

DATE: NOVEMBER 9, 2017

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DEBRA L. CURTIS

PRESIDING OFFICER: DENNIS E. DOWDS

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

MEMBERS ABSENT:

ATTORNEY: DAVID GRUENBERG, ESQ.
COMPTROLLER: PAUL HARTER, COMPTROLLER
OTHERS PRESENT: NADINE FUDA, DIRECTOR OF PLANNING & ZONING
OFFICER ECKEL, SCHODACK POLICE DEPARTMENT

Supervisor Dowds called the November 9, 2017 Town Board Meeting to order at 7:02 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Briefing of Resolutions

The Supervisor explained the public hearing would not begin until 7:15 p.m. In the interim, he gave a briefing on the resolutions. He explained the preliminary budget, once approved becomes the adopted budget and noted changes, known as modifications, can still be made. In regards to resolution 2017-274, the town had started the order of demolition for the structure located at 19 Overlook Drive but the process was never completed; therefore, the Town needed to start over. Following Board approval, the Building Inspector would send a letter to the land owner informing them of the sixty day limit for compliance. If the owner does not comply, the Town would be authorized to take action. Regarding resolution 2017-277, the Supervisor explained two firms showed interest for Round 5 of the Restore NY program; however, Servidone was further along in their plans and it was the decision of the Board to allow them to submit their application to the State. Resolutions 2017-278 and 2017-279 are related to the Consolidation Study for the six fire districts. For resolution 2017-280, the Town would receive revenue from the interest on the purchase of a treasury bond from Key Bank. S. Dowds mentioned the Board decided to amend the NYSHIP insurance plan to only be available to retirees [2017-281]. The remaining resolutions were self-explanatory.

Board Discussion

Resolution 2017-281: C. Bult asked if the change to NYSHIP would affect any employee who may be interested in retiring within the next year. S. Dowds said no.

Resolution 2017-278: C. Bult noted that all fire districts in Schodack would be participating in the consolidation study except for Schodack Center. Atty. Gruenberg asked if this was a new study or the same that they had discussed last year. S. Dowds said it was the same study and noted all agreements had been signed and submitted.

Public Hearing
Proposed Local Law No. 3 of 2017 (P3-2017)
Requiring Registration of SORA Motels/Hotels

S. Dowds called the public hearing on proposed Local Law No. 3 of 2017 to order at 7:15 p.m.

The Town Clerk read the Affidavit of Publication seeking public input on proposed Local Law No. 3 of 2017 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. The legal notice was published in the October 30, 2017 edition of *The Record*, on the Town Clerk's signboard and the Town's website.

S. Dowds asked Atty. Gruenberg to lead the public hearing. Atty. Gruenberg explained proposed local law No. 3 would require all hotel and motels to register with the Town in order to rent rooms by means of placement, referral or payments by a state agency for registered sex offenders (RSO). The law would not apply to an RSO renting a room with their own finances. Once licensed, the establishments would be limited, by a points system, to the number of offenders they would be allowed to house. The points would be based on the level of offense designated by the state (i.e. a level two RSO would be designated as two points and a level three RSO would be designated as three points). Motels and hotels would be allowed up to six points if they had less than fifty rooms for rent and nine points if they had fifty-one or more rooms for rent. He noted a correction was needed for Section 2A(3). He explained under "Inspection Agent", Town Board and Building Inspector needed to be removed as it would only be the responsibility of the Code Enforcement Officer and a representative of the Police Department to conduct inspections. He mentioned similar laws have been adopted by other municipalities in an effort to prevent concentrations of RSO in a given area. S. Dowds asked if the yearly registration fee would be set at \$3,000.00. Atty. Gruenberg said the fee would be set by resolution of the Board according to Section 7 of the law. Officer Eckel stated other municipalities have set their fees at \$2,000.00 to \$3,000.00. In regards to the effective date for the proposed law, Atty. Gruenberg felt the date should be changed until the fees were set. Atty. Gruenberg suggested January 1, 2018 allowing lead time for establishments to comply. **Determination:** The effective date was changed to January 1, 2018.

Public Comment: K. Stokem asked what SORA stood for. Atty. Gruenberg said it was the Sex Offender Registry Act. K. Stokem asked if RSO were paying privately for housing, would they be affected by the law. Atty. Gruenberg said we would have no authority over them. K. Stokem asked why Schodack had such a large volume of sex offenders residing in the Town's motels and hotels. C. Bult said since Schodack does not currently have regulation against the number of sex offenders allowed to be housed, the Town has

become a depositing area. K. Stokem asked how many offenders are currently housed within the Town. Officer Eckel explained when a RSO moves into an area, they have ten days to register their address which can be viewed by residents on the state website such as NYS Department of Criminal Justice Services (DCJS). This would inform residents on how many sex offenders are located in the Town. A resident stated she had moved to the Hostfield Inn with her children and was not aware of the sex offenders residing there. In regards to the Four Seasons Motel, the resident was concerned about sex offender's proximity to Green Meadow School and the fact that most residents were not aware of their housing at that location. Officer Eckel stated only individuals on parole or probation could be limited from residing within 1,000 feet of a school. He mentioned that under proposed local law No. 3, the license would be required to be placed in view for all to be made aware that sex offenders reside there. R. Lemka asked if there would be a limit to the number of days an offender could be housed at these establishments. Atty. Gruenberg stated the motels and hotels are only required to obtain a license and house only the number of offender's allowed by the points system. There was no limitation placed on the length of stay for the offender. R. Lemka asked if there would be a list of offenders for patrons of an establishment to view. Atty. Gruenberg said these offenders are placed by agencies that pay for their housing. The establishment would be aware of them but no list would be required. R. Lemka wondered if the proposed fee each motel or hotel is required to pay would be charged per offender or per hotel/motel. Atty. Gruenberg said it would be per hotel or motel. R. Lemka asked how trailer communities would be affected by this law. Atty. Gruenberg quoted Section 2A-2: "*Any tourist accommodation or housekeeping cottage and any other inn, tourist home, trailer park, trailer camp, boardinghouse, rooming house, halfway house, rehabilitation facility, prison transitional facility, or any other structure, building or park of a building used in the business of renting rooms, individual or several, or a similar establishment where sleeping accommodations are furnished for pay to guests, lodgers, tourists, transients or travelers, whether meals are served therein, or not, to such guests, lodgers, tourists, transients or travelers, intending to include but not be limited to all of those facilities described in New York State General Business Law § 204.*" Mr. Lemka said it did not appear that landlords would be covered under that section. Atty. Gruenberg said it would apply to anyone renting out to RSO as long as the rent is subsidized by state or county funding. Mr. Lemka wondered if drug offenders should be included under proposed local law No. 3. Atty. Gruenberg said there are no lists of drug offenders that he was aware of. Another resident asked if level two and three offenders, who were not on probation or parole, would be exempt from the law. Officer Eckel said they would be included and explained if they were not on parole, they would not be limited within 1,000 feet of a school. Atty. Gruenberg stated Nassau County tried to enact a law prohibiting any sex offender from living within 1,000 feet of a school and it was found to be unconstitutional. He added that this proposed local law is intended to limit the concentration of offenders in a given area and not exclude them from living in Schodack. The residents asked how many hotels or motels would be affected by the law. Officer Eckel stated four and added that it is a full time job for an officer to manage all the offenders housed in those locations. The resident thanked the Board and said she hoped this law would help the situation. S. Dowds stated he felt the law would significantly reduce the number of RSO in a given location.

Atty. Gruenberg suggested, as a few amendments had been made to proposed local law No.3, the Board hold off approval until December, re-notice the public hearing for December

14th and present the changes then. **Determination:** The Board agreed to amend resolution 2017-276.

Upon hearing no further public comment, the Supervisor closed the public hearing at 7:44 p.m.

Public Comment

Resolution 2017-271: In regards to the consolidation study, F. Curtis mentioned there was a \$4.00 difference between the amount to be raised in taxes and the maximum match amount for resolution 2017-279. S. Dowds said it was due to rounding the amounts. R. Lemka asked where the estimated revenue would be derived from. S. Dowds said the revenue comes from sales tax and other miscellaneous revenue. R. Lemka asked where the \$800,008.00 would come from. P. Harter stated it was unexpended funds from previous years that were used to minimize spikes in taxes.

Resolution 2017-274: F. Curtis reminded the Board, if the Town were required to take action regarding 19 Overlook Drive, the amount billed would be applied to the 2019 tax roll. Atty. Gruenberg explained he had sent an email out to all Board members regarding the date of the public hearing. He realized it would not give the full thirty days required by law following the letter being sent; therefore, the date in the resolution should be amended to January 25, 2018.

Resolution 2017-277: K. Stokem asked for clarification regarding the project Servidone proposed for the Restore NY grant. S. Dowds explained they planned to demolish two structures on the property and replace them with new headquarters for their business.

Resolution 2017-278: R. Lemka stated he was aware of the need for the consolidation between the Schodack and East Greenbush Police but wondered why consolidation of the fire districts would be beneficial to the residents. C. Bult said although the fire districts currently work well together, they have experienced a decrease in the number of volunteers and increased operations costs. The study would expose potential savings in overhead expenses such as insurance, as well as ensure man power when needed. S. Dowds added the study would allow all parties involved to make an informed decision on the feasibility of the consolidation.

Resolution 2017-282: R. Lemka asked if the property in question was for land only. S. Dowds said yes. R. Lemka said he felt the Town needed to be reassessed. K. Stokem wondered if the property was incorrectly assessed originally due to the large decrease. R. Lemka said the property has little value as the powerlines cut through the center of it. F. Curtis asked if there would be retroactive payment for the settlement. S. Dowds said no.

Proposed Local Law No. 3: A resident asked, with the effective date being set for January 1, 2018, how much time would an establishment have to comply with the new law. Atty. Gruenberg said they would have thirty days to comply.

Preliminary Budget: F. Curtis asked if there were funds included in the budget for the Tax Receiver to hire a deputy. He noted that even though he is no longer a councilperson, he still received questions regarding town matters. He had been contacted regarding the Tax Receiver's office only being open two days during collection season and asked that the Board make it more convenient to the residents and request that the Tax Receiver open the office five days a week during the next collection cycle. S. Dowds said the Tax Receiver had plans to hire a deputy.

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, Historian, and Human Resources.

Review of Abstracts of Claims and Budget Amendments: The Board reviewed claims #17-1731 to #17-1861 on Abstract No. 2017-11 in the amount of \$410,325.59, including claims paid prior (\$246,146.53).

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. 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:**

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%

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

C. Rex 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:

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.

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. Kenney:

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

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.

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:

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.

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

C. Rex 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:

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.

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. Swartz:

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

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.~~

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:

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.

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:

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.

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:

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.

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:

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.

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. Swartz:

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

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.

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 S. Dowds:

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

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.

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:

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.

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

C. Rex 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:

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.

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:

2017-285) Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

**TOWN OF SCHODACK
BUDGET MODIFICATIONS
November 2017**

BUDGET MODIFICATIONS

Fund/				
Department #	Fund / Department Name	Increase	Decrease	
2017				
87	A-960-1110.4000	Justice Court - Contractual	2,614.64	
	A-960-1990.4000	Contingency - Contractual		2,614.64
	To modify the budget to cover expenditures under budget per Supervisor's submission			
88	A-960-1340.1000	Budget - Personal Services	461.76	
	A-960-1220.1000	Supervisor - Personal Services		383.04
	A-960-1315.1000	Comptroller - Personal Services		78.72
	To modify the budget to cover time spent for budget review by Dawne and Sue			
89	A-960-3120.1012	Police Grant - PTS	245.94	
	A-509-4320.9999	Federal Aid Public Safety	245.94	
	To modify the budget for PTS grant awards			
90	A-960-9901.9000	Inter Fund Transfer	0.84	
	A-960-1990.4000	Contingency - Contractual		0.84
	To modify the budget to cover Inter fund Activity between EW & A for NYS EFC Debt Pymt rounding			
91	B-960-8160.4000	Refuse & Garbage - Contractual	1.40	
	B-960-1990.4000	Contingency - Contractual		1.40
	To modify the budget to cover Hazard Waste Day expenditures - Postage			

- | | | | |
|-----------|---|---------------------------------------|--------|
| 92 | B-960-8340.2000 | Trans & Distrib - Equipment | 92.10 |
| | B-509-2655.9999 | Minor Sales | 92.10 |
| | To modify the budget to cover water meter sales to 18 Crescent Dr. & 226 Miller Rd. | | |
|
 | | | |
| 93 | DB-960-5110.1350 | Road Repairs - DB work for W/S | 502.30 |
| | DB-960-5110.1000 | Road Repairs - Personal Services | 502.30 |
| | To modify the budget to cover work on SW1 Fence | | |
|
 | | | |
| 94 | DB-960-5112.1630 | Road Construction - Xfer Station Work | 579.20 |
| | DB-960-5140.1000 | Brush & Weeds - Personal Services | 579.20 |
| | To modify the budget to cover Personal overage due to work performed on Xfer Station entry way | | |
| | 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. Bult made a motion to adjourn the 11/09/17 Town Board meeting at 8:10 p.m., seconded by C. Rex. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk