Board hereby declares and adopts the written Negative Declaration attached hereto, and

4. Based upon the Negative Declaration, the Town of Schodack Town Board hereby declares that the project will have no significant adverse environmental impact, and hereby issues a Negative Declaration under SEQRA, and
5. The Short Environmental Assessment Form (copy attached) and a copy of this resolution shall be filed in the Office of the Town Clerk, and
6. The Negative Declaration and a copy of this resolution shall be made available for inspection and copying by the public.

2017-166) WHEREAS, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of Sewer District No. 6, Sanitary Sewer Extension No. 3 in the Town of Schodack, County of Rensselaer, State of New York, has heretofore been filed in the Town Clerk's Office; and,

WHEREAS, a map, plan and report relating to the establishment of Sewer District No. 6, Sanitary Sewer Extension No. 3 prepared by Bergmann Associates, competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, 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 May 11, 2017, reciting the filing of the map, 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 June 8, 2017, at 7:25 p.m. at the 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 thereof, and to take such 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 8th day of June, 2017, beginning at 7:25 p.m. and the matter being duly discussed and all interested persons having been duly heard; and,

WHEREAS, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a regularly scheduled meeting of the Town Board to be conducted on the 8th day of June, 2017 at the Schodack Town Hall.

NOW, upon the evidence given at the hearing, and upon motion of Councilmember Swartz and seconded by Supervisor Dowds, it is

RESOLVED AND DETERMINED:

- (a) That the petition is signed and acknowledged or proved as required by law and complies with the requirements of Town Law Section 191 as to sufficiency of signers and is otherwise sufficient, and the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- (b) That all property and property owners within the proposed district extension are benefited thereby;
- (c) That all the property and property owners benefited are included within the limits of the proposed district extension;
- (d) That it is in the public interest to establish Sewer District No. 6, Sanitary Sewer Extension No. 3;
- (e) A hook up fee to the property line equals \$122,745.00 and the first year cost for full operation and maintenance for the typical property within Sewer District No. 6, Sanitary Sewer Extension No. 3 is \$43,607.21;
- (f) Approval of the New York State Comptroller is not required for the formation of Sewer District No. 6, Sanitary Sewer Extension No. 3. There is no public debt to be issued or assumed by the town for the improvement since the infrastructure improvements will be paid in full by the property owner; and it is further,

RESOLVED AND DETERMINED, that the establishment of Sewer District No. 6, Sanitary Sewer Extension No. 3, as set forth in the map, plan and report, be approved and that the approval of the Comptroller of the State of New York is not required for the reasons set forth above, and that the requested improvements be constructed, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district shall be known and designated as Sewer District No. 6, Sanitary Sewer Extension No. 3 in the Town of Schodack, and shall be bounded and described as set forth on Schedule "A" attached hereto and made a part hereof; and it is further,

RESOLVED AND DETERMINED, that the Town Clerk of the Town of Schodack shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Office of the State Department of Audit and Control at Albany, New York, and in the office of the Rensselaer County Clerk; and it is further,

RESOLVED AND DETERMINED, that the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of Five Hundred Forty Thousand Nine Hundred Sixty-Seven (\$540,967.00) Dollars.

SCHEDULE "A"

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

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

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

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

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

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

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

S 82°13'28" E, 143.80' to an iron rod
thence N 60°47'32" E, 94.50' to an iron rod
thence N 84°30'32" E, 68.60' to an iron pipe
thence S 83°07'28" E, 100.80' to an iron pipe

thence N 41°07'32" E, 106.90' to an iron pipe
thence N 20°54'32" E, 110.00' to an iron pipe
thence N 11°34'32" E, 87.60' to an iron pipe
thence N 11°30'28" W, 370.80' to an iron pipe
thence N 36°25'28" W, 91.82' to the point and place of beginning.
Containing 55.95± acres of land.

2017-167) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on June 8, 2017 to amend Resolution 2016-267 proposed sewer rents and units for Operation & Maintenance of 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 8th of June 2017, 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 and units,

NOW, THEREFORE, BE IT RESOLVED that commencing with the 2nd 2017 semi-annual billing period (July 1, 2017 to December 31, 2017) the sewer rents for Sewer District No. 7 (Hamilton Printing) shall be for **2** units at a semi-annual rate of **\$175.00** per unit.

2017-168) Authorize Gary Ziegler, Part-time Temporary Town Building Inspector to be compensated at an hourly rate of \$30.55, effective June 9, 2017. [This position does not include benefits other than as provided in the Town of Schodack Personnel Policy and Procedure Manual.]

2017-169) Authorize Bruce Goodall to execute agreement on behalf of the Town of Schodack with Care Environmental Corp. to assist with the collection of the 2017 Household Hazardous Waste (HHW) on September 16, 2017.

2017-170) WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS the 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 such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY Town of Schodack

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 two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.

That this resolution shall take effect immediately

- 2017-171)** Amend resolution 2017-100 as adopted on February 9, 2017 authorizing ESCO Heating and Cooling to remove a heat pump in the Town Clerk's Office and install a new 19,000 BTU heat pump in an amount not to exceed \$4,520.00 to increase the not to exceed amount to \$7,412.00.
- 2017-172)** Authorize the purchase of a AMI Extendable Stick Hydraulic Thumb and installation on Town owned JCB 214 Series 3 Loader Backhoe per quote number 849 dated June 6, 2017 from Liftech Equipment Companies at a cost not to exceed \$5,495.00.
- 2017-173)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-0829 to 17-0997 on Abstract No. 2017-06, in the amount of \$204,383.50, including the claims paid (\$94,293.49) since the previous town board meeting.
- 2017-174)** Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.
- 2017-175)** Authorize the Town Clerk to post notice and notify media that there will be a Special Town Board meeting to discuss specific appointments for Building Inspector and Town Clerk which will be held on Thursday, June 22, 2017 at 5:30 p.m. at the Schodack Town Hall, 265 Schuurman Rd., Castleton, NY 12033.

June 22, 2017

2017-176) Pursuant to Town Law §64 paragraph (5) appoint Debra L. Curtis Town Clerk effective July 1, 2017 at a salary of \$58,999.00 to fill the unexpired term of Town Clerk Donna Conlin. Term to expire December 31, 2017.

July 13, 2017

2017-177) WHEREAS, it is the intent of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievements of those who have given so generously to their community, exemplifying the ideals and values cherished by this great Town, and

WHEREAS, Donna L. Conlin has distinguished herself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to her position of Town Clerk in the Town of Schodack, and

WHEREAS, Donna L. Conlin has been a resident of the Town of Schodack for fifty years and a graduate of Troy High School class of 1963, and

WHEREAS, Donna was first appointed Dog Enumerator on September 13, 1979 by Supervisor G. Jeffrey Haber, Councilmen: Earl Johnson, Robert Martin, Richard Kiefer and Arthur Hartmuller, on December 30, 1980 Donna was reappointed as Dog Enumerator at the rate of \$3.75 per hour, and

WHEREAS, on February 14, 1980 Donna was appointed Deputy Town Clerk and on September 10, 1981 was appointed as Deputy Registrar of Vital Statistics, and

WHEREAS, on June 9, 1983 Donna was appointed Town Clerk by Supervisor G. Jeffrey Haber, Councilmen: Earl Johnson, Robert Martin, Richard Kiefer and Hollis Reeves and has served faithfully in this role under Supervisors: G. Jeffrey Haber, Beth Morgan, Jack Nelson, Michael Glavin, Joseph McCabe, Eileen Natoli, Beth Morgan Secor and Dennis Dowds until her retirement on June 30, 2017, and she holds the distinguished honor of being the longest serving Town Clerk for the Town of Schodack, and

WHEREAS, Donna has held the appointed positions of Registrar of Vital Statistics and served on the Town of Schodack Board of Ethics for numerous years, and

WHEREAS, Donna has served as President of the New York State Town Clerk's Association and has received numerous certificates and recognitions over the years, notably: 1991 American Society for Public Administration, Empire State Capital Area Chapter, 1996 International Institute Municipal Clerk conferred title of Certified Municipal Clerk, 1998 Passport Services, 2009 Town Clerk of Year for District 3 and in 2014 New York Town Clerk's

Association named Donna Town Clerk of the Year. These recognitions have been proudly displayed on her office wall over the years, and

WHEREAS, over the years, in addition to being a prankster, Donna has been the official sole source supplier of her “special recipe” punch and guru on napkin fanning and decorating for all special events and happenings at the Town Hall, and

WHEREAS, Donna has demonstrated her love of family by being the Mother of Kim and Heather, step-mother to Jen, Casey and Jake and the unsurpassed “Nana” to Meghan, Alexis, Emma, Fionna and Murphy and devoted wife of Jeff for 27 years, and

WHEREAS, Donna has given unselfishly to her community by her steadfast involvement, as a member and past president of the Schodack Republican Club and by serving as a member of Saint Paul’s Methodist Church,

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Donna L. Conlin, who has given herself to this community in so many ways and distinguished herself throughout her career bringing great pride to her family, her peers, her associates and her community by being a person of commitment, integrity and an impressive role model for all, and be it

FURTHER RESOLVED, that the Legislative Body of the Town of Schodack will pause in its deliberations on the 13th day of July 2017 to acknowledge and honor Donna L. Conlin, upon her retirement, for her 37 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, was transmitted to her.

2017-178) Ratify and affirm amending resolution 2017-160 adopted on June 8, 2017 to appoint the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

Counselor: Lauryn Krupa

Substitute Counselors: Mackenzie Seymour, Bryce Arno & Andrew Brunner

2017-179) Amend resolution 2016-295 as adopted December 29, 2016, to cancel the Regular Town Board meetings for July 27, 2017 and August 24, 2017.

2017-180) Authorize Bruce J. Wagner, Justice and Paul W. Peter, Justice to attend New York State Magistrates Association Fall Conference October 15th through 18th at Verona, New York with registration fees not to exceed \$50.00 per Justice, lodging (meals included) not to exceed \$755.01 per Justice and travel costs (mileage) not to exceed \$139.91 for a total estimate not to exceed \$1,889.84. [This is a budgeted item]

- 2017-181)** Authorize Alan Roehr Jr., 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 8 through 10, 2017 in Montour Falls, New York, at an estimated cost per person of \$25.00 – registration fee (\$100.00) and lodging (\$525.00) and meals (\$180.00), and estimated cost for mileage (\$265.00) and tolls (\$30.00) for a total estimated cost of \$1,100.00. [This is a budgeted item.]
- 2017-182)** Authorize Alan Roehr, Jr., Police Officer to attend Taser CEW V20 instructor Course November 30th through December 1st at Zone 5 law enforcement Academy, Schenectady, New York for a total estimate not to exceed \$435.00.
- 2017-183)** Authorize Karen Justus, Sole Assessor to attend Ethics and The Assessor Seminar, October 3, 2017 in Lake Placid, New York, at an estimated cost (\$150.00) and lodging (\$161.00) and estimated cost for mileage (\$157.29) for a total estimated cost of \$468.29. [This is a budgeted item.]
- 2017-184)** Appoint Joseph Tremblay as Building Inspector, at an salary of \$54,000.00, effective July 31, 2017. Further, this is a provisional appointment which requires said appointee to take the next civil service exam offered for that title.
- 2017-185)** **WITHDRAWN:** *Authorize Supervisor Dowds to execute and administer Addendum Number 2017-08 for professional grant writing services from the Laberge Group to assist the Town with WQIP MS4 Mapping in an amount not to exceed \$2,500.00.*
- 2017-186)** Approve listing the following as surplus vehicle and authorize Kenneth Holmes, Highway Superintendent to post said items on www.AuctionsInternational.com at no cost to the Town. (Bidders must be registered to bid. Cost of registration is \$10.00):

2009 Ford Crown Victoria, VIN 2FAHP71V99X134057 - Police
- 2017-187)** Authorize Saxton Sign to prepare two road signs to recognize the achievement of Trent Svingala, State Wrestling Champion as Sophomore at Maple Hill High School for a cost not to exceed \$225.00.
- 2017-188)** 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' 29th Annual Apple Festival to be held October 7th and 8th, 2017 on their premises, pursuant to the written application submitted by Goold Orchards, Inc. The 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. The 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 or vehicles, by participants or employees of the event and reimburse the Town for any other additional expense resulting from the event.

2017-189) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-0998 to 17-1198 on Abstract No. 2017-07, in the amount of \$688,354.64, including the claims paid (\$126,784.57) since the previous town board meeting.

2017-190) Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

July 20, 2017

2017-191) Appoint Debra L. Curtis Registrar of Vital Statistics at a salary of \$1400.00 set forth in resolution 2016-290 and appoint Karen A. Vecchione as Deputy Registrar of Vital Statistics in charge of issuance of birth records at a rate of \$10.00 per certificate pursuant to Section 4122 of the Public Health Law at salary set forth in resolution 2016-290. Said appointments would be effective July 21, 2017 through December 31, 2017.

August 10, 2017

2017-192) **Withdrawn:** "Appoint _____ as Assistant to the Assessor, at an annual salary of \$_____, effective _____, 2017".

2017-193) **WHEREAS**, the Town Board, after due consideration, has determined that it is desirable and in the public interest to undertake the necessary activities for the submittal of a grant application under the 2017 NYSDEC Water Quality Improvement Program (WQIP) for necessary mapping of outfalls in order to better monitor elicit discharge, and

WHEREAS, the Town Board is hereby committed to using municipal funds to provide a local cash match of twenty-five percent (25%) of the total project cost. The proposed mapping project will not exceed a cost of \$24,900, with a maximum Town match of \$6,225.

IT IS HEREBY RESOLVED, that the Town Board authorizes and directs Supervisor Dowds to submit an application for outfall mapping under the WQIP Program. He is authorized to execute all other documents necessary for the implementation of this work, and is also authorized to execute all financial and/or administrative processes relating to the grant program.

2017-194) **WHEREAS**, in accordance with Article 11-AA of the New York State General

Municipal Law, residents of the Town of Schodack approved a proposition to establish a Defined Contribution Service Award Program for active volunteer members of the Castleton Volunteer Ambulance Association effective January 1, 1999, and

WHEREAS, THE Program currently provides that an active volunteer member earns a \$480 Service Award contribution and a year of service credit for each calendar year during which such member earns 50 or more points under the Service Award Program Point System, and

WHEREAS, §219-f(1) of Article 11-AA allows for a Service Award contribution of as much as \$700 per year of service credit, and

WHEREAS, §219-e(7-a) of Article 11-AA allows, at the option of the municipal sponsor, a participating volunteer to continue to earn points, service credit and Service Award contributions after having attained the entitlement age of sixty (60) and having applied to be paid his or her account balance, and

WHEREAS, §219-d(8)(a) of Article 11-AA authorizes the Town Board to amend the Program, subject to approval of residents in accordance with public referendum, and

WHEREAS, the Castleton Volunteer Ambulance Association has requested that the Town Board consider improving the benefits provided by the Program, and

WHEREAS, such improvement in Program benefits is consistent with the intent of the Program to help the Castleton Volunteer Ambulance Association recruit and retain active volunteers, and

WHEREAS, after review of the cost to amend the Program, the Town Board has determined the increase, if approved by voting residents of the Town, can be implemented without causing the Town to exceed the Property Tax Cap;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board:

1. Amends the Castleton Volunteer Ambulance Association Service Award Program effective January 1, 2018 to:
 - a. Increase the annual Service Award contribution credited to the account of an eligible participating active volunteer from \$480 to \$700 for each calendar year beginning with calendar year 2018 during which such volunteer earns a year of service credit under the Point System.

- b. Allow active volunteers who have attained the entitlement age and elected to be paid their account balance to continue to earn points under the Point System for their volunteer activities after having been paid their account balance.
2. Directs that there shall be a public referendum of eligible voters of the Town of Schodack, in an election to be held on November 7, 2017, to obtain approval of this amendment in accordance with §219-d(8)(a) of Article 11-AA of the New York State General Municipal Law;
 3. Authorize the Town Clerk and other Town officials as deemed necessary to take the appropriate action to schedule such referendum and take other steps necessary to carry out this Resolution.

Based on the number of active volunteers that earned service credit during calendar year 2016, the current cost of funding the Castleton Volunteer Ambulance Association Service Award Program is \$11,520 (\$480 per participant), which includes an administration cost of approximately \$1,800.

All other provisions of the Castleton Volunteer Ambulance Association Service Award Program shall not change and the Program shall continue to be administered by the New York State Comptroller in accordance with Article 11-AA of the New York State General Municipal Law, as well as with Part 150 of the New York State Rules and Regulations.

2017-195) WHEREAS, Castleton Power LLC, and the Town of Schodack are desirous of having certain assessment issues resolved as to property owned by Castleton Power, LLC, in the Town of Schodack, and

WHEREAS, a settlement proposal resolving tax certiorari litigation was recommended by the Vincelette Law Firm, special counsel to the Town of Schodack, and reviewed by the Schodack Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2017 tax certiorari proceedings filed by Castleton Power LLC, in which the assessed value of the subject property shall be set as follows for the 2017 through 2021 assessment rolls, inclusive, for the property owned by Castleton Power LLC, Parcel No 198.12-1-3.2:

Year	Assessed Value
2017	\$10,000,000
2018	\$8,500,000
2019	\$8,000,000
2020	\$7,500,000
2021	\$7,250,000

Real Property Tax Law §727 shall apply for the years at issue, with the exception that the terms of the statute shall apply to the four assessment rolls subsequent to the year at issue, and it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Castleton Power LLC, and the Town of Schodack as to the above referenced assessment.

- 2017-196)** Authorize Bruce Goodall, Director of Transfer Station Operations to attend 2017 NYSASWM Fall Conference, September 24 - 26, 2017 in Lake Placid, New York, at an estimated cost (\$165.00) and lodging (\$392.00) and estimated cost for mileage (\$157.29) for a total estimated cost of \$714.29. [This is a budgeted item.]
- 2017-197)** Amend resolution 2017-181 as adopted July 13, 2017 Authorizing Alan Roehr Jr., 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 8 through 10, 2017 in Montour Falls, New York, at an estimated cost per person of \$25.00 – registration fee (\$100.00) and lodging (~~\$525.00~~) (\$368.00), Material and Accommodations fees (\$192.00) and meals (~~\$180.00~~) (\$152.00), and estimated cost for mileage (~~\$265.00~~) (\$503.00) and tolls (~~\$30.00~~) (\$60.00) for a total estimated cost of ~~\$1,400.00~~ \$1,375.00 [This is a budgeted item.]
- 2017-198)** Authorize the Comptroller’s recommendation to direct the Town Supervisor to pay the claims #17-1199 to 17-1372 on Abstract No. 2017-08, in the amount of \$463,320.81, including the claims paid (\$149,498.59) since the previous town board meeting.
- 2017-199)** Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

September 14, 2017

- 2017-200)** Authorize Supervisor Dowds to execute and administer a 2017 agreement

between the Rensselaer County Department for Youth and the Town of Schodack for State Aid related to the Town's Summer Youth Day Camp in the amount of \$3,140.00.

2017-201) Authorize Supervisor Dowds to accept the proposal dated July 25, 2017 and execute and administer engagement letter with The Bonadio Group CPAs, Consultants & More to provide professional auditing services for the Town of Schodack for fiscal years ending December 31, 2017, 2018 and 2019 in an amount of \$12,000.00 respectively for a total amount not to exceed \$36,000.00.

2017-202) 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.

2017-203) 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.

2017-204) 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.

2017-205) Adopt the fee schedule for Fall Clean-Up Days (October 12, 13 & 14) 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*******

- 2017-206)** Amend Resolution 2017-45 as adopted on January 12, 2017 as follows:
Pursuant to professional services agreement dated January 1, 2015, appoint Tabner, Ryan and Keniry, LLP as Special District Counsel and based on per hour fee schedule dated December 30, 2014, Partners \$250.00, Associates \$170.00 and Paralegals \$95.00. This authorization shall not exceed ~~\$10,000.00~~ **\$16,000.00** without further board approval.

- 2017-207)** Amend resolution 2017-40 as adopted on January 12, 2017 as follows:
Appoint Gloria Brewer as a member of the Board of Assessment Review at salary as set forth in Year 2017 adopted budget. Term to expire September 30, ~~2024~~ **2022**.

- 2017-208)** Appoint David Harrington as part-time police officer at an hourly rate as set forth in resolution 2016-290 and appoint Anthony Belardo as part-time sworn police officer for the Town of Schodack for the purpose of attending Zone 14 Police Academy and to complete necessary training under the direction of the Schodack Police Department. [Expenses for candidate to attend Academy will be borne by candidate.]

- 2017-209)** Authorize Supervisor Dowds accept Quote# 17QB470 dated July 24, 2017 from B & L Control Service Inc. to install Metering Pump and Controller in a new enclosure box to in an amount not to exceed \$4,032.00 for Town Hall, 265 Schuurman Road.

- 2017-210)** **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 the Town of Schodack Sewer District No. 1, Ext. No. 1 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 Extension and the general plan of the proposed District Extension; 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 Extension are as described in Schedule “A” annexed hereto; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of One Million Five Hundred Thousand (\$1,500,000.00) Dollars; and all details as to the cost are set forth in the aforesaid map, plan and report; and

WHEREAS, approval of the New York State Comptroller will not be required for establishing this District Extension inasmuch as debt will not be issued or assumed by the town for the improvements for the District Extension; and

WHEREAS, operation and maintenance expenses shall be on a benefit basis for the District Extension 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 typical property within the District Extension is Thirty-Four Thousand Six Hundred Fifty Thousand and 00/100 (\$34,650.00) Dollars.

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, New York 12033 in said Town, on the 12th day of October, 2017, at 7:10 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, and

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 sewer district extension.

SCHEDULE “A”

TOWN OF SCHODACK
Rensselaer County, New York

Sewer District 1 – Extension 1
PROPOSED DISTRICT DESCRIPTION

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

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

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

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

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

- 2017-211)** Amend resolution 2017-54 as adopted January 12, 2017 approving the Transfer Station Fee schedule, dated January 1, 2017 ***to allow payments with Credit Cards to be accepted at the Transfer Station.***
- 2017-212)** Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on proposed Local Law No. 2 to amend the Transfer/Recycling Station Rules and Regulations for the Town of Schodack, Chapter 137, Article IV. Said hearing to be held on Thursday, October 12th at the Schodack Town Hall at 7:20 p.m.
- 2017-213)** **WHEREAS**, the Town has determined that there is surplus chip and grass material at the Transfer Station generated during the 2017, and
- WHEREAS**, the Town has determined that said surplus material needs to be removed to reduce a potential fire hazard, and
- WHEREAS**, the Town has received (3) proposals for grinding material and removing it from the Transfer Station as follows: a proposal from SM Gallivan, L.L.C. for \$7,750.00, a proposal from Wm Biers, Inc. for \$15,500.00 and a proposal from Ken Morris & Sons for \$4,900.00,
- NOW, THEREFORE, BE IT RESOLVED** that pursuant to the recommendation of the Transfer Station Director, that the Town Board does hereby accept Ken Morris & Sons proposal in the sum of \$4,900.00.
- 2017-214)** Amend resolution 2016-175 as adopted on July 14, 2016 Authorizing Supervisor Dowds to execute and administer contract with Schindler Elevator for preventive maintenance service agreement on the elevator for a term of September 1, 2016 through August 31, 2026 ***subject to reasonable annual increases as per contract, initial period of September 2016 - August 31, 2017*** at an annual amount not to exceed \$2,436.00 for the Town Hall building located at 265 Schuurman Road, subject to approval as to form by the Town Attorney.
- 2017-215)** Authorize the Comptroller's recommendation to direct the Town Supervisor to

pay the claims #17-1373 to 17-1554 on Abstract No. 2017-09, in the amount of \$867,077.54, including the claims paid (~~\$692,638.74~~) (\$174,438.38) since the previous town board meeting.

- 2017-216)** Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

September 28, 2017

- 2017-217)** Resolved that the 2018 Budget Presentation Meeting will be held Tuesday, October 3, 2017 at 5 p.m.

October 12, 2017

- 2017-218)** Further, the following schedule is set to review the 2018 Tentative Budget:

Tuesday, October 17, 2017 @ 6:00 p.m.
Wednesday, October 18, 2017 @ 6:00 p.m.
Thursday, October 19, 2017 @ 6:00 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.

- 2017-219)** **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 Town of Schodack Sewer District No. 1, Ext. No. 1, 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 District Extension, general plan of the District Extension, the improvements to be made to the District 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 Town of Schodack Sewer District No. 1, Ext. No. 1

NOW, THEREFORE, the Town Board of the Town of Schodack as lead agency has determined that the establishment of Town of Schodack Sewer

District No. 1, Ext. No. 1, as described in the map, plan and report prepared by Laberge Group. is an unlisted action and that establishment of the proposed Town of Schodack Sewer District No. 1, Ext. No. 1, 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 Town of Schodack Sewer District No. 1, Ext. No. 1, is an unlisted action and that the establishment of Town of Schodack Sewer District No. 1, Ext. No. 1, will not result in any significant adverse environmental impacts.

The foregoing was moved by Councilperson Bult, and seconded by Councilperson Swartz.

2017-220) WHEREAS, a map, plan and report relating to the establishment of Town of Schodack Sewer District No. 1, Ext. No. 1, 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 September 14, 2017, reciting the filing of the map, plan and report, 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 October 12, 2017, at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton, New York as the date, time and place of the public 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 October, 2017, beginning at 7:10 p.m. and the matter being duly discussed and all interested persons having been duly heard; and

NOW, upon the evidence given at the hearing,

THEREFORE, UPON MOTION of Councilperson Kenney, seconded by Councilperson Rex, 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 the property owner within the proposed sewer district extension are benefited thereby;
- (c) That all property and the property owner benefited are included within the limits of the proposed sewer district extension;
- (d) That it is in the public interest to establish Town of Schodack Sewer District No. 1, Ext. No. 1;
- (e) That the estimated cost to construct the improvements to Sewer District No. 1, Ext. No. 1, shall equal One Million Five Hundred Thousand (\$1,500,000.00) Dollars and there will be no debt service associated with the establishment of Sewer District No. 1, Ext. No. 1, for the first year, and that the existing operation and maintenance for the first year for Sewer District No. 1, Ext. No. 1, shall be Thirty-Four Thousand Six Hundred Fifty and 00/100 (\$34,650.00) Dollars with the charges to vary in relation to the amount of benefits provided;
- (f) That the approval of the New York State Comptroller is not required for the creation of Town of Schodack Sewer District No. 1, Ext. No. 1, inasmuch as debt will not be issued or assumed by the town for the improvements for the district extension; and it is

FURTHER RESOLVED AND DETERMINED, that the establishment of Town of Schodack Sewer District No. 1, Ext. No. 1, 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.

2017-221) WITHDRAWN: WHEREAS, *the Town Board of the Town of Schodack has caused the preparation of a proposed Local Law No. 2 of the year 2017 amending the Town's Transfer/Recycling Station Rules and Regulations for the Town of Schodack, Chapter 137, Article IV; and*

WHEREAS, *the proposed action has been determined to be an Unlisted Action, pursuant to 6 NYCRR Part 617, the New York SEQRA; and*

WHEREAS, *the Town Board has caused Part 1 and Part 2 of the Short Environmental Assessment Form to be prepared in accordance with SEQRA; and*

WHEREAS, *the Town Board held a duly noticed public hearing on the proposed local law on October 12, 2017;*

NOW, THEREFORE, BE IT RESOLVED, *that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 2 of 2017 (P1 of 2017) to be known as Local Law 2 of 2017 of the Town of Schodack, and*

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

2017-222) Authorize Supervisor Dowds to execute and administer 2017-2018 Snow and Ice Agreement with Rensselaer County Department of Engineering and Highways for reimbursement for snow and ice removal on Stony Point Road.

2017-223) **WHEREAS**, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

WHEREAS, Native American Awareness week began in 1976 and recognition was expanded by congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned,

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Schodack does hereby proclaim November 2017 as National American Indian Heritage Month, in this town and urge all our citizens to observe this month with appropriate programs, ceremonies, or activities.

2017-224) 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 2, 2017 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

2017-225) 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 2, 2017 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

2017-226) 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 2, 2017 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

- 2017-227)** 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 2, 2017 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2017-228)** 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 2, 2017 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2017-229)** 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 2, 2017 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2017-230)** 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 2, 2017 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2017-231)** 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 2, 2017 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2017-232)** 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 2, 2017 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2017-233)** 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 2, 2017 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2017-234) 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 2, 2017 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2017-235) 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 2, 2017 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2017-236) 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 2, 2017 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2017-237) 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 2, 2017 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2017-238) Authorize Town Clerk to publish legal notice of hearing to seek public input relative to the 2018 Preliminary Budget and proposed fees for 2018 to be held on Thursday, November 2, 2017 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road as soon thereafter as the above sewer district hearing is concluded.

2017-239) **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. 2013-218 on October 24, 2013, 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>	Property Code	<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, water and/or sewer 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	<u>0.0</u> EDU
1 family year round residence 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 year round residence w/ accessory apartment	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. Incidental Commercial use is defined as a residence which has been partially converted or adapted for commercial use with the primary use being residential.	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 , <u>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 (2017-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 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.*^
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, Trucking Terminals, Other Storage/ Warehouse/ Distribution Facilities, Retail Services, Neighborhood	421, 422, 426, 431, 433, 434, 442, 444, 447, 449, 450, 452,	1.00 EDU; plus 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^

Shopping Centers, Drive-In	462,	
Branch Bank, Office	464,	
Building, Professional	465,	
Building, Dog Kennel/	472,	
Veterinary Clinic, Multiple	481	
Use, Converted Residence,		
One Story Small Structure,	483,	
One Story Small Structure –	484,	
Multi-Occupancy, Minimart,	485,	
Schools, Other Educational	486,	
Facilities, Religious,	612,	
Benevolent & Moral	615,	
Associations, All Other	620,	
Health Facilities,	632,	
Governmental Highway	642,	
Garage, Governmental	651,	
Office Building, Police & Fire	652,	
Protection, Recreational	662,	
Facility, Industrial, Electric &	682,	
Gas	700,	
	870	

* 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.

2017-240) It is hereby resolved by the Town Board of the Town of Schodack, New York:

The Town elects to join the Rensselaer County Health Insurance Program effective December 1, 2017; and,

The Town Supervisor is authorized to enter into a Municipal Cooperation Agreement (attached hereto) with the County of Rensselaer for such purpose: and,

The Town represents and warrants to the County that it has made a full and complete investigation to its own satisfaction of the Program; that it has consulted with independent counsel regarding the obligations created by the Program, the legality of the Program and the legality of its own participation therein; and, that it accepts the Program in full and hereby binds and subjects itself to all terms and obligations thereof.

Amended 11/09/17 by 2017-281

2017-241) Resolve that the Town Board of the Town of Schodack approves the selection of the following Health Insurance coverage plans for the period December 1, 2017 through December 31, 2018:

- Authorize the selection of CDPHP-HMO Insurance for Health Insurance coverage effective December 1, 2017 through December 31, 2017.
- Authorize the selection of CDPHP-HMO Insurance for Health Insurance coverage effective January 1, 2018.
- Authorize the selection of MVP-HMO Insurance for Health Insurance coverage effective January 1, 2018.
- Authorize the selection of NYSHIP Empire Plan Insurance for Health Insurance coverage effective January 1, 2018, to employees hired prior to September 28, 2006.
- Authorize the selection of NYSHIP Medicare Empire Plan Insurance for Health Insurance coverage effective January 1, 2018, to employees hired prior to September 28, 2006.
- Authorize the selection of (CDPHP) Medicare HMO Insurance coverage effective January 1, 2018.
- ~~Authorize the selection of ShelterPoint for voluntary Dental and Vision coverage effect January 1, 2018.~~

2017-242) **WHEREAS**, New York State Paid Family Leave (PFL) coverage Act is slated to beginning on January 1, 2018, and
WHEREAS, weekly contribution rate effective January 1, 2018 is 0.126% of the employee's weekly wage, capped at New York State's average weekly wage of \$1,305.92 with the maximum possible contribution at \$1.65 per week in 2018, and

WHEREAS, the Town Board has reviewed the plan, and

WHEREAS, as a public employer, the Town is not required to provide PFL coverage, but is given the option to opt into it, and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack will not opt in to the New York State Paid Family Leave (PFL).

2017-243) Authorize Supervisor Dowds to execute and administer New York State Department of Environmental Conservation Stipulation #STIP R4-473 Corrective Action Plan for Spill No. 1704922 at Schodack Highway, 3776 US Route 20, Nassau, NY, subject to approval by Attorney to the Town as to form.

2017-244) **WHEREAS**, Laberge Engineering & Consulting Group, Ltd solicited proposals

from specialty geotechnical boring and environmental services firms to perform initial probing and soil and water sampling to determine the nature and extents for the contamination with regard to Stipulation #STIP R4-473 Corrective Action Plan for Spill No. 1704922.; and

WHEREAS, after due solicitation, the Town, on October 9, 2017 received (5) bids for the specialty geotechnical boring and environmental services as follows: a bid from Atlantic Testing Laboratories, for \$16,000.00, a bid from Northeast Petroleum Technologies, Inc. for \$14,846.00; a bid from SJB Empire Geo, for \$10,285.00; a bid from Ambient Environmental, for \$9,950.00 and a bid from Northeastern Environmental Technologies Corp. for \$7,934.00; and

WHEREAS, the bids were reviewed for conformance to specifications; and

NOW, THEREFORE, be it resolved that pursuant to the recommendation of the Laberge Engineering & Consulting Group, Ltd., that the Town Board does hereby award the bid to Northeast Environmental Technologies Corp., for its bid in the sum of \$7,934.00, and

BE IT FURTHER RESOLVED THAT Supervisor Dowds is authorized to execute and administer the proposal, subject to approval by Attorney to the Town as to form.

2017-245) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-1555 to 17-1730 on Abstract No. 2017-10, in the amount of \$1,197,462.45, including the claims paid (\$679,491.27) since the previous town board meeting.

2017-246) Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

October 26, 2017

2017-247) Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on proposed Local Law No. 3 to be entitled Registration of SORA Motels and Hotels Law for the Town of Schodack, Chapter _____, to allow for the promotion of public health, safety and general welfare of the guests of hotels and motels located within the town and that of the general citizenry of the town. Said hearing to be held on Thursday, November 9, 2017 at the Schodack Town Hall at 7:15 p.m.

November 2, 2017

2017-248) NOW, THEREFORE, BE IT RESOLVED, that the water rate for the sale of

excess water supply for operations and maintenance pursuant to Sale of Water, for the period of January 1, 2018 through December 31, 2018 to be charged by Bulk Commercial Water Sales from Enterprise Town-Wide Water Supply is \$10.00 per 1,000 gallons or portion thereof.

2017-249) NOW, THEREFORE, BE IT RESOLVED, that the water rate for the sale of excess water supply for operations and maintenance pursuant to Sale of Water, for the period of January 1, 2018 through December 31, 2018 to be charged by Water District No. 1 to Water District No. 3 is \$4.00 per 1,000 gallons or portion thereof.

2017-250) NOW, THEREFORE, BE IT RESOLVED, that the water rate for the sale of excess water supply for operations and maintenance pursuant to Sale of Water Service Contract dated June 24, 2010 (Resolution No. 2010-229), for the period of January 1, 2018 through December 31, 2018 to be charged by the Town-Wide Water Supply Enterprise Fund to Schodack Consolidated Water District No. 101 is \$2.35 per 1,000 gallons or portion thereof.

2017-251) 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 2nd day of November 2017, 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 2018 billing period for water rates for Water District No. 1 (Clearview) for 167 users shall be \$60.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

2017-252) 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 2, 2017 at 7:10 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 2nd of November 2017, 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 243.75 units and adopted on November 2nd 2017 and filed in the office of the Town Clerk of the Town of Schodack.

2017-253) 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 2nd day of November 2017, 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 2018 billing period for water rates for Water District No. 3 (Maplecrest) for 44 users shall be \$85.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

2017-254) 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 2, 2017 at 7:10 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 2nd of November 2017, 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 44.5 units and adopted on November 2nd 2017 and filed in the office of the Town Clerk of the Town of Schodack.

2017-255) 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 2nd day of November 2017, 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 2018 billing period for water rates for Water District No. 101 for 379 existing users shall be \$55.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof,

FURTHER RESOLVE that commencing with the first quarter 2018 billing period water rates for residential out of district users for Water District No. 101 shall be \$155 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

2017-256) 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 2, 2017 at 7:10 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 2nd of November 2017, 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 918.25 units and adopted on November 2, 2017 and filed in the office of the Town Clerk of the Town of Schodack.

2017-257) 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 2, 2017 at 7:10 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 2nd of November, 2017, 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 33.5 units and adopted on November 2, 2017 and filed in the office of the Town Clerk of the Town of Schodack.

2017-258) 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 2, 2017 at 7:10 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 2nd of November, 2017, 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 2, 2017 and filed in the office of the Town Clerk of the Town of Schodack.

2017-259) 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 2, 2017 at 7:10 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 2nd of November 2017, 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 247 units and adopted on November 2, 2017 and filed in the office of the Town Clerk of the Town of Schodack.

2017-260) 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 2, 2017 at 7:10 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 2nd of November 2017, 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 189.25 units and adopted on November 2, 2017 and filed in the office of the Town Clerk of the Town of Schodack.

2017-261) 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 2, 2017 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 2nd day of November 2017, 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 2018 billing period for the sewer rents for Sewer District No. 6 (Exit 10) for 69 users shall be \$8.00 per thousand based on water meter.

2017-262) 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 2, 2017 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 2nd day of November 2017, 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, 2018 to June 30, 2018) the sewer rents for Sewer District No. 5 (East Schodack) for 27 users shall be \$425.00 semi-annual rate per unit.

2017-263) 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 2, 2017 at 7:20 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 2nd of November, 2017, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Sewer District No. 5, 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.

2017-264) 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 2, 2017 at 7:20 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 2nd of November, 2017, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Sewer District No. 5, 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.

2017-265) 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 2, 2017 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 2nd day of November 2017, 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, 2018 to June 30, 2018) the sewer rents for Sewer District No. 8 (Schodack Landing) for 68 units shall be \$200.00 semi-annual rate per unit.

2017-266) 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 2, 2017 at 7:20 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 2nd of November, 2017, 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.

2017-267) 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 2, 2017 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 2nd day of November 2017, 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, 2018 to June 30, 2018) the sewer rents for Sewer District No. 1 (Castleton) for 95 users shall be \$250.00 semi-annual rate per unit.

2017-268) 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 2, 2017 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 2nd day of November 2017, 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, 2018 to June 30, 2018) the sewer rents for Sewer District No. 2 (Castleridge) for 54 users shall be \$300.00 semi-annual rate per unit.

2017-269) 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 2, 2017 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 2nd day of November 2017, 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, 2018 to June 30, 2018) the sewer rents for Sewer District No. 4 (Brickyard) for 2 users shall be \$400.00 semi-annual rate per unit.

2017-270) 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 2, 2017 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 2nd day of November 2017, 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, 2018 to June 30, 2018) the sewer rents for Sewer District No. 7 (Hamilton Printing) for 2 units shall be \$300.00 semi-annual rate per unit.

November 9, 2017

2017-271) Based on November 2nd 2017 budget discussions, adopt the following changes to the 2018 Preliminary Budget

Town of Schodack					
Preliminary to Adopted Budget Analysis*					
2018					
			LESS	LESS	AMOUNT TO
	APPROPRIATIONS		ESTIMATED	UNEXPENDED	BE RAISED
	PROVISIONS		REVENUE	BALANCE	BY TAXES
Preliminary Budget	12,729,795.00		5,135,137.00	800,008.00	6,794,650.00
SF 1 Nassau Lake West	25,000.00		23,216.00	-	1,784.00
SF2 Castleton Fire Protection District	25,000.00		23,216.00		1,784.00
Adopted Budget per 11/02/17 TB mtg	12,779,795.00		5,181,569.00	800,008.00	6,798,218.00
Preliminary to Adopted Tax Rates	A Fund	DB Fund	Combined	SM Fund	
Preliminary Tax Rate	2.14%	-4.47%	0.16%	1.26%	
Adopted Tax Rate	2.14%	-4.47%	0.16%	1.26%	

2017-272) WHEREAS, the Town Board met on Thursday, November 2, 2017 at the Schodack Town Hall, as specified in the Notice of Public Hearing for the 2018 Preliminary Budget, with said notice appearing in the October 26, 2017 edition of The Record, and was posted on October 26, 2017, and

WHEREAS, said public hearing was held on November 2, 2017 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 Preliminary Budget or any part thereof,

NOW, THEREFORE, BE IT RESOLVED that the 2018 Preliminary Budget, as modified, and as hereinafter set forth, is hereby adopted.

2017-273) Authorize the appropriation of SS2 – Castle ridge Sewer District repair reserves towards 2017 Koester Voucher # 17-1666 for Supply & Installation of a NE152 Controller & A1000 Submersible Transducer on 9/14/17 paid on 10/13/17 in the amount of \$5,040.00.

2017-274) **WHEREAS**, the Town Building Inspector has reported to the Town Board that a building or structure known as 19 Overlook Drive South (Tax Map 201.12-1-19) should be 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 removal of the buildings within 30 days and to complete such 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 ~~December 14~~ January 25, 2018 at 7:15 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.

2017-275) Amend resolution 2016-290 as adopted December 8, 2016 to include Household Hazardous Waste Director at an annual salary of \$1,500.00 and further appoint Bruce Goodall, Director of Transfer Station Operation to administer said Hazardous Waste program for the year 2017 at annual salary as set forth above.

2017-276) **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 November 9, 2017 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 3 of 2017 relating to adding a Chapter entitled SORA Motels and Hotels of the Code of the Town of Schodack to allow for the promotion of public health, safety and general welfare of guests of hotels and motels located with the town and that of the general citizenry of the town, and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on October 30, 2017 and advertised in the October 30, 2017 edition of THE RECORD, official newspaper of the Town, and

WHEREAS said public hearing was held on November 9, 2017 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 thereof, and certain changes were proposed; and

WHEREAS, the Town Board wishes to hold a further public hearing on such amended local law;

NOW, THEREFORE, IT IS RESOLVED that the Town Clerk is authorized to publish a Notice of Public Hearing to be held on December 14, 2017 at 7:15

p.m., at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, to provide an opportunity for the Town Board to accept comment on said proposed local law as amended.

~~**WHEREAS**, said public hearing was held on November 9th at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part hereof, and~~

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

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

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

2017-277) WHEREAS, The Town Board, after due consideration, has determined that it is desirable and in the public interest to submit an application to Empire State Development for a Round 5 Restore NY Communities Initiative Program grant; and

WHEREAS, the proposed project is in accordance with Town and Regional planning objectives; and

WHEREAS, the proposed financing is appropriate for the specific project; and

WHEREAS, the proposed project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

WHEREAS, where applicable, the project seeks to attract, create, and sustain employment opportunities; and

WHEREAS, the Town Board hereby authorizes and directs the Supervisor Dowds to submit an application for financial assistance under Round 5 Restore NY Communities Initiative Program; and

WHEREAS, a public hearing is required pursuant to the Restore NY Grant; and

NOW, THEREFORE, IT IS RESOLVED, by the Members of the Town Board: That the Town Clerk is hereby authorized to publish a Notice of Public

Hearing to be held on December 14, at 7:30 p.m. at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, NY to provide an opportunity for the Town of Schodack to accept comment on the property listed in the Property Assessment List, whereon the existing structures are proposed to be demolished and a new building constructed.

BE IT FURTHER RESOLVED, that the Supervisor Dowds by and hereby is authorized to execute and file an application on behalf of the Town of Schodack with the Empire State Development for a Restore NY Round 5 grant on behalf of the Town; and

BE IT FURTHER RESOLVED, that the Supervisor Dowds is hereby authorized and designated as the representative and to act as such in connection with the application to provide additional information as may be required including all understandings and assurances contained in the application; and

BE IT FURTHER RESOLVED, that the Supervisor Dowds is hereby authorized and directed to execute any contract and/or agreement with the Empire State Development in connection with the Application and his designee is further authorized to request and expend funds from New York State to said contract and/or agreement; and

BE IT FURTHER RESOLVED, to the extent all or any actions hereby authorized have been executed and/or performed by the Supervisor all are hereby ratified and affirmed and this Resolution take effect immediately.

2017-278) Ratify and affirm authorizing Supervisor Dowds to execute and administer Intermunicipal Agreements with East Schodack Fire District, Nassau Fire District, Schodack Landing Fire District, Schodack Valley Fire District, South Schodack Fire District and the Village of Castleton for the process for consolidation of Fire Districts, grant applications and conducting a feasibility study.

2017-279) **WHEREAS**, the Town Board, after due consideration, has determined that it is desirable and in the public interest to undertake the necessary activities for the submittal of a grant application under the 2017 Local Government Citizens Reorganizations Empowerment Grant (LGCREG) Program to conduct a feasibility study relative to Fire District Consolidation, and

WHEREAS, the Town Board is hereby committed to using municipal funds to provide a local cash match of fourteen and one-third percent (14.33%) or 1/7th of the total project cost. The proposed Consolidation project will not exceed a cost of \$50,000.00, with a maximum Town match of \$3,572.00. Additional meeting and public presentations not included in proposed project plan shall be added at an additional cost and additional expenses will be borne equally

(1/7th) per participating agency.

IT IS HEREBY RESOLVED, that the Town Board authorizes and directs Supervisor Dowds to submit an application for a Fire District Consolidation Feasibility Study under LGCREG Program. He is authorized to execute all other documents necessary for the implementation of this work, and is also authorized to execute all financial and/or administrative processes relating to the grant program.

2017-280) Authorize the Supervisor Dowds to transfer a maximum amount of \$500,000.00 from the General Fund's unassigned, unappropriated fund balance to purchase a 6-month short term treasury bill yielding approximately 1.120% through the Town's investment advisor at Key Bank, NA, at no additional risk to the Town.

2017-281) Amend resolution 2017-241 as adopted on October 12, 2017 authorizing the selection of NYSHIP Empire Plan Insurance for Health Insurance coverage effective January 1, 2018, to **retired** employees hired prior to September 28, 2006.

2017-282) **WHEREAS**, one parcel located on Phillips Road in the Town of Schodack, and otherwise identified as tax map 188.-3-1.1 (hereafter, "the subject property"); and

WHEREAS, Michael Pogoda and Wendi Crosby commenced judicial proceedings pursuant to Article 7 of the Real Property Tax Law (RPTL) seeking reductions of the 2017 real property tax assessments of the subject properties; and

WHEREAS, the Town is represented by The Vincelette Law Firm; and

WHEREAS, counsel has recommended that these proceedings now be resolved by settlement; and

WHEREAS, the Town Board and the Town Assessor have reviewed the proposed settlement and find the terms of the proposed settlement to be in the best interests of the Town; now, therefore be it

RESOLVED, that the Town Board hereby approves the settlement, attached to and made part of this resolution; and, be it further

RESOLVED, that counsel is hereby authorized to sign the settlement on behalf of the Town Board.

- 2017-283)** Authorize Debra Curtis, Town Clerk to execute and administer a contract with Image Data for document scanning services for building permit plans at a cost not to exceed \$3,664.00 as budgeted.
- 2017-284)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-1731 to 17-1861 on Abstract No. 2017-11, in the amount of \$410,325.59, including the claims paid (\$246,146.53) since the previous town board meeting.
- 2017-285)** Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

December 14, 2017

- 2017-286)** Authorize renewal of the Town's liability insurance policy with NYMIR, including property, general liability, auto, inland marine, boiler & machinery, law enforcement and public officials effective January 1, 2018 with a Six Million Dollar Umbrella, single occurrence with a Twelve Million Dollar aggregate for the premium not to exceed \$133,314.21.
- 2017-287)** **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said Town on December 14, 2017 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 3 of 2017 relating to adding a Chapter entitled SORA Motels and Hotels of the Code of the Town of Schodack to allow for the promotion of public health, safety and general welfare of guests of hotels and motels located with the town and that of the general citizenry of the town, and

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

WHEREAS, said public hearing was held on December 14th at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part hereof, and

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

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

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

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

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

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

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

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

WHEREAS, it having been duly resolved and determined following such hearing, that the Notice of Public Hearing was published and posted as required by law and is otherwise sufficient, that all property and property owners within the limits of the proposed district are benefitted thereby, that all property and property owners benefitted are included within the limits of the proposed district, and that it was in the public interest to establish said TOWN OF SCHODACK SEWER DISTRICT NO. 1, EXTENSION NO. 1, and to grant, in whole, the relief sought, and it having been then and there duly resolved that establishment of said Sewer District No. 1, Extension No. 1, be approved, and that the permission of the New York State Comptroller is not required for the Sewer District No. 1, Extension No. 1, and that the aforesaid Town Board resolution of October 12, 2017 having been adopted subject to permissive referendum, and no petition for a referendum having been filed;

NOW THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED that the TOWN OF SCHODACK SEWER DISTRICT NO. 1, EXTENSION NO. 1, be created so as to include therein the following lands which are hereby established as the Town of Schodack Sewer district No. 1, Extension No. 1

and which lies wholly within the Town of Schodack, County of Rensselaer, State of New York, and is bounded and described in Schedule "A" attached hereto, and it is further,

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

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

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

TOWN OF SCHODACK
Rensselaer County, New York

Sewer District 1 -Extension 1 PROPOSED DISTRICT DESCRIPTION

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

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

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

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

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

2017-289) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said Town on December 14, 2017 at 7:30 p.m. at the Schodack Town Hall to hear all interested parties on proposed 2017 RESTORE NY Round 5 Grant application, administered by Empire State

Development. The proposed project will facilitate the removal of vacant, dilapidated and condemnable structures at 1344 US Route 9, Castleton, NY, also referred to as Tax Map Parcel ID # 210.-7-41.12, and the construction of a new office building, the Northeast Regional Headquarters for A. Servidone, Inc. for continued economic development in the Capital Region through a public-private partnership between A. Servidone, Inc. and the Town of Schodack, and

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

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

WHEREAS, said public hearing was held on December 14th at 7:30 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed grant application or any part hereof, and

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

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

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

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

2017-291) Designate a Transfer Station holiday for year 2018 as follows:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Tuesday	January 2, 2018	New Year's Day Observance

2017-292) **WITHDRAWN:** *“Adopt the Town of Schodack Personnel Policy and Procedure Manual, per attached Draft 6 together with attached list of*

revisions; this will supersede the Personnel Policy and Procedure Manual that was adopted on April 8, 1999, to be effective January 1, 2018.”

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 2017-302)** Authorize the appropriation of the Federal Forfeiture Reserve Fund in a total amount not to exceed \$4,236.64 for purchase of 24 Glock Generation 4 Law Enforcement with trade-in of 20 used Glocks, per quote dated December 4, 2017 from AmChar Wholesale Inc.
- 2017-303)** Pursuant to Chapter 32 Section 1 of the Code of the Town of Schodack, Supervisor Dowds appoints Jordan Harrington to the Town of Schodack Fire Investigation Unit for the month of December 2017.
- 2017-304)** Authorize Supervisor Dowds to execute a purchase agreement with Eastern Copy Products, LLC. for one (1) Konica Minolta Bizhub 654e copier for use of all Town Hall offices in the amount of \$8,995.00
- 2017-305)** Pursuant to Article 7 Section 140 of the Highway Law, the Highway Superintendent hereby appoints Joseph Cavanaugh, subject to final approval by the Rensselaer County Civil Service Commission, as an Operator 2, at an hourly rate as set forth in the Year 2017 adopted budget. Said appointment shall be effective as of December 18, 2017.
- 2017-306)** Grant Matthew Montross, Part-time Police Officer an unpaid Leave of absence for the period of December 15, 2017 through December 14, 2018.
- 2017-307)** **WITHDRAWN:** *“Amend resolution 2016-295 as adopted December 29, 2016, to cancel the Close of Business/Town Board meeting for December 28, 2017 and schedule the 2018 organizational meeting for January 4, 2018.”*
- 2017-308)** **WHEREAS**, the Town Board has approved a certain local law relating to the registry of hotels, motels, and other residential facilities offering sleeping accommodations to guests, lodgers, tourists, transients or travelers, when such individuals are registered sex offenders; and

WHEREAS, said local law provides that such hotels, motels, and other entities must obtain a license for such occupancy, and pay a license fee to the Town Clerk; and

WHEREAS, Section 7 of said Local law authorizes the Town Board to set said fee by resolution; and

NOW, THEREFORE, BE IT RESOLVED, that the application fee for such license shall be \$3,000.00, effective January 1, 2018.

2017-309) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-1862 to 17-2031 on Abstract No. 2017-12, in the amount of \$727,454.81, including the claims paid (\$120,798.43) since the previous town board meeting.

2017-310) Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

December 28, 2017

2017-311) Authorize Supervisor Dowds to execute proposal with GSB Roofing LLC for removal of existing roof on Salt Shed [located behind the Highway Garage], application of new underlayment, drip edge, Lifetime Architectural Shingles, ridge vent and removal of debris as per proposal dated December 7, 2017, in the total amount not to exceed \$23,750.00.

2017-312) Amend resolution 2017-154 as adopted on May 11, 2017 authorizing Supervisor Dowds to execute and administer Addendum Number 2017-07 for professional services from the Laberge Group to allow Shulman, Howard & McPherson, LLP to assist the Town of Schodack with Code Revisions in an amount not to exceed \$10,000.00

2017-313) Authorize the establishment of Capital Project No. H049 titled Fuel Spill Clean-up with a budget as follows:

Appropriations to be funded by an inter-fund loan from the General Town-wide Fund (A) in the amount of \$19,000.00 as well as a transfer of \$6,273.55 from the Planning economic and development encumbrance from B-8020.4000.

2017-314) The Organizational Meeting of the Town Board will be held on January 5, 2018 at 6:00 7 p.m. at the Schodack Town Hall at 265 Schuurman Road.

2017-315) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #17-2032 to 17-2075 on Abstract No. 2017-13, in the amount of \$54,636.22, including the claims paid (\$32,503.86) since the previous town board meeting.

2017-316) Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

