

## **Actions of 14 Nov 2013**

### **2013-223)**

**WHEREAS**, there has been established in the town a cemetery known as the CLARK'S CHAPEL CEMETERY ASSOCIATION, INC., which association maintains a public cemetery on Clark's Chapel Rd. in Schodack, Rensselaer County, New York, and owns real property in said Town, and

**WHEREAS**, said association has under its care certain funds for perpetual care, permanent maintenance, special trust, general fund, deposited in the First Niagara Bank.

**WHEREAS**, the association has been and still is unable to procure sufficient income from above investments, the members of the association and from the representatives of the deceased persons interred in the cemetery.

**WHEREAS**, the cemetery association has requested that the Town of Schodack, pursuant to Section 1506 (j) of the Not-for-Profit Corporation Law, accept the conveyance of the cemetery premises and transfer of assets.

**RESOLVED**, that the Town of Schodack accept the conveyance of the cemetery premises and the transfer of the assets from the cemetery association, such conveyance shall be subject to all agreements as to lots sold and all trust, restrictions and conditions upon the title or use of the real property or assets.

### **2013-224)**

**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 14th day of November 2013, 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 2014 billing period for water rates for Water District No. 1 (Clearview) for 166 users shall be \$50.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

### **2013-225)**

**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 14, 2013 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 14th of November 2013, 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 14th 2013 and filed in the office of the Town Clerk of the Town of Schodack.

**2013-226)**

**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 14th day of November 2013, 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 2014 billing period for water rates for Water District No. 3 (Maplecrest) for 44 users shall be \$100.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

**2013-227)**

**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 14, 2013 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 14th of November 2013, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

**NOW, THEREFORE, BE IT RESOLVED** that the said assessment roll be and the same is hereby affirmed for 44 units and adopted on November 14th 2013 and filed in the office of the Town Clerk of the Town of Schodack.

**2013-228)**

**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 14th day of November 2013, 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 2014 billing period for water rates for Water District No. 101 for 342 existing users shall be \$75.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

**2013-229)**

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 14, 2013 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 14th of November 2013, 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 865.0 units and adopted on November 14th, 2013 and filed in the office of the Town Clerk of the Town of Schodack.

**2013-230)**

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 14, 2013 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 14th of November, 2013, 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 32 units and adopted on November 14th 2013 and filed in the office of the Town Clerk of the Town of Schodack.

**2013-231)**

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 14, 2013 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 14th of November, 2013, 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 14th, 2013 and filed in the office of the Town Clerk of the Town of Schodack.

#### **2013-232)**

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 14, 2013 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 14th of November 2013, 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 259.75 units and adopted on November 14th, 2013 and filed in the office of the Town Clerk of the Town of Schodack.

#### **2013-233)**

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 14, 2013 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 14th of November 2013, 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 183.0 units and adopted on November 14th, 2013 and filed in the office of the Town Clerk of the Town of Schodack.

**2013-234)**

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 14, 2013 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 14th day of November 2013, 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, 2014 to June 30, 2014) the sewer rents for Sewer District No. 1 (Castleton) for 96 users shall be \$160.00 semi-annual rate per unit.

**2013-235)**

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 14, 2013 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 14th day of November 2013, 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, 2014 to June 30, 2014) the sewer rents for Sewer District No. 2 (Castleridge) for 54 users shall be \$230.00 semi-annual rate per unit.

**2013-236)**

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 14, 2013 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 14th day of November 2013, 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, 2014 to June 30, 2014) the sewer rents for Sewer District No. 4 (Brickyard) for 2 users shall be \$340.00 semi-annual rate per unit.

**2013-237)**

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 14, 2013 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 14th day of November 2013, 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, 2014 to June 30, 2014) the sewer rents for Sewer District No. 5 (East Schodack) for 27 users shall be \$360.00 semi-annual rate per unit.

**2013-238)**

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 14, 2013 at 7:30 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 14th of November, 2013, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Extension 1,

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

**2013-239)**

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 14, 2013 at 7:30 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 14th of November, 2013, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Extensions 1 and 2,

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

**2013-240)**

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 14, 2013 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 14th day of November 2013, 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 2014 billing period for the sewer rents for Sewer District No. 6 (Exit 10) for 53 users shall be \$7.10 per thousand based on water meter.

**2013-241)**

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 14, 2013 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 14th day of November 2013, 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, 2014 to June 30, 2014) the sewer rents for Sewer District No. 7 (Hamilton Printing) for 12 units shall be \$165.00 semi-annual rate per unit.

**2013-242)**

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 14, 2013 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 14th day of November 2013, 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, 2014 to June 30, 2014) the sewer rents for Sewer District No. 8 (Schodack Landing) for 68 units shall be \$200.00 semi-annual rate per unit.

**2013-243)**

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 14, 2013 at 7:30 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 14th of November, 2013, 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.

**2013-244)**

Authorize the selection of the \$15 co-pay Medicare HMO with Capital District Physicians' Health Plan, Inc. (CDPHP) with monthly premiums of \$235.75 effective January 1, 2014. All eligible retirees enrolled in CDPHP will be required to enroll in the Medicare Choice Plan, unless it costs the Town additional premiums over the Non-Medicare Eligible selected Plan.

**2013-245)**

Authorize the selection of Empire Blue Cross Insurance for Health Insurance coverage effective January 1, 2014 with monthly premiums as follows: Individual \$720.40 and family \$1,873.26.

**2013-246)**

Authorize the selection of the HMO \$25 co-pay plan with Capital District Physicians' Health Plan, Inc. (CDPHP) with monthly premiums as follows: Individual \$601.80, Two-person \$1,203.58 and family \$1,564.67 effective January 1, 2014.

**2013-247)**

Authorize closure of Clearview Water Supply Improvements Capital Project No. H018, with the following:

An interfund transfer from the Clearview Water District No. 1 Fund (SW1) of \$87.74;

An interfund transfer from the Maple Crest Water District No. 3 Fund (SW3) of \$15.48;

A repayment of an Interfund loan of \$900 to the General Fund (A);

An interfund transfer to the Clearview Water District No. 1 Fund (SW1) of \$2,891.55;

An interfund transfer to the Maple Crest Water District No. 3 Fund (SW3) of \$510.27;

And further authorize the establishment of reserves for bonded indebtedness pursuant to GML Section 6-h in the amount of \$2,891.55 for the Clearview Water District No. 1 (SW1) and \$510.27 for the Maple Crest Water District No. 3 (SW3).

**2013-248)**

Authorize closure of Maple Crest Water Improvements Capital Project No. H025, with the following:

An interfund transfer from the Maple Crest Water District No. 3 Fund (SW3) of \$331.01;

A repayment of an interfund loan of \$2,200 to the General Fund (A);

And further authorize the establishment of a reserve for bonded indebtedness pursuant to GML Section 6-h in the amount of \$8,443.89 for the Maple Crest Water District No. 3 (SW3).

**2013-249)**

Authorize closure of Curtis Lumber Consolidated Water District Extension Capital Project No. H039 with a refund of excess proceeds to Curtis Lumber in the amount of \$1,445.57 plus any additional accrued interest.

**2013-250)**

Authorize closure of the NY CLASS bank account with funds transferred into the Town's Key Bank accounts.

**2013-251)**

Authorize Supervisor Dowds to execute and administer a shelter agreement with Pondviews Country Kennel for the 2014 calendar year to satisfy the requirements of the New York State Department of Agriculture and Markets Law. It is the policy of the Town that owners, if located, shall be responsible for charges incurred at Pondviews Country Kennel when pets are claimed, as may be allowed by law.

**2013-252)**

Authorize Scott Swartz and James Bult, Town Council Members, to attend the 2014 Training School for Newly Elected Officials, January 15 - 17, 2014 in Albany, New York with appropriate expenses to be borne by the Town (conference registration @\$150.00/person includes lunch daily).

**2013-253)**

Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #13-1595 to 13-1795 on Abstract No. 2013-11, in the amount of \$545,056.63, including the claims paid (\$115,711.03) since the previous town board meeting.

**2013-254)**

Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.