

DATE: JUNE 14, 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: PHILLIP DANAHER, ESQ. (*DEPUTY TOWN ATTORNEY*)
COMPTROLLER: PAUL HARTER
OTHERS PRESENT: DAWNE KELLY, ASSISTANT TO THE SUPERVISOR

Supervisor Harris called the June 14, 2018 Town Meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Briefing of Resolution Agenda

S. Harris gave a brief review of the resolutions. With regard to resolution [2018-171], S. Harris explained the prior resolution appointing the town attorney needed to be amended to appoint Girvin & Ferlazzo, P.C. as town counsel with Atty. Mullahy as their representation. As for resolution [2018-178], an additional counselor was needed for the summer day camp to accommodate for a few campers with special needs. All other resolutions were self-explanatory.

Before the Supervisor opened the meeting to public comment, Atty. Danaher explained that there seemed to be a bit of confusion regarding the town board's role in the approval of projects. He stated that the town board is involved in approving changes to be made to the Zoning Code. It is the sole decision of the Planning Board to approve site plans for such projects as the sales distribution center.

Public Comment

Distribution Center/Route 9: B. Jansing of Star Terrace read a statement asking the board members for their opinion regarding a Type I SEQR for the proposed sales distribution center. Atty. Danaher explained, during a public comment period, the board generally would only listen and refrain from comments or opinions. S. Harris recommended Mr. Jansing forward his request to the Planning Board. B. Jordano said he had attended a meeting with Scannell Properties. He felt the meeting left residents with concerns regarding the added traffic that would be traveling on Route 9. He noted the speed limit on Route 9 is 55 mph but at the Route 9 & 20 split, it is reduced to 45 mph. He suggested the speed limit

be reduced on Route 9 to 45 mph extending past the Richwood Drive intersection and increase to 55 mph in a safer area. C. Bult explained the Supervisor could petition the NYS DOT, following the passing of a board resolution, to conduct a study to assess the need for a reduction in speed in that area. Atty. Danaher added the Planning Board would make the recommendation to the Town Board for the change in speed during their review of the site plan application.

Resolution [2018-168]: K. Stokem said he had concerns with regards to his driveway with the method being used to install the sewer line down Maple Hill Road and asked if boring or trenching would be done. C. Kenney said it could be a combination of both but he was not certain. He suggested Mr. Stokem visit the Supervisor's Office or N. Fuda and review the plans.

Resolution [2018-169]: K. Stokem asked if the town would be borrowing the money to fund the sewer installation. C. Bult said the town would not be borrowing but would be supplying the funding and the school district would be repaying the town. S. Harris added it would be a pass through. P. Harter explained the funding for the project would come from the fund balance from the general fund and under the advice of counsel, the board should pass a resolution for the potential issuance of serial bonds in the event the school is unable to repay.

Resolution [2018-170]: K. Stokem asked if the town takes over maintenance of the roads of Spinney, how it would be an advantage to Schodack. Atty. Danaher stated most projects, if constructed to town standards, would be consider for the town to take over the roads. This ensures that the town will not incur added costs to make improvements. Mr. Stokem expressed his concern that the road, which comes to a dead end, would only be a benefit to the homeowners who reside there and would be a rise in cost to taxpayers. C. Kenney said the benefit would be to the community by bringing more residents to Schodack which would help the school district which is observing a large decrease in enrollment. S. Harris added the road could be extended to create more homes. Atty. Danaher summarized that Mr. Stokem was concerned that the town would be taking over the road and it would have no benefit to the taxpayers.

Shufelt Road: J. Sober explained he resides on Shufelt Road and thanked the highway department for paving it. He said it is generally used as a short-cut from Route 20 to Route 9 and sees a large amount of traffic. He stated his residence is located on a dangerous corner and though the speed limit is 35 mph, it is rarely abided by. He asked that the police make additional patrols to enforce the speed and have the highway department post a blind driveway sign on the curve. He was concerned because an accident had already occurred, not even a week after the paving. S. Harris said the preliminary report stated speed may not have been a factor in the accident. Mr. Sober wondered if the speed could be reduced. C. Bult said the town board could not set the speed on town roads but stated the Highway Superintendent could contact Rensselaer County DOT to request a decrease. Mr. Sober asked when the shoulders would be filled to eliminate the drop-offs, making it a bit safer. C. Bult said he had spoken to K. Holmes who assured him they would be filled the following week.

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:

2018-166 Authorize the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

Site Directors: David Austin, Jillian Austin, Rebecca Cioffi, and Kara Taylor

Assistant Directors: Alysia Brunner, Noah Roberts and Pamela Weidman

Assistant Director/Special Needs Supervisor – Dawn Renslow

Water Safety Instructor - Ryan Krupa

Lifeguards: Cassandra Hunter, Sarah Konig, Alaina Rossetti, Derek Rossetti, Michela Rossetti and Kylie Salerno

Transportation Director - Sarah Lussier

Arts and Crafts Director - Victoria Roberts

Pool Supervisor - Patrick Austin

Bus Aides: Megan Grandinetti, Michael Grandinetti, Bryan Kern, Lauryn Krupa, Garrett Renslow and Logan Samarija.

Camp Nurses: Heather Brewer and Shannon Hibbs

Traveling Nurses: Elizabeth Bohen, Kristina Macyoskie, Jackie Martin and Shannon Miller

Application Medical Reviewer: Deborah Sweet

Summer Soccer – Daniel Gillespie

Counselors: Kevin Ackerman, Erica Appelbaum, Allison Basile, Gabriel Bermudez-Ellis, Jacqueline Brathwaite, Hannah Brewer, Andrew Brunner, Stacia Coyne, Gabe Dingman, Evan Fink, Madeline Gibney, Gabriel Gibney, W. Tyler Giles, Ryan Gutheil, Adam Hacker, Callie Haller, Cole Halvax, Martin Haran, Aisling Hardaker, Liam Hardaker, Mariella Hirschhoff, Evan Kulpa, Makaila Maier, Andrew Martin, Connor McGarvey, Ryan McTarnaghan, Joseph Merhige, Peter Merhige Jr., Victoria Olsen, Arianna Papas, Nicolas Perez Schrader, Alexander Pomakij, Hunter Pomykaj, Matthew Powers, Jeremy Price, Brayden Renslow, Kyle Rich, Matthew Riordan, Seth Roberts, Rebecca Roe, Kenneth Shaw, Alexis Smith, Tara Smith, Reese Steele, Ryan Stuto, Trent Svingala, Sidney Tuttle, Abigail Utter,

Amended 06/28/18 by 2018-181; 07/12/18 by 2018-191; 08/09/18 by 2018-213

Alec Yager and Madelyn Zareski

Special Needs Counselor – Kathy Riccardi

Substitute Counselors: Karysyn Berger, Claudia Eckel, Arianna Foley, Amanda McCullough, Ethan Ploss and Natasha Strock

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:

- 2018-167** Authorize the agreement between the Town of Schodack and Verizon for seasonal charges for the 13 cellular telephones to be used for the Town of Schodack Youth and Recreation summer program at a cost of \$6.99 per phone per month plus \$0.06 per call and 200 text messages per phone. Verizon mobile to mobile and nights and weekends are unlimited. Estimated charges are approximately 1235 calls or \$75.00. Rates per NYS Contract No. PS63766. Service will incur a total of approximately 6 weeks of billing or approximately \$212.00 in charges Said phones to be utilized by the Camp Directors for the duration of the camp. (As budgeted)
- 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 S. Harris:

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

- 2018-168** **WHEREAS,** BIDS FOR: Sewer District No. 1 – Extension 1 were received on April 17, 2018; and
- WHEREAS,** the Consulting Engineers, Laberge Engineering & Consulting Group Ltd. have submitted their report relative to their analysis of bids.
- NOW, THEREFORE, BE IT RESOLVED THAT** the recommendation of said Engineers be hereby accepted, approved and adopted; and
- BE IT FURTHER RESOLVED THAT:** Sewer District No. 1 – Extension 1 be hereby awarded to William J. Keller & Sons Construction Corp., 1435 Route 9, Castleton, New York 12033 in the amount of \$897,170.00 and subject to the issuance of a concurrent change order in the amount of \$18,620.00 for total contract price of \$915,790.00; and
- BE IT FURTHER RESOLVED THAT** construction shall not commence until such time as the Schodack Central School district provides the required property and easements for the proposed pump station and forcemain

BE IT FURTHER RESOLVED THAT Supervisor Harris is authorized to execute and administer the Town of Schodack Sewer District 1 – Extension 1 Project construction agreement.

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

C. Rex 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:

2018-169 A Resolution Authorizing the Construction of a Sanitary Sewer Line and Related Improvements to Serve Extension No. 1 to the Town of Schodack Sewer District No. 1; Conditionally Authorizing the Issuance of Serial Bonds of the Town of Schodack, Rensselaer County, New York in an Aggregate Principal Amount Not to Exceed \$1,500,000.00 Pursuant to the Local Finance Law to Finance Said Purpose; and Delegating the Power to Issue Bond Anticipation Notes in Anticipation of the Sale of Such Bonds to the Town Supervisor.

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. Rex:

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

2018-170 **WHEREAS**, Cobleskill Properties Association, LLC developer of The Spinney at Pond View has substantially completed the infrastructure work required by the Schodack Subdivision Regulations on the road known as Pond View Road, and

WHEREAS, the Schodack Planning Board has adopted a resolution accepting the recommendation of the Town Engineer and Highway Superintendent that the roads be accepted and dedicated as a Town Roads contingent upon receipt of title policy,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby accepts the offer of dedication from Cobleskill Properties Association, LLC and hereby accepts and dedicates the road to be known as Pond View Road, as Town of Schodack Town Roads contingent upon receipt of title policy, authorizing Supervisor Harris to execute and file all necessary documents and pay appropriate filing fees.

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 S. Harris:

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

- 2018-171** Amend resolution 2018-075 as adopted on January 11, 2018 appointing Ryan P. Mullahy as Town Attorney, at a remuneration of \$24,000.00 to appoint Ryan P. Mullahy of Girvin & Ferlazzo, P.C. as Town Attorney, 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.

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:

- 2018-172** **WHEREAS**, the Town Building Inspector has reported to the Town Board that a building or structure known as 3047 Route 150 (Tax Map 190.-4-2) 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 August 9, 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. Harris. 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:

Amended 07/12/18 by 2018-190

- 2018-173** Authorize Supervisor Harris to transmit a request to Rensselaer County Legislature to relevy outstanding fees of \$2,990.00 for tax map number 190.-4-2 on their January 2019 tax bill for demolition and cleanup of said property.
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:

- 2018-174** Authorize Supervisor Harris to transmit a request to Rensselaer County Legislature to relevy outstanding fees of \$18,363.00 for tax map number 201.12-1-19 on their January 2019 tax bill for demolition and cleanup of said property.
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:

- 2018-175** Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub C308 copier at the Police Station, for the period June 4, 2018 to June 3, 2019 for \$497.70 annually. Contract includes 42,000 b/w copies and 3,000 color copies annually with an overage charge of \$0.0074 and \$0.063 respectively per copy.
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:

- 2018-176** Authorize the Supervisor Harris 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 1.950% 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. Harris. 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:**

2018-177

WHEREAS, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievement of those who have given so generously to their community, exemplifying the ideals and values cherished by this great Town, and

WHEREAS, for over 30 years, Elisabeth Ruthman demonstrated her commitment to the community as a real estate professional with experience in property management, distinguishing herself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and

WHEREAS, The Spinney at Pond View was conceived over a decade ago as a community where seniors could live independently and thrive alongside their peers, Elisabeth was instrumental in promoting the vision and values of the Spinney at Pond View, understanding that the Spinney would be more than an apartment complex, striving for a community where seniors live autonomously with dignity, and

WHEREAS, Elisabeth exhibited compassion and vision in her position of Property/community Manager at the Spinney at Pond View in the Town of Schodack from 2009 until her retirement in 2015, she worked tirelessly to provide community events, conduct resident outreach and helped set the Spinney at Pond View on the path to success, and was committed to fostering the sense of community and togetherness that have come to represent the Spinney at Pond View's persona, and

WHEREAS, on June 13, 2018 Elisabeth was recognized for her commitment and dedication when the tranquil walking path and grove around the Pond at Spinney at Pond View was dedicated in her honor and named Elisabeth's Grove

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Elisabeth Ruthman, who has given herself to this community in so many ways and distinguished herself throughout her career bringing great pride to her family, her peers, her associates and her community by being a person of commitment, integrity and an impressive role model for all, and be it

FURTHER RESOLVED, that the Legislative Body of the Town of Schodack paused in its deliberations on the 14th day of June 2018 to acknowledge and honor Elisabeth Ruthman's contribution to the Town of Schodack and pledge a copy of this resolution, suitably engrossed, will be presented to her.

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:**

- 2018-178** Amend resolution 2018-007 as adopted on January 5, 2018 to Adopt the following annual salary schedule:
Special Needs Counselor \$ 1,700.00
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

S. Harris noted information was missing from resolution [2018-179] and asked the Comptroller for the amounts. P. Harter did not have the exact figures and it was suggested by Atty. Danaher to amend the resolution to read as follows:

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:**

- 2018-179** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay claims #18-0811 to 18-0 on Abstract No. 2018-06, in the amount of \$_____, including the claims paid (\$_____) since the previous town board meeting in such amounts as provided to the Town Clerk and approved by the Town Board.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Rex 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:**

- 2018-180** Authorize the following budget modifications, interfund loans and interfund transfers as recommended by the Comptroller:

BUDGET MODIFICATIONS				
Fund/				
	Department #	Fund / Department Name	Increase	Decrease
<u>2018</u>				
16	A-960-1410.4000	Town Clerk - Contractual	285.70	
	A-960-1990.4000	Contingency - Contractual		285.70

To modify the budget for 2017 Passport postage expenditure posted 2018

17	A-960-1450.1000	Elections - Personal Services	26.12	
	A-960-1450.4000	Elections - Contractual		26.12
	To modify the budget for Town Clerk time spent 5/11/18 payroll			
18	A-960-3120.1012	Police Grant - PTS	1,093.46	
	A-509-4320.9999	Federal Aid Public Safety	1,093.46	
	To modify the budget for PTS grant awards			
19	DB-960-5112.1630	Road Construction – Transfer Station Work	59.90	
	DB-960-5112.1000	Road Construction - Personal Services		59.90
	To modify the budget to cover S. Larsen (Road Guard) work performed at Transfer Station			
20	DB-960-5130.1400	Machinery - DB Highway Police Work	101.32	
	DB-960-5130.1500	Machinery - DB Highway Build Inspect work	101.32	
	DB-960-5130.1000	Machinery - Personal Services		202.64
	To modify the budget to cover Work performed on Department Vehicles (Unit 6, 8, 2011 Explorer)			
21	SS6-960-8130.1008	Personal Services - Dunkin Donuts	69.91	
	SS6-960-8130.4008	Contractual - Dunkin Donuts	2,203.45	
	SS6-960-9030.8008	Social Security - Dunkin Donuts	5.35	
	SS6-960-9060.8008	Benefits - Dunkin Donuts	16.26	
	SS6-509-5031.9999	Exit 10 Sewer - Sewer Charges	2,294.97	
	To modify the budget for reimbursement of Dunkin Donut pH testing by St. Peter/Bender Labs, and personal services plus FICA for Shawn Zinzow time in district.			
22	SW3-960-9710.6030	Maple Crest Water - EFC Principal #3	0.02	
	SW3-960-9710.6020	Maple Crest Water - EFC Principal #1 & #3		0.02
	To modify the budget to cover rounding issue on Debt Principal Payment in May			

INTERFUND LOANS

Fund/ Department #		Debit	Credit
A-391	Due From Other Funds	50,000.00	
A-200	General Fund - Cash		50,000.00
H049-200	Fuel Spill Clean Up - Cash	50,000.00	
H049-630	Due to Other Funds		50,000.00
To Transfer Funds from A to Capital Project H049-Fuel Spill Clean up for Remediation costs			

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

Departmental Reports: The following monthly departmental reports were read and/or posted and filed in the Office of the Town Clerk: Historian, Town Clerk, and Building Department.

Review of Abstracts of Claims and Budget Amendments: The Board reviewed claims #18-0811 to #18-1003 on Abstract No. 2018-06 in the amount of \$461,243.29, including the claims paid prior (\$144,398.97).

Public Hearing
Wm. J. Keller & Sons Construction Corp. Landfill Application

S. Harris called the continuation of the public hearing on a landfill application submitted by Wm. J. Keller & Sons Construction Corp. to order at 7:30 p.m.

The Town Clerk summarized the Affidavit of Publication seeking public comment on an application submitted by Wm. J. Keller & Sons Construction Corp. to operate a sanitary landfill disposal at 1435 Route 9 pursuant to §137 of Town Code of the Town of Schodack. The legal notice was posted on the Town Clerk's signboard and the Town's website on June 4, 2018 as well as published in the June 5th edition of *The Record*.

Public Comment: K. Stokem asked if the application would be reviewed under Chapter 137 of Town Code as it defines a sanitary landfill or under an amendment. C. Bult explained the current code needed to be updated but the application would be judged based on DEC standards as town law cannot supersede state law. K. Stokem asked, regarding Chapter 137-6D, the amount of material that would be compacted each day in the sanitary landfill and what that material would consist of. C. Bult said the term sanitary landfill was not accurate anymore and the material would not be garbage but limited to soil only. K. Stokem asked if the application would indicate the amount of fill that would be deposited and who would monitor the site. S. Harris said yes the application would indicate the amount explained DEC would be monitoring the site. Atty. Danaher added that the town code enforcement officer would also be monitoring the site. S. Harris mentioned the owner intended to eventually put a structure on the property so the site would need to be prepared for construction. Atty. Danaher questioned why the applicant, Mr. Keller, was not present to answer questions from the public. C. Hayes spoke up and indicated he was representing Wm. J. Keller & Sons Construction. Mr. Stokem asked the frequency of inspections which would occur. C. Hayes, who represented Wm. J. Keller, said he assumed they would be under the same standards set by DEC, which includes weekly inspections. K. Stokem asked if a bond would be posted and if so, what the amount would be. Atty. Danaher explained the site would need to be examined to determine the amount of disturbance, the frequency of visits by town personnel and the potential amount of damage done that may occur. Mr. Stokem asked if the bond would be returned once the site was closed. Atty. Danaher said the bond generally could be released once all standards had been met. C. Kenney interjected and suggested the public hearing be continued at the next meeting when Atty. Mullahy, who had been in direct contact with DEC, could be present to answer

Mr. Stokem's questions. A resident asked if the type of material deposited would be similar to the Niagara Falls area where contamination occurred. C. Hayes said they were strictly limited by the type of soil which could be deposited. Atty. Danaher said it was his impression that there was great concern for the material being deposited and recommended the question be posed to the town attorney at a continuation of the public hearing.

Upon hearing no further public comment, a motion was made by C. Kenney to continue the public hearing until June 28, 2018 at 7:15 p.m. and was seconded by C. Swartz.

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

Board Discussion

S. Harris asked for an update on the progress made for the playground at the town park. D. Kelly explained renderings and prices had been received from one company but they were waiting on to hear from two other companies. She said the playground would be ADA compliant and be inclusive to all children no matter of their abilities. C. Kenney thanked D. Kelly and suggested the conversation be staved until the next workshop meeting. S. Harris agreed and commended D. Kelly and D. Garvansites, Park Manager, for their efforts.

ADJOURNMENT

As there was no further business before the Board, C. Bult made a motion to adjourn the 06/14/18 Town Board meeting at 7:47 p.m., seconded by C. Kenney. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk