

DATE: MAY 14, 2015

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DONNA L. CONLIN

PRESIDING OFFICER: DENNIS E. DOWDS

MEMBERS PRESENT: FRANCIS CURTIS
JAMES E. BULT
MICHAEL KENNEY
SCOTT SWARTZ

MEMBERS ABSENT:

ATTORNEY: DAVID GRUENBERG

OTHERS PRESENT: NICOLE ALLEN, LABERGE ENGINEERING

Supervisor Dowds called the May 14, 2015 meeting to order at 7:05 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Executive Session

C. Curtis made a motion to enter into Executive Session at 7:06 p.m. to discuss specific appointments in various departments. Seconded by C. Swartz.

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

At 7:27 p.m. C. Bult made a motion to adjourn the Executive Session, seconded by C. Curtis.

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

Adoption of Resolutions (The following resolutions were adopted out of sequence.)

The Supervisor deviated from the agenda so the Board could take under consideration the following resolutions regarding various appointments:

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:**

2015-136) All civil service requirements having been met for the position of Police Lieutenant, the Town hereby appoints Jonathan Reickert to the position of Police Lieutenant effective May 16, 2015.

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

Following the adoption of the resolution the Town Clerk administered the Oath of Office. The Board congratulated Officer Reickert on his achievement of attaining the rank of Lieutenant. Chief Peter said Lt. Reickert is a true professional and a great asset to the department and community. Mrs. Reickert came forward to assist the Chief in pinning on his bars and new shield.

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

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

2015-130) Appoint John Lewis, subject to final approval by the Rensselaer County Civil Service Commission, as a Transfer Station-Operator 2, at an hourly rate as set forth in the Year 2015 adopted budget. Said appointment shall be effective as of June 2, 2015.

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

Following the adoption of the resolution the Town Clerk administered the Oath of Office. The Board congratulated Mr. Lewis on his appointment.

C. Bult 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:

2015-135) Appoint Daniel Garvansites to the part-time position of Park Manager at an hourly rate of \$18.85 as set forth in the Year 2015 adopted budget. Said appointment shall be effective as of May 15, 2015.

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

Following the adoption of the resolution the Town Clerk administered the Oath of Office. The Board congratulated Mr. Garvansites on his appointment.

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:

2015-131) Appoint Paul Harter as Comptroller at annual salary of \$73,000.00. Said appointment shall be effective as of June 16, 2015.

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

The Supervisor noted that Mr. Harter would also serve as Budget Officer for a salary of \$3,500.00. Following the adoption of the resolution the Town Clerk administered the Oath of Office. The Board congratulated Mr. Harter on his appointment.

Public Hearing

P1-2015 Regulation of Solar Collection Systems

S. Dowds opened the public hearing on P1-2015 at 7:42 p.m.

The Town Clerk read the Affidavit of Publication for the public hearing for proposed Local Law #1 of 2015 (P1-2015) relative to amending the Zoning Law of the Town of Schodack to provide for the regulations of solar collection systems on, and appurtenant to, residential and commercial structures and to regulate utility scale solar collection systems. Said notice was posted on the Town Clerk's sign board on April 29, 2015 and appeared in the Record on April 30, 2015.

Public Comment

Five people spoke at the public hearing. All who spoke were in favor of the intent of the law, but some concerns were raised with several sections of the law.

One of the issues was confusion regarding the language relating to pervious and impervious coverage for utility scale solar collector systems, §219-39.3 B (a) & (b). Three people felt it should be clarified to better describe how much land can be used to place the solar panels on. Nicole Allen, Laberge, said the Town consulted with DEC and was told that since there is grass (or gravel) under the solar panels and the grass/gravel is permeable, you do not have to count the solar panels themselves as impervious surfaces. The impervious surfaces will be limited to 20% for such things as buildings, roads, etc. (i.e. things that will obstruct rain from going into the ground). K. Stokem said he interprets (b) to read that 80% of the lot must be covered by solar. Ms. Allen said no, 80% must be covered by grass, but it can have solar panels above it. This does not mean that you have to have 80% covered by panels. J. Dolan thought the language should be revised as it could be interpreted to mean that the solar panels could only be on 20% of the lot, not the 80% as Ms. Allen clarified.

Other points of clarification dealt related to setbacks - Permitting §219-39.2 C (2) (e) & (f). Ms. Allen said the setbacks vary throughout the Town so the Town wanted to make sure an adequate setback was provided for the front setback, which is 75 ft. as noted in §219-39.2 C (2)(f). This would give those properties that have a larger distance the availability to have panels in the front yard without being overly restrictive. Section (e) addresses the side or rear yard setbacks and section (f) addresses the front yard setback. Essentially, if you want to have the panels in your side yard you have to meet the setback requirement for your zone (e) and if you want to place in them in the front yard it is 75 ft. (f) minimum. J. Dolan said he was in favor of the law and thanked the Board for addressing many of the concerns that were raised at the first public hearing. However, he felt the 200 ft. setback for large scale solar, §219-39.3 B (2), was too restrictive. He felt that would discourage large scale solar farms. He said many commercial buildings are much closer to the road than 200 ft. He also thought the front yard setback for residential should be 50 ft. not 75 ft. There

was a general discussion about front, side and rear yard setbacks and aesthetic impacts on neighboring properties.

Meg Ford commended the board for somewhat promoting solar, but agreed that some of the requirements could be a little less restrictive. She wondered if there was a point at which residential installation morphs into commercial as she has a large field and wondered if she would have to adhere to the utility scale standards to put up ground mounted panels. Ms. Allen explained that utility scale collectors are for commercial producers. If a residential array exceeds 200 sq. ft., the applicant would have to go to the Planning Board to get a special use permit. Meg asked if the installation of solar panels increased your taxes. C. Curtis said currently there is an exemption program where any new residential solar is exempt from taxation for 15 years.

T. Howard appreciated the change in §219-39.2 C (1) (c) (1) since it now allows rooftop and flush mounted systems on all principal structures. He asked if it was correct that if the accessory structure does not meet the principal structure setback it would not be permitted, §219-39.2 C (1) (c) [2] Ms. Allen said that was correct; however, the applicant can seek a variance. He was disappointed by that section and thought the Town should encourage alternative energy sources, rather than restrict them.

K. Stokem asked for clarification on additional containers for battery packs and height limitations. With respect to the battery packs, Ms. Allen thought that as long as they met building code they would be allowed, but that has to be determined by the Building Inspector. The height limitations of 20 ft. for ground mounted systems and 35 ft. for buildings are standards in the solar industry. With regard to surety for utility scale collector systems, he thought requiring the 20% for construction and maintenance and 20% for removal was a good idea, but wondered if it would always be sufficient. Ms. Allen said it was her understanding that 20% would be adequate for removal.

R. Lemka asked how this impacted farmers. Ms. Allen said farms are not addressed under this law as it is addressed under the NYS Ag. & Mkts. Law. Mr. Lemka asked if there were any limitations. Ms. Allen said they are permitted to generate up to 110% of the farms energy use.

As all persons wishing to be heard, were heard, the Supervisor closed the public hearing on Proposed Local Law No. 1 of 2015 at 8:31 p.m.

Departmental Reports & Review of Abstracts of Claims and Budget Amendments

The following monthly departmental reports were read and/or posted and filed in the Office of the Town Clerk: Town Clerk, Building Department, Planning & Zoning and Police. The Board reviewed claims #15-0656 - 15-0841 on Abstract No. 2015-05.

Briefing of Resolution Agenda

With regard to resolution [2015-149], S. Dowds explained that the builder wanted to begin construction on the lot, but the tax map had incorrect boundaries. The survey takes precedent over the tax map and it shows that the property was within the boundaries of the Village of Castleton. Our attorney spoke with the Village's attorney and it was agreed that the best way to clarify who had authority over the parcel was to adopt a Memorandum of Agreement delineating that the parcel came under the jurisdiction of the Village of Castleton, not the Town of Schodack. C. Bult requested that resolution [2015-134] be

withdrawn until the Board has an opportunity to discuss the need for the attorney and scope of work. **Determination:** It was the consensus of the Board to withdraw resolution [2015-134]. Additionally, resolution [2015-151] will be withdrawn as it was done in November 2014. All other resolutions are self-explanatory.

Open Public Comment

Gas Pipeline proposed by Kinder Morgan, a.k.a. Northeast Energy Direct (NED): With respect to resolution [2015-145], residents commended the Board for listening to the peoples' concerns and taking a strong stand against the pipeline. Several speakers suggested that concerns regarding damage to the aquifer should be specified in the resolution. Suggestions were also made that the resolution also be forwarded to the Governor, Kinder Morgan and the Federal Energy Regulatory Commission. Several speakers hoped that there was even more that the Board could do in the future, even to the point of passing legislation to restrict this type of project within the Town.

Following a brief Board discussion, the Supervisor stated that based on the comments, the Board will be sending resolution [2015-145] to FERC and Kinder Morgan. This is a federal project and they are the parties that have the most impact on the project. The Board will amend the resolution to include the phrase, "including damage to the aquifer" in number (4).

211 Waiver: L. Underwood asked the purpose of resolution [2015-132]. The Supervisor explained that if an individual has retired and is collecting a state pension they are only allowed to earn a certain amount before benefits are impacted. The resolution is simply authorizing the submission of the application. The state will make the determination if they want to allow the waiver. There is no guarantee that it will be approved.

Clark's Chapel Cemetery: F. Ball asked for more information regarding resolution [2015-147]. S. Dowds stated that the cemetery was abandoned several years ago and by law, the Town has to take ownership. C. Curtis explained that there are only 5 "active" lots. The Town will not be selling any lots, but we have the obligation to inter the bodies for the lots previously purchased. The costs are essentially pass-throughs.

2015 Road Program: With respect to resolution [2015-138], J. Dolan requested that Reno Rd. not be paved. He was a resident there and said people speed on it now. If it gets paved it will be worse.

C. Curtis noted that Crimson Court is listed. He felt it should be done last, and only if the ownership question is resolved. If that is not resolved, it should be done the following year.

Resolution [2015-150]: J. Dolan asked the purpose of the resolution. S. Dowds said it is to consider the feasibility of getting funding for sewer alternatives for the area of Schodack Center. Do we continue along the path we are now, should the Town investigate a treatment facility, etc.; essentially, future sewer planning. Mr. Dolan felt that not having public sewers help to maintain the rural character of the town. When you expand sewer service you get more development and he objected to spending any tax dollars on studying something that might lead to the expansion of sewer systems in the town. R. Lemka thought if you put sewers over the entire town over the aquifer, the aquifer wouldn't yield what it does now. However, he thought having a sewer line in the commercial area (down the main highway) was very important to bring in more businesses.

Resolution [2015-142]: R. Lemka asked if the resolution was related to the new web master the Board has been discussing. The Supervisor said no. The resolution was strictly related to web hosting. When the Board switches to a new web master, they will probably host the site and this contract will be cancelled at that time.

Adoption of Resolutions

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.

2015-130) PREVIOUSLY ADOPTED. SEE PAGE 82.

2015-131) PREVIOUSLY ADOPTED. SEE PAGE 82.

C. Curtis 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:**

2015-132) Authorize Supervisor Dowds to submit a 211 Waiver Application for Police Chief Bernhard Peter to the New York State Civil Service Commission.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

2015-133) Appoint Melissa Knights and Dawne M. Kelly as part-time Board of Assessment Review Secretaries with compensation of \$43.00 per meeting per 2015 Adopted Budget.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

2015-134) **WITHDRAWN:** *“Appoint Bryan Goldberger, Esq. of Goldberger & Kremer as Labor Counsel. This authorization shall not exceed \$5,000.00 without further action of the Town Board.”*

2015-135) PREVIOUSLY ADOPTED. SEE PAGE 82.

2015-136) PREVIOUSLY ADOPTED. SEE PAGE 81.

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:**

2015-137) **WHEREAS**, the Town Board of the Town of Schodack has caused the preparation of a proposed Local Law No. 1 of the year 2015 amending the Town’s Zoning Code for the purpose of regulating solar collectors and utility scale solar collectors; and

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

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

WHEREAS, the Planning Board has reviewed the zoning amendment in accordance with Chapter 219, and

WHEREAS, the Town Board has forwarded a copy of the proposed local law to the County Economic Development and Planning Department for review in accordance with GML-239 and the County determined that the proposal does not have a major impact on County plans and that local consideration shall prevail; and

WHEREAS, the Town Board held a duly noticed public hearing on the proposed local law on May 14, 2015;

NOW, THEREFORE, BE IT RESOLVED, THAT: the Town Board of the Town of Schodack hereby makes the following determinations:

1. The Town Board accepts the findings and conclusions relating to probable environmental impacts contained within the attached Part 1 and Part 2 Short Environmental Assessment Form (EAF) pursuant to SEQRA; and
2. The Town Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 and has not identified any significant adverse impacts that may result from the adoption of the amendment to Chapter 219 Zoning Law for solar collectors and utility scale solar collectors and determines the Action to result in a Negative Declaration Determination; and it is further,

RESOLVED, that the Town Board hereby adopts Proposed Local Law Number 1 of 2015 (P1 of 2015) to be known as Local Law 1 of 2015 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 – F. Curtis, J. Bult, M. Kenney, S. Swartz, 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:

2015-138) To approve the 2015 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on Langenbach Road, Crimson Court, Sharon Lane, Hillview Street, North Schodack Road, Reno Road and Payne Road. Single Chip Seal treatments applied on Lape Road, New Road, Duck Pond Road North, Duck Pond Road South, Schodack Drive, Kingman Road, Schoolhouse Road, Waters Road and Miller Road. Double Chip Seal Treatment applied on Graw Road and Fiber Mat Surface Treatments to Rolling Ridge Road and Timberland Road and Drainage upgrade to Orchard Road Outfall.

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

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

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

2015-139) Authorize the appropriation of the Highway Equipment Capital Reserve Fund, established by Resolution 2010-422, in an amount not to exceed \$66,313.70 as follows:

Crew Cab Truck for \$66,313.70 with a period of probable usefulness of fifteen years. This resolution is subject to permissive referendum as specified in GML §6-c.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, 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:

2015-140) Authorize the purchase of a 2016 International Terrastar Crew Cab Truck with Everest Dump Body for the Highway Department at a cost not to exceed \$66,313.70 from Navistar, Inc. pursuant to County of Onondaga Purchasing Contract No. 7974, contingent upon resolution #2015-139.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, 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:

2015-141) **WHEREAS**, Sheila Golden, Director of Youth and Recreation, has recommended that the Summer Swim Program take place at the Sidney Albert Albany Jewish Community Center (SAAJCC) in Albany and stated the advantages of using this pool facility,

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

BE IT FURTHER RESOLVED to authorize Sheila Golden, Director of Youth and Recreation, to execute a contract with Sidney Albert Albany Jewish Community Center (SAAJCC) for use of the swimming pool facility for Summer Recreation Program from July 6 to July 31, 2015 for the Schodack Youth and Recreation Department in an amount not to exceed \$4,850.00. A deposit of \$1,850.00 shall be payable by June 22, 2015 and the remaining \$3,000.00 shall be paid by July 27, 2015.

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

C. Curtis 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:

2015-142) Authorize Supervisor Dowds to execute a one-year contract with Tech II for Small Business web hosting of Town website for an amount not to exceed \$265 for one-year contract. This is a 2015 budgeted item.

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

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

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

2015-143) Authorize Supervisor Dowds to execute and administer the Rensselaer County and Local Municipalities Government Efficiency Plan.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, 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:

2015-144) Pursuant to Section 165-a of the General Municipal Law, authorize the Highway Department to deliver one load of Crusher Run material to Horizon View Cemetery before June 30, 2015.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, 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:

2015-145) **WHEREAS**, Kinder Morgan, by its subsidiary Tennessee Gas Pipeline, LLC, is proposing a large natural gas pipeline to run through southern Rensselaer County, including the Town of Schodack, referenced as the Northeast Energy Direct (NED) pipeline project; and

WHEREAS, Kinder Morgan is seeking approval from the Federal Energy Regulatory Commission (FERC) for federal eminent domain status, to allow the project to proceed; and

WHEREAS, the citizens of the Town of Schodack have expressed strong opposition to this project, based upon a series of concerns:

1. The proposed NED pipeline would be large (36 inches in diameter) with a high pressure (1460 psi), which in turn would result in major public safety issues in the Town of Schodack;
2. The public safety issues will result in strains to fire departments and other emergency responders in the Town;
3. The public safety concerns will reduce property values in the Town of Schodack along the route of the proposed pipeline;
4. The project would create the risk of substantial damage to the health, safety, and environment of the Town of Schodack including damage to the aquifer;
5. The compensation, if any, paid to property owners by the pipeline operator would not come close to compensating for the major economic and environmental damages to the Town;
6. The project includes the siting of a compressor station, reportedly in the Town of Schodack. The industrial size of this proposed compressor station would result in significant noise and other environmental impacts to residents near the compressor site; and

WHEREAS, the Town Board of the Town of Schodack shares the concerns expressed by many residents, and wishes to give formal expression of this opposition to Kinder Morgan, FERC, and more particularly to our federal representatives in Congress;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby goes on record to express its strong opposition to the siting of this pipeline and the compressor station anywhere within the Town of Schodack; and

BE IT FURTHER RESOLVED, that the Schodack Town Clerk is hereby directed to send a certified copy of this resolution to the representatives of the Town in Congress, to wit, Hon. Charles Schumer, Hon. Kirsten Gillibrand, and Hon. Chris Gibson and Hon. Paul Tonko.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, 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:

2015-146) Pursuant to Section 165-a of the General Municipal Law, authorize the Highway Department to deliver one load of Crusher Run material to Woodlawn Cemetery before June 30, 2015.

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

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

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

2015-147) Adopt the rate schedule and requirements for Clark Chapel Cemetery as follows:

INTERMENTS

| | |
|---------------------------------|----------|
| Adults (Mon-Fri) | \$500.00 |
| Adults (Weekend) | \$700.00 |
| Child/Infant (0-12yrs)(Mon-Fri) | \$300.00 |
| Child/Infant (0-12yrs)(Weekend) | \$500.00 |
| Cremations (Mon-Fri) | \$150.00 |
| Cremations (Weekend) | \$250.00 |

NOTE ADDITIONAL REQUIREMENT:

Concrete Vault with name(s) of Adult(s) and/or Child(ren) entombed is required

DISINTERMENTS

| | |
|-----------------------|----------|
| Exhume Body (Mon-Fri) | \$600.00 |
| Exhume Body (Weekend) | \$800.00 |

ADDITIONAL CHARGES

| | |
|--|--------------|
| Seasonal Weather Costs | Actual Costs |
| Snow Removal Costs | Actual Costs |
| Foundations | Actual Costs |
| Bronze Military/Veteran's Marker...Flat Rate | Actual Costs |
| Vertical/Marble Marker | Actual Costs |
| Foundation removals | Actual Costs |

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, 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:

- 2015-148)** Authorize Supervisor Dowds to execute and administer the proposal for roof maintenance and repair from Phelps Brothers Roofing, LLC in an amount not to exceed \$3,175.00 for the town hall roof.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

- 2015-149)** **WHEREAS**, Zelenke KSR Holding, LLC is the owner of an eight lot subdivision on Seaman Avenue;

WHEREAS, a discrepancy has been noted between the County of Rensselaer tax map and the survey drafted by Creighton Manning Engineering lot line boundaries as to the property known as lot 8 of the Zelenke KSR Holding LLC subdivision;

WHEREAS said lot is part of the subdivision that has been approved by the Village;

WHEREAS the owner wishes to obtain a building permit to build on said lot;

WHEREAS, the Village and Town desire to memorialize their mutual understanding as to said lot via entry into an agreement;

NOW, THEREFORE BE IT RESOLVED that the Town Board authorizes Supervisor Dowds to execute and administer an Agreement/Memorandum of Understanding with the Village of Castleton-on-Hudson concerning same.

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

C. Bult felt there might be some misconceptions regarding resolution [2015-150] and explained that the feasibility report isn't to address town-wide sewer, but more the 9 & 20 corridor and, specifically, our relationship with the Town of East Greenbush. Currently, we have a contract with East Greenbush for sewer service in the Schodack Center area that is nearing our allowed capacity. If we have expansion in this area, East Greenbush has stated that they are not willing to negotiate any additional capacity for us, so it is out of necessity that we are looking for other options so we can take care of ourselves. We are not looking to expand sewer town wide. S. Dowds added that East Greenbush is also looking at doubling the rate for those Schodack parcels currently served by them and that rate is already very high, especially when you add the town's costs to it.

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:**

2015-150) Authorize Supervisor Dowds to execute and administer Professional Services Proposal dated May 8, 2015, Addendum No. 2015-08 with Laberge Group, LLC to prepare an Engineering Feasibility Report relative to (Sewer) Consolidated Funding Grant Applicant (CFA) in an amount not to exceed \$4,000.00 plus expenses.

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

2015-151) **WITHDRAWN:** *“Authorize Supervisor Dowds to execute and administer the Client Coverage Acknowledgment and Compensation Disclosure Statement effective 1/1/2015 between the Town of Schodack and _____.” (Previously adopted 11/13/14. See resolution 2014-168).*

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

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

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

2015-152) Amend resolution 2015-104 as adopted on March 12, 2015 to authorize payment of \$335.00 licensing fee to ASCAP.

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

C. Curtis 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:**

2015-153) Authorize the Assistant Comptroller's recommendation to direct the Town Supervisor to pay the claims #15-0656 to 15-0841 on Abstract No. 2015-05, in the amount of \$331,343.17, including the claims paid (\$222,131.13) since the previous town board meeting.

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

ADJOURNMENT

As there was no further business before the Board, C. Kenney made a motion to adjourn the 05/14/15 Town Board meeting at 9:08 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin
Schodack Town Clerk/RMC/CMC