

DATE: JANUARY 14, 2016

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DONNA L. CONLIN

PRESIDING OFFICER: DENNIS E. DOWDS

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

MEMBERS ABSENT:

ATTORNEY: DAVID GRUENBERG
COMPTROLLER: PAUL HARTER, COMPTROLLER
OTHERS PRESENT:

Supervisor Dowds called the January 14, 2016 Town Board Meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Departmental Reports

The following monthly departmental reports were read and/or posted and filed in the Office of the Town Clerk: Town Clerk, Building Department, Highway Department, Planning & Zoning, Receiver of Taxes and Assessor.

Review of Abstracts of Claims and Budget Amendments

The Board reviewed claims #16-0001 to #16-0153 on Abstract No. 2016-01, in the amount of \$315,922.00, including the claims paid (\$47,581.81).

Board Discussion- Resolutions/Old/New Business

Resolutions: C. Bult asked the Comptroller if the budget modifications for the police department included costs for all of 2015. The Comptroller said yes. C. Rex asked for a brief overview of the solar law as it related to the Planning Fees (resolution [2016-74]). S. Dowds explained that if a resident applies for solar panels on their property, the fee is \$150.00 (special use permit). The Planning Board did not have a solar fee for a business, so that is being added to the schedule at the cost of \$500.00 (commercial fees – utility solar). If it is a solar farm application the fee would be \$800.00 (utility solar @ \$500.00 plus \$300.00 for commercial special use permit). C. Rex asked for a copy of the law. The Town Clerk will provide a copy. S. Dowds offered that it is also available on the town's website.

Fire Districts Consolidation: C. Bult gave a status report on the consolidation discussions that have been taking place among the local fire districts. Since they asked him to be the liaison to the Board, he will be attending their meeting next Thursday. There is

substantial grant money available to study consolidation so Pete Schweigert has been working with the State towards that end. If they decide to move forward, due to the number of departments involved, it was suggested that a neutral party such as the Town actually apply for the grant funding. C. Bult said he will get input from the departments to see if they amenable to that and report his findings to the Board. S. Dowds reported that Nassau Ambulance is also investigating ambulance consolidation with Castleton and Hoags Corners. S. Dowds said anything that provides more emergency service protection for town residents should be seriously considered and he supported their efforts.

Request to Use Town Property: S. Dowds said that New York State will be working on the 9 & 20 bridges over I-90 this year. He has been contacted by the contractor to see if we would allow him to stage his equipment on the Old Town Hall property (intersection of Rte. 9/Rte. 20 and Rte. 150) during the project period. He was told that they would restore the site to its original state at completion of the job this fall. The Supervisor asked for Board input. C. Bult said he did not have a problem with it as long as the town would not be excluded from using the lot if we needed it to park our equipment. He asked if they planned on doing anything to secure the lot while they were using it. The Supervisor said he didn't know the answer to that. He was told however, that they would do all site restoration and the Town would always have access. C. Swartz suggested that the Supervisor make sure we receive a Certificate of Insurance from the contractor naming Schodack as additionally insured. The Supervisor agreed. Other Board Members did not voice any objections.

Employee Handbook: S. Dowds asked if the Board would like to meet on Thursday, February 4th at 7:00 p.m. to discuss the Employee Handbook. The Board was in agreement with the suggested date and a resolution will be added to tonight's agenda to have the Town Clerk notify the media of the meeting (resolution [2016-082]).

Letter of Support: S. Dowds stated that he did a letter of support for the Town of Nassau's application for funding for the "Rail and Trail" project.

Tax Revenues from Rensselaer County: S. Dowds stated that the Town Clerk received notification from Rensselaer County that the following amounts were paid to the Town in 2015:

Sales Tax	\$1,250,494.40
Mortgage Tax	\$ 254,918.20
Other	<u>\$ 10,804.96</u>
Total	\$1,516,217.56

Public Comment

Bruce Goodall, Director of the Transfer Station, said he received notification from the State today that we would be reimbursed for our 2014 Hazardous Waste Day. He did not hold a Hazardous Waste Day in 2015 but he hoped to do so this year.

With regard to resolutions [2016-072] and [2016-073] (Code Officials Conference), M. Sherwood suggested that the employees drive together, rather than independently. The Supervisor explained that one person is taking the town vehicle, but due to scheduling the other person is taking their personal car. Another speaker said he was familiar with the conference which offered credit towards the Code Officials status, but wondered why they didn't go to the one that is held in Albany in October, which would save the town some money.

M. Sherwood asked for more information regarding Nassau Ambulance's interest in consolidating. S. Dowds said it is very preliminary, but Nassau Ambulance wants to have

discussions with Castleton and Hoags Corners Ambulance Services. If it happens, they would be one taxing authority. F. Curtis, former Director of Real Property Services, stated that it was special state legislation that created a town-wide taxing jurisdiction for Schodack. The three ambulances as organizations can consolidate but the taxing jurisdiction would still be the Town of Schodack and the Board would still be the trustees for the Town.

M. Sherwood stated that she heard that there might be change in the Federal Forfeiture Fees that are administered by State and made available to the police department. Board members indicated that they had no knowledge of any new or proposed change to this fund, but hoped those funds would not be reduced or eliminated.

M. Sherwood asked if there was anything to report regarding the Kinder Morgan Gas Pipeline. S. Dowds said that we filed for Intervenor status on December 29, 2015 and were accepted, but nothing else has happened. K. Stokem asked if the Board heard any rumors regarding the relocation of the compressor station from the Town of Nassau to the Town of Schodack. S. Dowds said no.

K. Stokem asked which fire districts were discussing consolidation. C. Bult replied all of them: East Schodack, Schodack Landing, South Schodack, Schodack Valley, Village of Castleton, Schodack Center and Nassau. He added that if some of them decide that they want to consolidate and others do not, they would still be able to move forward. Everyone does not have to consent to participate. Mr. Stokem asked if status reports would be given at future board meetings. C. Bult said he would gladly update the Board and public on the results of the meetings.

K. Stokem asked if allowing someone to use the old town hall property would interfere with selling it. S. Dowds said no. In fact, he is currently reviewing several inquiries that he received. Mr. Stokem asked if the Town was going to ask for rent. The Supervisor replied that he did not broach the subject. C. Bult felt that we should at least ask the contractor.

Nadine Fuda, Director of Planning & Zoning, clarified that she and Mr. DeFruscio attend the training seminar in Albany also and both conferences are budgeted. She explained that by going to Lake Placid, they receive all mandated 24 credits and this year it is even more important to get all the credits. Last year, Mr. DeFruscio attended all 3 days at both conferences, while she only attended one day at the Albany conference because she also attends the Planning Federation conference in Saratoga. With regard to ride sharing, she explained that she has an 83 year old mother and if she has to come home, she doesn't expect Mr. DeFruscio to drive her home.

With regard to Planning Fees, R. Lemka said he didn't understand why a landlord has to pay \$150.00 for a commercial change in Tenancy (Planning Fees) even if it is the same type of business. He believed we might be the only Town that charges a fee for change in tenant. He also took exception to the \$300.00 fee for Timber Harvesting. He felt that these fees were not fair based on the amount of review time required and should be changed.

R. Lemka asked why the Town didn't require a performance bond at the start of the planning process for applications like Project Red. Then, if the company decided not to move forward, as in the case of project Red, at least the town would be compensated for the work done up to that point.

K. Stokem said he also filed for Intervenor status with FERC and encouraged others to get involved and do it also. He believed that more interest in the project should be demonstrated. The Supervisor cautioned that there will probably come a time, that attorney

fees will have to be paid by the Intervenor as they go through the process so it could come with some costs. Mr. Stokem said he was under the impression that once you file as an Intervenor, you are simply preserving rights that you would not have had otherwise and you can do as much or as little you want. The Supervisor believed that was correct. He was just making the point that at some levels, there may be costs involved.

Adoption of Resolutions

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

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

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

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

- 2016-068)** 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.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

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

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

- 2016-069)** Authorize Donna Conlin, Dennis Dowds and Michael Kenney to attend seminars for the Annual Meeting of the Associations of Towns of New York State February 14-17, 2016 with appropriate expenses to be borne by the Town.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

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

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

- 2016-070)** Authorize Donna Conlin as the voting delegate for the Town of Schodack at the Annual Meeting of the Association of Towns of New York State.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

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

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

- 2016-071)** Authorize Paul Harter, Comptroller to attend Office of the New York State Comptroller training session entitled “Introduction to Governmental Accounting” March 15-17, 2016 in Canandaigua, New York at an estimated cost as follows: Registration fees of \$85.00, cost of lodging \$318.00, cost of meals \$150.00 and cost for mileage & tolls of \$249.00 for a total estimated cost of \$802.00 [This is a budgeted item.]
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

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

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

- 2016-072)** Authorize Dominic DeFruscio III, Assistant Building Inspector to attend Northern Adirondack Code Officials Conference February 28 through March 3, 2016 in Lake Placid, New York at estimated cost for the Conference, Seminar and Annual dues of (\$285.00), and estimated cost for lodging of \$424.00 and estimated cost for meals (\$100.00) for a total estimated cost of \$809.00. [This is a budgeted item.]
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

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

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

- 2016-073)** Authorize Nadine Fuda, Director of Planning and Zoning to attend Northern Adirondack Code Officials Conference February 28 through March 3, 2016 in Lake Placid, New York at estimated cost for the Conference and Seminar of (\$260.00), and estimated cost for mileage \$84.53, and estimated cost for lodging of (\$424.00) and estimated cost for meals (\$100.00) for a total estimated cost of \$868.53. [This is a budgeted item.]
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

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

Amended 02/11/2016 by 2016-100

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

2016-074) Approve the following Planning and Zoning Fee schedule, to be effective January 15, 2016:

SITE PLAN REVIEW

RESIDENTIAL FEES:

Concept Meeting - \$75.00
Site Plan Application 1-5 Units -\$125.00
Site Plan Application - 5+ Units-\$200.00

COMMERCIAL FEES:

Concept Meeting- \$100.00
Site Plan Application- \$300.00
Change In Tenancy - \$150.00
Change In Use - \$125.00
Additions & Modifications- \$ 250.00
Telecommunication- \$ 500.00
Utility Solar - \$500.00

SPECIAL PERMIT

Residential- \$150.00
Commercial - \$300.00
Timber Harvesting - \$300.00

SEQR FEES

EAF- Short Form – No Fee
EAF- Long Form - \$150.00

SUBDIVISION FEES

RESIDENTIAL FEES:

Minor 1-4 Lots (Min 2)- \$150.00 X _____ Lots
Major 5+ Lots- \$200.00 X _____ Lots
Multiple Dwellings Units - \$500.00X_____units
Lot Line Adjustment- \$100.00

COMMERCIAL FEES:

Minor 1-4 Lots (Min 2)- \$200.00 X _____ Lots
Major 5+ Lots- \$300.00 X _____ Lots
Lot Line Adjustment- \$200.00

PARKLAND FEES

SITE PLAN:

Residential- \$500.00 per Lot
Commercial - \$1000.00

SUBDIVISION:

Residential Major (5+Lots)- \$500.00 X _____ Lots

Multiple Dwelling- \$500 X _____ Units

Commercial - \$1000.00 X _____ Lots

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

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

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

- 2016-075)** 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, 2016 to February 1, 2017 for \$1534.05 annually. Contract includes 168,000 copies annually with an overage charge of \$0.009 per copy.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

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

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

- 2016-076)** 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, 2016 to February 1, 2017 for \$702.45 annually. Contract includes 24,000 copies annually with an overage charge of \$0.027 per copy.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

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

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

- 2016-077)** 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, 2016 to February 1, 2017 for \$841.05 annually. Contract includes 24,000 copies annually with an overage charge of \$0.031 per copy.

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

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

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

2016-078) 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, 2016 to February 1, 2017 for \$981.42 annually. Contract includes 42,000 copies annually with an overage charge of \$0.021 per copy.

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

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

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

2016-079) 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, 2016 to February 1, 2017 for \$847.35 annually. Contract includes 30,000 copies annually with an overage charge of \$0.024 per copy.

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

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

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

2016-080) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #16-0001 to 16-0153 on Abstract No. 2016-01, in the amount of \$315,922.00, including the claims paid (\$47,581.81) since the previous town board meeting.

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

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

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

- 2016-081)** Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller:

BUDGET MODIFICATIONS

	Fund/ Department #	Fund / Department Name	Increase	Decrease
2014				
128	B-960-8020.4000	Planning Contractual	1,532.20	
	B-509-2115.9999	Planning Fees	1,532.20	
129	SW1-962-9999.9999	Budgetary Provision - Repair Reserve	25,000.00	
	SW1-599-9999.9999	Appropriated Fund Balance	25,000.00	
130	A-960-1380.4000	Fiscal Agent Fees - Contractual	185.00	
	A-960-1990.4000	Contingency		185.00
131	A-960-5132.4000	Highway Garage - Contractual	3,500.00	
	A-960-1990.4000	Contingency		3,500.00
2015				
1	B-960-9901.9000	Interfund Transfer	21,540.00	
	B-960-1990.4000	Contingency		21,540.00
	DB-960-5110.1000	Street Maintenance - P. Services	12,806.00	
	DB-960-5112.1000	Road Construction - P. Services	395.00	
	DB-960-5130.1000	Machinery - P. Services	2,733.00	
	DB-960-5140.1000	Brush & Weeds - P. Services	2,654.00	
	DB-960-5142.1000	Snow Removal - P. Services	1,421.00	
	DB-960-9030.8000	Social Security	1,531.00	
	DB-509-5031	Interfund Transfer From B	21,540.00	

Interfund Loans – None.

Interfund Transfers – None.

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

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

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

- 2016-082)** 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, February 4, 2016 at 7:00 p.m. at the Schodack Town Hall, 265 Schuurman Rd. to discuss the employee handbook.

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

ADJOURNMENT

As there was no further business before the Board, C. Kenney made a motion to adjourn the 01/14/15 Town Board meeting at 7:45 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin
Schodack Town Clerk/RMC/CMC