

DATE: JULY 12, 2018

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DEBRA L. CURTIS

PRESIDING OFFICER: JAMES E. BULT (*Deputy Supervisor*)

MEMBERS PRESENT: MICHAEL KENNEY
SCOTT SWARTZ
TRACEY REX

MEMBERS ABSENT: DAVID B. HARRIS

ATTORNEY: RYAN P. MULLAHY

COMPTROLLER: PAUL HARTER

OTHERS PRESENT: BRUCE GOODALL, DIRECTOR OF TRANSFER STATION
OPERATIONS

Deputy Supervisor Bult called the July 12, 2018 Town Meeting to order at 7:01 p.m. with the Pledge of Allegiance and dispensed with roll call. All members present as stated above.

Executive Session

C. Swartz made a motion at 7:02 p.m. to enter into an Executive Session of the board pursuant to public officers law 105(f) to discuss matters leading to the appointment of a particular person or persons. Seconded by C. Kenney.

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

C. Kenney made a motion to adjourn the Executive Session at 7:20 p.m., seconded by C. Rex.

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

D.S. Bult chose to digress from the agenda to allow for a brief presentation by Steve Hart of Hart Engineering regarding resolution 2018-184 setting a public hearing for a proposed solar farm. Mr. Hart explained that he had submitted an application to the Planning Board regarding construction of the Pheasant Hollow Solar Farm off of Phillips Road in the Town of Schodack. Upon review of the application, the Planning Board gave a favorable decision and referred the application to the town board to set a public hearing for August 9, 2018. He noted the farm would be located on the west side of Phillips Road adjacent to the powerlines in area that requires a zoning changed to PD-2 for installation. It would be located by the town line for East Greenbush and Schodack; however, all structures would be located in Schodack. The design would consist of solar panels oriented in rows running parallel to the road to prevent any reflection that could be distracting to traffic. The array, consisting of eleven foot structures, would be surrounded by an eight foot fence with twenty six to seven foot evergreen trees and would be located approximately 630 feet from the

road. C. Rex asked if the documents Mr. Hart was presenting were available online or could be emailed to the board. Mr. Hart said information has been submitted to the Planning Board but he would be willing to email them as well.

Briefing of Resolution Agenda

D.S. Bult gave a brief overview of the resolutions. He said a 211 waiver was necessary for resolution 2018-182 for Chief Belardo for the purpose of his pension. With regard to resolution 2018-183, an easement is needed for the installation of the pump station for sewer district 1, extension 1. He noted resolution 2018-185 was an annual mass assembly permit application for Goold Orchards to hold their Apple Festival in the fall. Resolution 2018-187 was amended to include the following names: Bobby Sue Garvansite, Daniel Albertine and Kyle Loeper. In regards to resolution 2018-188, D.S. Bult advised that the cost of the heating pump did not include the cost for the electrical hook-up. For resolution 2018-189, the town was able to forego the presentation due to the town's status for the Section 8 Voucher Program. Resolution 2018-190 would amend a previous resolution to change the date of the hearing from August 9th to September 13th to comply with the sixty day requirement as set by law. All other resolutions were self-explanatory.

Board Comment: None.

Public Comment

M. Sherwood asked why the officers for resolution 2018-187 were being classified as part-time. D.S. Bult explained the individuals needed to be sworn officers to attend the academy and since it is an uncompensated position and no cost to the town, it was decided to classify them as part-time officers. Atty. Mullahy said it was simply a formality and noted they would not be receiving a salary or benefits from the town. A resident of Van Hoesen Road asked, in regard to the proposed Amazon Distribution Center, why an Environmental Impact Statement (EIS) was not being completed. He noted a similar project was being conducted in Montgomery County and they were requiring an EIS be completed. Atty. Mullahy stated the public comment during a board meeting was generally only for comments and did not generally include answers from the board. He noted that the question would be better suited to be directed to the planning board as they were responsible for reviewing and approving the application. The resident asked when the public hearing had been set for. Atty. Mullahy said it was scheduled for June 18th and had been properly published and noticed by law. He made a point of clarification that the town board was not involved in the approval of the project.

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 #18-1004 to #18-1175 on Abstract No. 2018-07 in the amount of \$820,000.42, including the claims paid prior (\$83,887.06).

Adoption of Resolution

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:**

2018-182 Authorize Supervisor Harris to submit a 211 Waiver Application for Police Chief Belardo to the New York State Civil Service Commission for approval.
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex. 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:**

2018-183 IT IS HEREBY,

RESOLVED, that the Town of Schodack Town Board hereby approves the execution of the deed conveying an easement to the Town of Schodack from the Schodack Central School District and it is further,

RESOLVED, that the town supervisor execute the aforementioned deed and the TP-584 form for recording in the Rensselaer County Clerk's Office.

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

2018-184 Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on Proposed Pheasant Hollow Solar Farm, Tax Map Parcel 177.-8-1.111 2670 Phillips Road for the purpose of considering PD districting for the applicant's plan in accordance with the procedures established by the Town Law. Said hearing to be held on Thursday, August 9th at the Schodack Town Hall at 7:15 p.m.

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

D.S. 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:

2018-185 Pursuant to Chapter 80-4 of the Code of the Town of Schodack, the Schodack Town Board hereby resolves to grant a Mass Assembly Permit for Goold Orchards' 30th Annual Apple Festival to be held October 13th and 14th, 2018 on their premises, pursuant to the written application submitted by Goold Orchards, Inc. The applicant must comply with all off-site parking provisions of the Code and any other requirements, if any, of State, County and other regulatory agencies. The applicant shall be given notice that this approval is solely from the Town of Schodack and does not constitute approval by any other approving authority or governing agency. Further, a waiver of surety bond is granted subject to the provision that the Town is named as an additional insured on the applicant's liability policy and applicant will indemnify the Town of Schodack for any damage to Town property or vehicles, by participants or employees of the event and reimburse the Town for any other additional expense resulting from the event.

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

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

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

2018-186 **WHEREAS**, the Hudson River Foods Corp. has an opportunity to apply for 2018 Community Development Block Grant (CDBG) Economic Development funds to obtain working capital and assist in purchasing the equipment necessary for processing, packaging and shipping of food products to distribution facilities,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack, authorizes Supervisor Harris to execute a letter of support to NYS Homes and Community Renewal.

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

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

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

- 2018-187** Provisionally appoint Bobby Sue Garvansites, Daniel Albertine and Kyle Loeper as part-time sworn police officer(s) for the Town of Schodack for the purpose of attending Zone 14 Police Academy and to complete necessary training under the direction of the Schodack Police Department. (Expenses for candidate(s) to attend Academy will be borne by candidate(s), permanent employment will be subject to completion of Academy, meeting civil service requirements and further Town Board approval.)
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex. 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:

- 2018-188** Authorize ESCO Heating and Cooling to install a new 12,000 BTU ductless split system heat pump in the Transfer Station Building in an amount not to exceed \$3,650.00.
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex. 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:

- 2018-189** Authorize Supervisor Harris to execute and administer the Annual Certification and Board Resolution in regards to the Five Year PHA Plan - Section 8 Housing Choice Voucher Program.
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex. Noes – 0.

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

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

- 2018-190** Amend resolution 2018-172 as adopted on June 14, 2018 as follows:
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~~ September 13 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.

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

2018-191 Amend resolution 2018-166 as adopted on June 14, 2018 to appoint the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

Counselors: ... Elizabeth Roberts ...

Bus Aide/ Special Needs Counselor – Logan Samarija

and further amend resolution 2018-007 as adopted on January 5, 2018 to include Bus Aide/Special Needs Counselors at an hourly rate of \$20 per hour

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:

2018-192 Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #18-1004 to 18-1175 on Abstract No. 2018-07, in the amount of \$820,000.42, including the claims paid (\$83,887.06) since the previous town board meeting.

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

C. Rex 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:

2018-193 Authorize the following budget modifications, interfund loans and interfund transfers as recommended by the Comptroller:

BUDGET MODIFICATIONS

Fund/				
	Department #	Fund / Department Name	Increase	Decrease
2018				
23	A-960-1430.4000	Personnel - Contractual	1,400.00	
	A-960-1990.4000	Contingency - Contractual		1,400.00
	To modify the budget for Staff ID Badges and Lanyards including set-up			
24	A-960-3120.1012	Police Grant - PTS	1,900.57	
	A-509-4320.9999	Federal Aid Public Safety	1,900.57	
	To modify the budget for PTS grant awards			
25	A-960-3120.1091	Police - Justice Court O/T	48.74	
	A-960-1110.1000	Justice Court - Personal Services		48.74
	To modify the budget for Police Coverage at Traffic Court night			
26	A-960-5010.2000	Supt. Of Highways - Equipment	396.00	
	A-960-5010.4000	Supt. Of Highways - Contractual		396.00
	To modify the budget to cover Purchase of Sonic WIFI Firewall			
27	DB-960-5130.1400	Machinery - DB Highway Police Work	405.28	
	DB-960-5130.1000	Machinery - Personal Services		405.28
	To modify the budget to cover Work performed on Police Department Vehicles			
28	SS6-960-8130.1008	Personal Services - Dunkin Donuts	123.82	
	SS6-960-8130.4008	Contractual - Dunkin Donuts	-	
	SS6-960-9030.8008	Social Security - Dunkin Donuts	9.47	
	SS6-960-9060.8008	Benefits - Dunkin Donuts	9.42	
	SS6-509-5031.9999	Exit 10 Sewer - Sewer Charges	142.71	
	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.			

INTERFUND TRANSFERS

Fund/				
	Department #	Fund / Department Name	Increase	Decrease
	A-522-9901.9000	General Fund - Transfer other Funds	42,437.50	
	A-200	General Fund - Cash		42,437.50

DA-200	Highway Bridges - Cash	42,437.50
DA-980-5031.9999	Highway Bridges - Interfund Transfers	42,437.50
To transfer funds for Knickerbocker Bridge Debt Prin & Int pymt due in July per 2018 Budget		
A-522-9901.9000	General Fund - Transfer other Funds	1,385.00
A-200	General Fund - Cash	1,385.00
EW-200	Cash	
EW-980-5031	Interfund Transfer	
To transfer funds for Admin Fee for EFC debt related to RT 20 Water per 2018 budget.		
4 Ayes 0 Noes. MOTION CARRIED. Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex. Noes – 0.		

Discussion Item

Recycling: B. Goodall explained that as of last year, the town was being paid for recyclables under the Albany County contract. As of January, the town was not being charged, nor were they being paid for recyclables. As of a few weeks ago, the town is now being charged \$120.00 per ton due to the Albany County contract ending. He mentioned an option would be to revert back to a sorting system for the recycling as cardboard, paper and cans were no charge but glass and plastic is \$120.00 per ton. This would increase labor costs, increase the number of runs and the public would need to be retrained. To date, 132 tons of recyclables have been brought to the Colonie landfill and if the trend continues, it could cost the town upwards of \$40,000.00 for recycling annually. He noted that had been told by a few residents that local garbage collection companies were currently charging users to collect recyclables and expressed concern that residents would begin to use the transfer station to deposit their recyclables to avoid the charge. D.S. Bult said he did not feel there was enough space at the transfer station to revert back to separating the recycling. He suggested Mr. Goodall review other options and recommended the issue be revisited at a workshop meeting. C. Kenney agreed and recommended they continue normal operations for recycling until it can be discussed at a later date. B. Goodall said he would need to increase his budget to accommodate for the increased costs. C. Swartz advised that they were not sure if this would be a long term or short term situation. D.S. Bult recommended Mr. Goodall increase his budget to factor in the cost for next year.

ADJOURNMENT

As there was no further business before the Board, C. Kenney made a motion to adjourn the 07/12/18 Town Board meeting at 7:42 p.m., seconded by C. Swartz. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk