

**DATE:** JANUARY 11, 2018

**KIND OF MEETING:** TOWN BOARD

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DEBRA L. CURTIS

**PRESIDING OFFICER:** DAVID B. HARRIS

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

**MEMBERS ABSENT:**

**ATTORNEY:** RYAN P. MULLAHY, ESQ.

**COMPTROLLER:** PAUL HARTER, COMPTROLLER

**OTHERS PRESENT:** BRUCE GOODALL, DIRECTOR OF TRANSFER STATION  
OPERATIONS

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Supervisor Harris called the January 11, 2018 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.

### **Brief of Resolutions**

S. Harris explained the public hearing for Proposed Local Law 1-2018 would not begin until 7:30 p.m. In the interim, he read through the resolutions. In regards to resolution 2018-071, an addition had been made to the schedule to include the acceptance of credit cards as payment at the Transfer Station. All other resolutions were self-explanatory.

### **Board Comment**

**Resolution 2018-073:** C. Bult said he had emailed D. Kelly earlier in the week regarding the fire investigation budget. He noticed there were funds in the contractual (.4000) but nothing was specified for training. Upon discussion, a suggestion was made to make a budget modification to move funds from an obsolete vendor (Roberts & Nicholas Fire Apparatus) to the training line. S. Harris asked if the funds would be remaining in contractual. C. Bult explained they would remain in the .4000 but be transferred to a different budgetary line. This would make it easier to understand where money was being spent. P. Harter stated a budget modification would not be necessary as the funds are already accounted for. C. Swartz mentioned he felt it was a good idea the appropriations code was added to the resolutions to help understand where the funds were being spent and could be used as a reference to see where the funding is located.

**Resolution 2018-069:** C. Bult asked if S. Harris would be the only one attending the Annual Meeting for the Association of Towns in February. S. Harris said D. Curtis, Town Clerk had declined to attend due to her injury.

## **Public Comment**

M. Sherwood said she had read an article in the local newspaper regarding a police call for an incident on Maple Hill Road. She was wondering why the County Sheriff was called to respond instead of the Schodack Police. S. Harris said the Sheriff responded because he was the closest car to the scene. He said it was his understanding that when a call is dispatched, it is relayed to all who cover the area including Schodack, Sheriff, and State Police. He stated that Schodack had originally responded to the scene looking for the individual and had left to locate him at another residence. He then returned to the residence on Maple Hill Road at which time the homeowner call 9-1-1 again and the Sheriff happened to be the closest unit. S. Harris added that he had spoken to Sheriff Russo and the situation had been handled in a safe and professional manner.

T. Plante explained his home was appraised at \$400,000.00 and was appalled by the appearance of many residences along Route 20 heading toward the Town of Nassau. He stated the residences include overgrown lawns, missing siding and numerous junk cars. He had spoken to the previous Supervisor who failed to resolve the issue. He hoped the new administration would utilize the Building Department to start enforcing code violations. He added he was pleased to see that the new Town Clerk offered Saturday hours for the benefit of the residents. S. Harris assured Mr. Plante that he would speak to the Building Inspectors and see what needed to be done. M. Sherwood stated that she and another resident had compiled a map of residences that were in violation of Town Code which was submitted to the Planning & Zoning Department but nothing was done.

**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, and Historian.

**Review of Abstracts of Claims and Budget Amendments:** The Board reviewed claims #18-0001 to 18-0112 on Abstract No. 2018-01, in the amount of \$289,073.33, including the claims paid (\$38,930.88) since the previous town board meeting.

## **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. Bult:

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

- 2018-068)** Authorize David B. Harris ~~and~~ to attend seminars for the Annual Meeting of the Associations of Towns of New York State February 18-21, 2018 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. Harris. 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:**

- 2018-069)** Authorize David B. Harris 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. Harris. 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:**

- 2018-070)** Approve the attached Transfer Station Fee schedule, to be effective January 1, 2018.

- 1) The Town of Schodack Transfer/Recycling Station is for use by Town residents only and is for disposal of refuse generated within the Town of Schodack. Proof of residency **and** vehicle registration **must be provided** in order to utilize facility.
- 2) **Credit cards, personal checks or money orders are acceptable forms of payment at the Transfer Station. For credit card use, a convenience fee of \$1.75 or 2.45% (whichever is higher) will be applied to each transaction.**

**Brush will be accepted up to 30 minutes before closing each day.**

- 3) The Schodack Transfer/Recycling Station area shall be open for disposal as follows:

Tuesday	7:00 a.m. - 5:00 p.m.
Wednesday	7:00 a.m. - 2:00 p.m.
Thursday	7:00 a.m. - 2:00 p.m.
Friday	7:00 a.m. - 2:00 p.m.
Saturday	7:00 a.m. - 3:00 p.m.

The Transfer Station is closed all day Sunday, Monday and Holidays as posted.

- 4) Residents will be required to pay for each 30-gallon bag, or portion thereof, of refuse disposed of as follows:
  - a) 52-bag punch card \$ 104.00
  - b) 12-Bag Punch Card \$ 30.00
  - c) 30-gallon bag or equivalent \$ 3.00 each

(Previously purchased punch cards will be honored)

5) **There will be an additional charge for:**

- |    |  |                                  |
|----|--|----------------------------------|
| a) | Refrigerators, freezers, dehumidifiers, air conditioners***                  | \$12.00 each or <u>6</u> punches |
| b) | Metal goods:   | \$ 6.00 each or <u>3</u> punches |
|    | Stoves, washers, dryers,   |                                  |
|    | water tanks, riding lawn   |                                  |
|    | mowers, Bulk metals  |                                  |
| c) | Tires (car and light truck)  | \$ 4.00 each or <u>2</u> punches |
|    | Tires with rims  | \$ 6.00 each or <u>3</u> punches |
|    | Larger tires   | *PRICED BY SIZE*                 |
| d) | Bulky furniture **   | \$10.00 each or <u>5</u> punches |
| e) | Household construction debris, 30 gallon container                           | \$10.00 each or <u>5</u> punches |
| f) | Propane tanks  | \$ 6.00 each or <u>3</u> punches |
| g) | Push Mowers  | \$ 5.00 each or <u>3</u> punches |
| h) | Gas Grills, Bicycles   | \$ 5.00 each or <u>3</u> punches |
| i) | Televisions, Computers, Monitor &<br>Rear Projection Televisions ***         | FREE                             |
| j) | Computer tower only ***  | FREE                             |
| k) | Misc. Electronic – printers, copiers, typewriters,<br>radios, microwaves *** | FREE                             |

\*\*Bulky Furniture, i.e.: Sofas, stuffed chairs, mattresses, box springs, rugs etc.

\*\*\*All Electronics not containing Freon

**The Director of the Transfer/Recycling Station or his designee has sole authority to determine ultimate cost of bulky items brought in.**

6) **RECYCLING IS MANDATORY. NO RECYCLABLES SHOULD BE PLACED IN THE REFUSE CONTAINER.**

7) **THE FOLLOWING RECYCLABLES WILL BE ACCEPTED AT NO ADDITIONAL CHARGE:**

- a) Newspapers/Magazines/Junk Mail – white paper. Books (hard & soft cover) Shredded paper (bagged)
- b) Tin cans
- c) Glass bottles/jars
- d) Plastic bottles or containers (only recyclable codes 1 - 7)
- e) Used oil and filters
- f) Batteries - car and rechargeable
- g) Anti-Freeze
- h) Corrugated cardboard/Box Board/Brown
- i) Clothes - Salvation Army container only
- j) Brush and logs less than six (6) inches in diameter

8) **MATERIALS PROHIBITED AT THE TOWN OF SCHODACK TRANSFER/RECYCLING STATION:**

- a) Industrial waste
- b) Infectious waste
- c) Sludge
- d) Hazardous waste
- e) Commercial construction and demolition debris
- f) Trees and tree stumps
- g) Gas, Kerosene and Fuel Oil

- h) Ashes of any kind
- 9) As a consideration to our neighbors, all open loads should be covered and secured while traveling to and from the Transfer Station.

**Any violations of these rules and regulations will void tipping**

**privileges. SPECIAL DATES & HOURS:**

**SPRING CLEAN-UP** - May 17, 18, and 19, 2018 **7 A.M. through 3 P.M.**

**FALL CLEAN-UP** - October 11, 12, and 13, 2018 **7 A.M. through 3 P.M.**

**SHREDDING DAYS** – March 31<sup>st</sup> – East Greenbush **9 A.M. through 12 P.M.**

July 21<sup>st</sup> – Town of Schodack **9 A.M. through 12 P.M.**

October 27<sup>th</sup> – City of Rensselaer **9 A.M. through 12 P.M.**

**HOUSEHOLD HAZARDOUS WASTE DAY – None Scheduled for 2018**

The following days have been designated as 2018 holidays and the Transfer Station will be **closed**:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Tuesday	January 2	New Year's Day *
Tuesday	May 29	Memorial Day *
Wednesday	July 4	Independence Day
Tuesday	September 4	Labor Day *
Thursday	November 22	Thanksgiving Day
Friday	November 23	Day after Thanksgiving
Tuesday	December 25	Christmas

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

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

**2018-071)** Authorize Kerrie Joiner, Human Resource Manager to attend SHRM Certification, Self-Study Program for a total estimated cost of \$695.00 [This is a budgeted item. A1430.4]

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

**2018-072)** Authorize Jordan Harrington and Alan Roehr, Police Officers and members of the Fire Investigation Unit to attend New York State Academy of Fire Science Course #01-01-0041 – Fire Investigation Course, February 26 through March 2 and March 5 through 9, 2018 in Montour Falls, New York, at an estimated cost (\$382.00) and material cost (\$85.00) per person, plus mileage (\$270.32) and Tolls (\$32.60) for a total estimated cost of \$1,236.92. [This is a budgeted item. A3410.4]

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

**2018-073)** Authorize Thomas Finn, Police Officer to attend Glock Armorers Course-105274, April 18, 2018 in Rochester, New York, at an estimated cost (\$250.00) and tolls (\$10.00) for a total estimated cost of \$260.00. [This is a budgeted item. A3120.4]

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

S. Harris 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:**

**2018-074)** Amend resolution 2018-010 as adopted on January 5, 2018 appointing Ryan P. Mullahy as Town Attorney, at an annual salary of \$24,000.00 to be at a remuneration of \$24,000.00.

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

S. Harris 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:**

**2018-075)** Amend resolution 2018-038 as adopted on January 5, 2018 appointing Craig Crist, Esq., as Attorney for the Planning Board at salary as set forth in resolution 2018-07 to be at a remuneration of \$19,747.80.

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

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

Amended 06/14/18 by 2018-171

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

- 2018-076)** Amend resolution 2018-039 as adopted on January 5, 2018 appointing William Better, Esq., as Attorney for the Zoning Board of Appeals at salary as set forth in resolution 2018-07 to be at a remuneration of \$13,165.20.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. 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:**

- 2018-077)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #18-0001 to 18-0112 on Abstract No. 2018-01, in the amount of \$289,073.33, including the claims paid (\$38,930.88) since the previous town board meeting.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. 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:**

- 2018-078)** Authorize the following budget modifications, interfund loans and interfund transfers as recommended by the Comptroller:

**BUDGET MODIFICATIONS**

<b>Fund/</b>				
	<b>Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>2017</b>				
<b>134</b>	A-960-1110.1000	Town Justice - Personal Services	2,441.79	
	A-960-1110.4000	Town Justice - Contractual	8.20	
	A-960-1110.1100	Town Justice - Overtime		2,449.99
	To modify the budget to cover expenditures over budget per Supervisor's submission			
<b>135</b>	A-960-1430.1000	Personnel - Personal Services	6.02	
	A-960-1430.4000	Personnel - Contractual		6.02
	To modify the budget to cover Payroll accrual for 2017			

<b>136</b>	A-960-1460.1000	Records Mgmt - Personal Services	5.62	
	A-960-1460.4000	Records Mgmt - Contractual		5.62
	To modify the budget to cover Payroll accrual for 2017			
<b>137</b>	A-960-3120.1090	Police - Justice Court	32.87	
	A-960-3120.1100	Police - Overtime	7,154.43	
	A-960-3120.1800	Police Dispatchers	0.16	
	A-960-3120.4000	Police - Contractual	2,066.34	
	A-960-1110.1100	Justice Court - Overtime		32.87
	A-960-3120.1000	Police - Personal Services		963.65
	A-960-3120.1300	Police - Building Maintenance		989.14
	A-960-3120.1900	Police - P/T Officers		4,658.24
	A-960-1990.4000	Contingency - Contractual		2,609.90
	To modify the budget to cover Payroll accrual for 2017			
<b>138</b>	A-960-3510.1000	Animal Control - Personal Services	0.07	
	A-960-3510.4000	Animal Control - Contractual		0.07
	To modify the budget to cover Payroll accrual for 2017			
<b>139</b>	A-960-5132.1300	Town Garage - Building Maintenance	39.72	
	A-960-3120.1300	Police - Building Maintenance		39.72
	To modify the budget to cover Payroll accrual for 2017			
<b>140</b>	A-960-7110.1000	Parks - Personal Services	88.47	
	A-960-7110.4000	Parks - Contractual		88.47
	To modify the budget to cover Payroll accrual for 2017			

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

### **Open Discussion**

S. Harris wished to thank the students from Columbia High School's Participation In Government class for attending the board meeting. He was pleased to have had time to speak to a few of them regarding their aspirations.

B. Goodall mentioned new gates had been installed at the Transfer Station to replace the ones that had been damaged. He said he had been investigating the installation of a



movable gate but was not sure if the current posts would be strong enough to support it. C. Bult asked if he had received word from DEC on being an exempt facility. B. Goodall said he had not submitted the registration and would need to reapply for the exemption. He explained it would require engineering and they would be limited to twenty cubic yards per day. C. Bult asked when the deadline to apply was. B. Goodall said May 4<sup>th</sup> and noted Washington County was having issues with their exemption application being approved. He said he would keep the Board informed. S. Harris said the Town was lucky to have a Transfer Station. Upon speaking to other local town officials at the training he had attended, he found that other municipalities did not have their own facilities and it was difficult for them.

### **Public Hearing Cold War Veteran Exemption**

S. Harris called the public hearing to order at 7:32 p.m. to authorize the extension of the limited real property tax exemption for Cold War Veterans as amended by Chapter 290 of Laws of 2017, Section 458-b of State Law by which Towns were authorized to extend such exemption for as long as the owners of real property remain as qualifying owners.

The Town Clerk summarized the Affidavit of Publication regarding the extension of the Cold War Veteran Exemption. The legal notice was published in the January 3, 2018 edition of *The Record*, as well as posted on the Town Clerk's signboard and the Town's website on January 3, 2018.

S. Harris called upon Atty. Mullahy to lead the public hearing. Atty. Mullahy explained according to the Real Property Law of 2007, any Veteran who served in the military from September 2, 1945 to December 26, 1991 was eligible to receive an exemption of up to 10 percent on their primary residence. The Town had passed Local Law #2 of 2008 authorizing the exemption to be applied for a ten year span; however, state legislation in June of 2017 authorized Towns to extend the exemption by local law for the duration of time that the Veteran owned the property.

**Public Comment:** None.

Upon receiving no public comment, S. Harris closed the public hearing at 7:35 p.m.

**Adoption of Resolution (The following resolution was adopted out of sequence)**

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:**

**2018-079) 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 January 11, 2018 at 7:30 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law #1 of 2018 relating to amending Local Law #2 of 2008 (providing for a Cold War Veteran's exemption pursuant to New York State RPTL§458-b); and

**WHEREAS**, notice of said public hearing was duly posted on the Town Clerk's official sign board on January 3, 2018 and advertised in the January 3, 2018 edition of THE RECORD, official newspaper of the Town, and

**WHEREAS**, said public hearing was held on January 11<sup>th</sup> at 7:30 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part hereof, and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby adopts Proposed Local Law Number 1 of 2018 (P1 of 2018) to be known as Local Law #1 of 2018 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. Harris. Noes – 0.

## **ADJOURNMENT**

As there was no further business before the Board, C. Kenney made a motion to adjourn the 01/11/18 Town Board meeting at 7:35 p.m., seconded by C. Swartz. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk