

DATE: AUGUST 9, 2018

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DEBRA L. CURTIS

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

MEMBERS PRESENT: SCOTT SWARTZ
TRACEY REX

MEMBERS ABSENT: DAVID B. HARRIS
MICHAEL KENNEY

ATTORNEY: RYAN P. MULLAHY, ESQ.

COMPTROLLER: PAUL HARTER, COMPTROLLER

OTHERS PRESENT: DAWNE KELLY, ASSISTANT TO THE SUPERVISOR

Deputy Supervisor Bult called the August 9, 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.

Review of Resolutions

D.S. Bult gave a brief overview of the resolutions. In regards to resolution 2018-195, the developer seeks to begin construction on phase two of Strawberry Fields. Following back and forth conversations, a compromise on the easement has been reached. He explained resolutions 2018-197 to 2018-202 pertained to the proposed extensions of Consolidated Water District 101 and Sewer District 6 respectively. Resolution 2018-205 establishes a standard work day for the individuals listed and is reported to the NYS Retirement System. With regards to resolution 2018-206, the prior resolution would be amended to increase the budgeted amount for the special counsel. Resolution 2018-207 authorizes repairs to be made to the roof of the Clove Road School House. The Deputy Supervisor explained an Article 78 Proceeding had been filed against the Planning Board and resolution 2018-209 would establish counsel to represent them. All other resolutions were self-explanatory.

Board Discussion: None.

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 #18-1176 to #18-1335 on Abstract No. 2018-08 in the amount of \$369,759.35, including the claims paid prior (\$212,857.56).

Prior to opening the public comment session, D.S. Bult explained the comment period would need to be postponed at 7:15 p.m. to allow the public hearing to commence. Upon

completion of the hearing, the comment period would resume allowing all to be heard.

Public Comment

A resident asked if the counsel in resolution 2018-209 was in addition to resolution 2018-038 naming Craig Crist as the attorney for the Planning Board. D.S. Bult said this was to appoint separate counsel to represent the Planning Board during the Article 78 Proceedings only. The resident asked why Mr. Crist would not be representing the Planning Board during the proceedings. Atty. Mullahy explained Mr. Crist was involved in the process leading to the Article 78 and separate litigation counsel was needed. He added in the event the Town Board was served, he himself would not represent the board and ask that separate litigation counsel be utilized.

M. Talaga asked for an update on the status of the Amazon Project. He noted two of the councilmembers had gone on record last year as being against the construction of a sixty apartment complex building due to the environmental impact. Atty. Mullahy stated he had advised the board to refrain from commenting on the project due to pending litigation. The resident asked if it was known whether the Amazon facility being constructed in Frankfurt was being constructed on an aquifer as well. D.S. Bult said it was unknown. Mr. Talaga asked what school the tax break, which was requested for the project, would affect. Atty. Mullahy said the East Greenbush Schools as the property is solely in their district.

M. Siligato read an excerpt regarding how the proposed Amazon Project would affect taxes in the town. She noted state mandates would most likely take all benefits leaving nothing for the town or residents.

A. Block Cash read an excerpt stating her opposition of the Amazon Project. She advised that an environmental impact study (EIS) was necessary to assess the impacts on all residents down Route 9 as well as from exit ten to twelve and stated the Birchwood Association was also against the project due to those impacts. She noted the trucks were dangerous and the lack of an EIS did not review the negative impacts. She said the Birchwood Association had filed an article 78 petition with their own money; however, the Town and Planning Boards were seeking to use additional tax payer dollars to fight against them. She felt tax payer dollars would have been better utilized to require an EIS. She added that she had been in contact with Robert Freeman regarding private discussion that seemed to be occurring between Town and Planning Board members and said it was not only against New York State Law but also showed a lack of transparency.

A letter was submitted by A. Block Cash that was duly filed in the office of the Town Clerk.

D.S. Bult asked all other comments be withheld until after the public hearing was completed.

Public Hearing Proposed Pheasant Hollow Solar Farm Zoning

D.S. Bult called the public hearing on the requested zoning change for the proposed Pheasant Hollow Solar Farm to order at 7:18 p.m.

The Town Clerk summarized the Affidavit of Publication seeking public comment on a proposed Pheasant Hollow Solar Farm, Tax Map Parcel 177.-8-1.111, at 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. The legal notice was posted on the Town Clerk's signboard and published in *The Record* on July 30, 2018 as well as posted on the Town's website August 1, 2018.

Steve Hart of Hartland Associates explained that the proposed solar farm would be located on 6.3 acres in the Town of Schodack on the Pheasant Hollow Golf Course. The area is currently zoned as RA and required a change to PD2 for a solar farm to be constructed. He noted when the application was put before the Planning Board, an issue of glair was stated. He advised them that the solar array would be parallel to Phillips Road preventing an issue. He stated there would also be eight foot fencing and trees as well.

Public Comment: None

Upon hearing no public comment, D.S. Bult closed the public hearing at 7:21 p.m.

Public Comment (Resumed)

Consolidation of Fire Districts: M. Sherwood asked for an update regarding the study to consolidate the town fire districts. D.S. Bult explained a grant was received to conduct the study, which would be complete soon, and a meeting would take place in September to present the results to the fire commissioners and a member of the Town Board. He added the Town Board acts as a fire commissioner for the protection district. Upon review of the results, a decision would be made to follow through with the consolidation or abandon the concept. M. Sherwood asked if the meeting was open to the public. D.S. Bult said it should be and added it would be conducted on the second floor of the town hall.

Resolution 2018-206: M. Sherwood asked who the special district counsel represented. Atty. Mullahy said they represent the town for any water & sewer matters.

Resolution 2018-207: M. Sherwood said she was confused about the additional work needed for repairs to the school house roof. D.S. Bult explained damage had been done to the soffit as well as the roof. The goal was to close the hole and weather-proof the building to prevent any further damage. M. Sherwood asked why money was being invested for repairs when there was no set plans for use of the building. D.S. Bult reminded her that the school house is a historical structure and welcomed any ideas for potential uses. M. Sherwood said she was not aware of any bathroom facilities and wondered how it would be utilized for town purposes without those facilities. D.S. Bult mentioned additional work would be needed in the interior and added a 4-H group used the building in the past for meetings.

Resolution 2018-208: M. Sherwood asked if the proposed playground project had gone out for bid. D.S. Bult stated there was no official RFP; however, three quotes were received. D. Kelly added due to the nature of the playground and based on the town being under

state contract, bids were not necessary. Atty. Mullahy asked if they were piggy backing from a purchasing consortium. D. Kelly said yes.

Resolution 2018-209: M. Sherwood asked if the hourly rate was to cover Atty. Ferlazzo only or would any other counsel needed be charged based on that same rate. Atty. Mullahy explained the rate applied to hiring the firm and applied to all attorney time.

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. Rex:

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

2018-194 WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on August 9, 2018 at 7:15 p.m. at the Schodack Town hall to hear all interested parties to amend the Zoning Map of the Town of Schodack 2670 Phillips Road, Tax Map Parcel No. 177.-8-1.111, and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on July 31, 2018 and advertised in the July 31, 2018 edition of THE RECORD, official newspaper of the Town, and was posted on the official sign board of the Town of Schodack on July 31, 2018, and

WHEREAS, said public hearing was held on August 9, 2018, at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed amendment of the Zoning Map or any part thereof,

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts the amendment of the Zoning Map of the Town of Schodack relating to Tax Map #177.-8-1.111 from RA Zone (Residential Agricultural) to PD2 (Planned Development) in accordance with Planning Board Site Plan File #2017-35 Pheasant Hollow Solar Farm, for the purpose of a solar farm located at 2670 Philips Road.

BE IT FURTHER RESOLVED, that the Director of Planning and Zoning is hereby directed to file the approved Site Plan with the County Clerk's office for the purposes of amending the Town Zoning Map.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:

2018-195 WHEREAS, on December 12, 2013, the Town Board of the Town of Schodack accepted the offer of dedication from Strawberry Fields Subdivision developer, E.W. Birch Builders and thereby accepted stormwater system including a drainage easement; and

WHEREAS, on June 18, 2018 the Town of Schodack Planning Board approved additional lots entitled Strawberry Fields Lots 21-28 and Strawberry Fields Lots 29-40; and

WHEREAS, requiring the construction of a second stormwater detention basin to a low area downstream of the existing basin and drainage ditch; and

WHEREAS, part of the existing stormwater system drainage ditch transverses lots 35, 39 and 40 and negatively affects the possibility of developing lots 35 and 39 as residential sites; and

WHEREAS, it is desirable for the Town to allow the further expansion in the Strawberry Fields Subdivision and the development of lots 35 and 39, and

WHEREAS, the construction of a new drainage swale on Lot 35 would create a direct route from the existing basin to the new basin, allowing for residential development of lots 35 and 39 and eliminate the easement crossing lots 40 and 49

NOW, THEREFORE, BE IT RESOLVED, that upon proof of the satisfactory completion of the storm water basin and drainage swale as set forth in Easement "M", the Board rescinds the easement identified as Easement "E" and accepts the easement identified as Easement "M" and further directs the Supervisor to execute any necessary documents to effectuate the same.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex. Noes – 0.

C. Swartz 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:

- 2018-196** Authorize Paul W. Peter, Justice to attend New York State Magistrates Association Fall Conference September 23rd through 26th at Niagara Falls, New York with registration fees not to exceed \$75.00 per Justice, lodging (meals included) not to exceed \$711.55 per Justice and travel costs (mileage) not to exceed \$179.31 for a total estimate not to exceed \$965.86. [A1110.4 This is a budgeted item]
3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:**

- 2018-197** **WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Sewer District No. 6, Sanitary Sewer District Extension #4 in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office; and

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Sewer District Extension, general plan of the Sewer District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities, including mains, together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the improvements proposed consist of the installation of 4,200 lineal feet of 8" PVC sewer pipe, 21 sewer manholes, 1 sewer connection, 150 lineal feet for boring under Routes 9 & 20, and upgrading the existing pump station, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Six Hundred Eighty- Seven Thousand (\$687,000.00) Dollars; and

WHEREAS, said map, plan and report describing said improvements is on file in the Town Clerk's Office for public inspection; and

WHEREAS, operation and maintenance fees for the Sewer District Extension are estimated to be Seventeen Thousand Five Hundred Twenty and 00/100 (\$17,520.00) Dollars for the typical property located within the Sewer District Extension; and

WHEREAS, the hook up fee is estimated to be Forty-Five Thousand and 00/100 (\$45,000.00) Dollars and the building sewer inspection fee is Two Hundred and 00/100 (\$200.00) Dollars and the Sewer District Extension fee is Two Hundred Twenty-Five (\$225.00) Dollars;

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack shall cause to be filed for public inspection with the Town Clerk, a detailed explanation of how the estimated cost of hookup fees, and the cost of the district to the typical property has been computed and that an analysis of the computation of those costs is attached hereto as **Exhibit A**:

also included. The pipe flow of the proposed sanitary sewer system is based off the actual water usage of these two similar facilities. The flow rate used in the sanitary sewer calculations is 6,000 GPD. The sanitary sewer slope value of 0.4% was determined from the 10 States Standards – Recommended Standards for Wastewater Facilities.

D. Conclusion

Presently, the Town of Schodack has an agreement with the Town of East Greenbush that allows Schodack to send up to 45,000 GPD into the East Greenbush sewer system. The Town of Schodack is currently discharging an average of 30,000 GPD into the East Greenbush system. The proposed Schodack Distribution Center is estimated to dispel 6,000 GPD into the system. Therefore, the capacity of the agreement with the Town of East Greenbush will allow the acceptance of the additional wastewater generated by the proposed Schodack Distribution Center.

Section 3: Financing

Scannell Properties will be financing the installation of the proposed sanitary sewer system. A cost estimate of the proposed work is included in Appendix 4. No debt will be issued by the town for this project.

Section 4: Sanitary Sewer District Extension

The project site is located near Sewer District No. 6, but is currently not within the District as shown in Appendix 1. This proposed Sewer District Extension would extend the District to encompass the project site pending the approval of the Schodack Town Board, the NYS Department of Health, and the NYS Department of Environmental Conservation. The map shown in Appendix 2 shows the land to be included within the Sewer District. The typical property within the

proposed Sewer District Extension is an approximate 1,000,000 square-foot Sales Distribution Center.

Section 5: User Cost and Connection Fees

The property to be added to Sewer District No. 6 will become a rate payer under the district.

The Town of Schodack's building sewer inspection permit fee is \$200 (estimate 4 inspections @ \$50 each) and the sewer district connection fee is \$225 for a total of **\$425.00** to the Town of Schodack.

In accordance with the 5/27/2004 Intermunicipal Sewer Agreement with the Town of East Greenbush, the Town of Schodack collects a one-time hookup fee based on 60% of the anticipated water usage for the new or expanding business, divided by four hundred gallons per day, and multiplied by five thousand dollars. The proposed water usage for the project is estimated to be 6,000 GPD. Therefore, the one-time East Greenbush hookup fee, as per the above formula, is calculated to be:

$$6,000 \text{ GPD} * 0.60 / 400 \text{ GAL} * \$5,000 = \textbf{\$45,000.00} \text{ one-time fee.}$$

Current Town quarterly operations and maintenance charges are \$8.00 per 1,000 gallons used, billed approximately one week after the end of each calendar quarter. Based on the gallons per day, this would result in an annual sewer usage fee for the typical property of:

$$6,000 \text{ GPD} * 365 \text{ Day} / 1,000 \text{ Gal} * \$8.00 = \textbf{\$ 17,520} \text{ per year for the Distribution Center.}$$

Section 6: Conclusion

This report concludes that the Town of Schodack Sanitary Sewer District No. 6 has the capacity to accept the additional wastewater from the proposed Sewer District Extension.

McFARLAND.JOHNSON, INC. 60 RAILROAD PLACE SARATOGA SPRINGS, NY 12866 PHONE (518) 580-9380 FAX (518) 580-9383 www.munc.com

ENGINEER'S OPINION OF PROBABLE COSTS

Project: Scannell Properties, Schodack, New York
Sanitary Sewer Extension #4 July

5, 2018

Bid Item	Description Of Item	Unit	Quantity	Unit Price	Engineer's Estimate
01	8" PVC SEWER PIPE	LF	4200	\$65	\$273,000.00
02	SEWER MANHOLE	EA	21	\$6,000	\$126,000.00
03	SEWER CONNECTION	EA	1	\$3,000.00	\$3,000.00

04	BORE UNOER RT9 & 20	LF	150	\$300.00	\$45,000.00
05	UPGRADE PUMP STATION	LS	1	\$150,000.00	\$150,000.00
	TOTAL (Construction)				\$597,000.00
	5% Contingency				\$89,550.00
	Total (Construction)				\$686,550.00

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex. Noes – 0.

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

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Sewer District Extension, general plan of the Sewer District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities, together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the improvements proposed consist of the installation of 4,200 lineal feet of 8" PVC sewer pipe, 21 sewer manholes, 1 sewer connection, 150 lineal feet for boring under Routes 9 & 20, and upgrading the existing pump station, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, said project will require compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations

of the Department of Environmental Conservation, Part 627, State Environmental Quality Review Act; and

WHEREAS, the Town of Schodack Planning Board was designated as the lead agency in a coordinated review with the Town of Schodack Town Board; and

WHEREAS, the underlying project is the development of approximately 116.3 acres of real property along New York State Route 9 located within the Town of Schodack, New York on which real property a one million square-foot sales distribution center is proposed to be constructed; and

WHEREAS, in connection with this proposed project the Town of Schodack Planning Board in its role as lead agency in a coordinated review concluded that "the project will not have a significant impact on the municipal sanitary sewer system"; and

WHEREAS, a copy of the full environmental assessment form together with the negative declaration issued by the Town of Schodack Planning Board is attached hereto and made a part hereof as **Exhibit A** [Provided in Supporting Docs];

NOW, THEREFORE, IT IS RESOLVED: That the Town of Schodack Town Board hereby affirms the designation of the Town of Schodack Planning Board as the lead agency in a coordinated review with respect to the proposed project which encompasses the formation of Sewer District No. 6, Sanitary Sewer District Extension #4.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:

2018-199 **WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Sewer District No. 6, Sanitary Sewer District Extension #4, in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office for public inspection; and

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Sewer District Extension, general plan

of the Sewer District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities, together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the boundaries of the proposed Sewer District Extension are as described in **Schedule "A"** annexed hereto; and

SCHEDULE "A"

Legal Description

Sewer District No.6

Sanitary Sewer District Extension No. 4

Consolidated lands now or formerly of Jill C. Palmer-Wood, Burdette J. Otterbeck, William J. & Mary Beaudoin and Mary Ann Sherman

All that certain parcel or piece of land situate in the Town of Schodack, County of Rensselaer, and State of New York, and more particularly bounded and described as follows:

Beginning at an iron pin found in the western highway boundary of U.S. Route 9 at its intersection with the division line between lands now or formerly of Jill C. Palmer-Wood and Burdette J. Otterbeck (Document number 2008-00302819) to the south and lands now or formerly of James R. Matias and Judith Dunham-Matias (Liber 169, page 1431) to the north; Thence along the western highway boundary of U.S. Route 9 South 26° 01' 48" West, a distance of 1142.41 feet to a capped rod found at the northeast corner of lands now or formerly of Michael and Charlotte Belak (Liber 1298, page 417); Thence North 78° 28' 35" West, a distance of 420.80 feet to a point, Thence South 21° 23' 25" West, a distance of 67.67 feet to a point; Thence along the division line with lands now or formerly of Michael and Charlotte Belak (Liber 1298, page 417) North 87° 14' 30" West, a distance of 16.77 feet to a capped rod found; Thence continuing along the division line with Michael and Charlotte Belak, and along the division line with lands now or formerly of Frank and Linda Paonessa (Liber 324, page 1892) South 11° 45' 30" West, a distance of 226.00 feet to a iron pin found; Thence along the division line with lands now or formerly of Clifford and Deborah Brehm (Liber 1249, page 225) and along the division line with lands now or formerly George Brehm (Liber 1032, page 306) South 86° 54' 22" West, a distance of 612.61 feet to an iron pin found; Thence along the division line with lands now or formerly of George Brehm (Liber 1032, page 306), lands now or formerly of Paul and Heather Brehm (Liber 1611, page 199), and lands now or formerly of Cheryl L. Ouderkirk (Liber 648, page 221) South 16° 16' 15" East, a distance of 546.03 feet to an iron pin in concrete found; Thence along the division line with lands now or formerly William J. Beaudoin and Mary Beaudoin (Liber 1302, page 805) and with the terminus of Hillcrest Avenue South 05° 52' 46" East, a distance of 200.90 feet to a rebar found; Thence along the southern side of Hillcrest Avenue and passing through an iron pipe, North 84° 07' 14" East, a distance of 115.00 feet to a point in the southern line of Hillcrest Avenue at its intersection with the division line between lands now

or formerly of Carl and Mary Sherman (Liber 1302, page 807) to the east and William J. and Mary E. Beaudoin and Mary Ann Sherman (Liber 7724, page 283) to the west; Thence along said division line South 05°52'46" East, a distance of 100.00 feet to a point; Thence along the division line with lands now or formerly of Hartland Associates, Inc. (Liber 7602, page 263) and lands now or formerly of Donald Hart (Liber 168, page 2218) South 84°07'14" West, a distance of 845.92 feet to a point; Thence continuing along the division line with lands now or formerly of Donald Hart (Liber 168, page 2218) and passing through a rebar found, South 27°07'14" West, a distance of 532.64 feet to a rebar found; Thence along the division line with lands now or formerly Hartland Associates, Inc. (Liber 168, page 2250) North 48°13'42" West, a distance of 586.77 feet to a rebar found at the eastern highway boundary of Interstate 90; Thence along the eastern highway boundary of Interstate 90 the following six courses and distances:

1. North 06°29'05" East, a distance of 262.42 feet to a point;
2. North 06°29'57" East, a distance of 1039.84 feet to a concrete monument found;
3. North 62°36'15" East, a distance of 377.34 feet to a concrete monument found;
4. North 04°25'52" West, a distance of 519.98 feet to a concrete monument found;
5. North 07° 28' 01" West, a distance of 754.97 feet to a concrete monument found;
6. North 87° 25' 18" East, a distance of 363.34 feet to an iron pipe found;

Thence along the division line with lands now or formerly of Otis J. Williams, II, and Jennifer L. Meehan (Liber 6446, page 73), and lands now or formerly of Wesley J. Sanford, Jr. and Lauren K. Sanford (Liber 7800, page 124) North 88°14'57" East, a distance of 243.29 feet to an iron pipe found; Thence continuing along the division line with lands now or formerly of Wesley J. Sanford, Jr. and Lauren K. Sanford (Liber 7800, page 124), and along the division line with lands now or formerly of Kristin M. Meashaw and Matthew B. Abatto (Liber 3129, page 334), lands now or formerly of Scott A. Dunham and Theresa A. Dunham, lands now or formerly of Robert A. Jansing (Liber 366, page 1395), lands now or formerly of Sarah E. and Kristen A. Fedigan (Liber 8173, page 197) and passing through two iron pipes found, South 89° 13' 33" East, a distance of 868.18 feet to a point; Thence along the division line with lands now or formerly of Brian J. and Laurel L. Smihosky (Liber 7266, page 77), lands now or formerly of Vittorio Lapietra & Donna Linhares-Lapietra (Liber 4008, page 178), lands now or formerly of Edward C. and Erin A. Cullings (Liber 4762, page 8), and lands now or formerly Kenneth C. and Crystal M. Swinton (Liber 7541, page 108) South 88° 41' 33" East, a distance of 585.84 feet to an iron pipe found; Thence continuing along the division line with lands now or formerly of Kenneth C. and Crystal M. Swinton (Liber 7541, page 108) South 89° 09' 53" East, a distance of 288.23 feet to capped rebar found; Thence along the division line with lands now or formerly of James R. Matias and Judith Dunham-Matias (Liber 169, page 1431) the following two courses and distances:

1. South 16° 52' 47" West, a distance of 430.00 feet to an iron pin found;
2. South 74° 02' 22" East, a distance of 280.00 feet to the point and place of beginning.

Containing or 116.39 acres or 5,070,100 square feet of land, more or less.

WHEREAS, the improvements proposed consist of the installation of 4,200 lineal feet of 8" PVC sewer pipe, 21 sewer manholes, 1 sewer connection, 150 lineal feet for boring under Routes 9 & 20, and upgrading the existing

pump station, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Six Hundred Eighty- Seven Thousand (\$687,000.00) Dollars; and

WHEREAS, approval of the New York State Comptroller will not be required for the formation of the Sewer District No. 6, Sanitary Sewer District Extension #4 inasmuch as debt will not be issued or assumed by the Town of Schodack and any assessments to the typical property shall be on a benefit basis for all users; and

WHEREAS, operation and maintenance fees for the Sewer District Extension are estimated to be Seventeen Thousand Five Hundred Twenty and 00/100 (\$17,520.00) Dollars for the typical property located within the Sewer District Extension; and

WHEREAS, the hook up fee is estimated to be Forty-Five Thousand and 001100 (\$45,000.00) Dollars and the building sewer inspection fee is Two Hundred and 00/100 (\$200.00) Dollars and the Sewer District Extension fee is Two Hundred Twenty-Five (\$225.00) Dollars;

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Town of Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, in said Town, on the 23rd day of August, 2018, at 7:00 p.m., local time, to consider said petition and the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

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 D.S. Bult:

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

2018-200 **WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Schodack Consolidated Water District No. 101, Water District Extension No. 6, in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office; and

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York,

showing boundaries of the proposed Water District Extension, general plan of the Water District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities, including mains, together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the improvements proposed consist of the installation of 2,250 lineal feet of 12 inch PVC water pipe, 2200 pipe bends, 4 water valves, 6 water hydrants, 150 lineal feet of pipe for boring underneath Routes 9 & 20, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Four Hundred Twenty- Nine Thousand (\$429,000.00) Dollars; and

WHEREAS, said map, plan and report describing said improvements are on file in the Town Clerk's Office for public inspection; and

WHEREAS, the first year cost for operation and maintenance fees for the Water District Extension are estimated to be Eight Thousand Six Hundred Ninety-Two and 00/100 Dollars (\$8,692.00) to the typical property after the first year of the Water District Extension formation; and

WHEREAS, the water line installation fee is Two Hundred and 00/100 (\$200.00) Dollars and the Water District Extension connection fee is Twenty-Five and 00/100 (\$25.00) Dollars; and

WHEREAS, the capital charges for the typical property located within the Water District Extension are estimated to be Twelve Thousand Five Hundred Forty-Four and 00/100 (\$12,544.00) Dollars after the first year of Water District Extension formation.

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack shall cause to be filed for public inspection with the Town Clerk, a detailed explanation of how the estimated cost of hookup fees, the cost of the district to the typical property, and the cost of capital charges has been computed and that an analysis of the computation of those costs is attached hereto as **Exhibit A**.

D. Hydraulic Calculations

A hydraulic model was used to compute the pressure at the base of the riser for the building, including the loss from meters and/or backflow prevention devices. Calculations are based on the Utility plans and a Neptune Protectus III water meter. See Appendix 2 for the Hydraulic Calculations.

The building will have an ESFR (Early Suppression Fast Response) sprinkler system which is designed to supply large amounts of water to extinguish any fire. Because of this system's demands, the building will have a 200,000-gallon water supply tank with a pump for the sprinkler system. The building's sprinkler system will be self-sufficient and is not expected to draw significant demand. Calculations were done to represent a fire hydrant demand and are in Appendix 3.

E. Backflow Prevention Requirements

Backflow prevention was assumed for the site based upon the size of the supply line. The site is expected to have a 12" Watts Double Detector Assembly immediately after the meter at the street.

F. Conclusion

Presently, the water system serving Consolidated Water District No. 101 has a capacity of 0.5 MGD and the current usage is approximately 130,000 GPD. The proposed Schodack Distribution Center is estimated to utilize 6,000 GPD, increasing the existing demand from 130,000 GPD to 136,000 GPD. Therefore, the capacity of the Consolidated Water District No. 101 will allow the acceptance of the additional water demand generated by the proposed Schodack Distribution Center.

Section 3: Financing

Scannell Properties will be financing the installation of the proposed water system. A cost estimate of the proposed work is included in Appendix 4. No debt will be issued by the town for this project.

Section 4: Water District Extension

The project site is located near Consolidated Water District No. 101, but is currently not within the Water District as shown in Appendix 1. This proposed Water District Extension would extend the District to encompass the project site pending the approval of the Schodack Town Board, the NYS Department of Health, and the NYS Department of Environmental Conservation. The map shown in Appendix 2 shows the land to be included within the Water District. The typical property within the proposed water district extension is an approximate 1,000,000 square foot Sales Distribution Center.

Section 5: User Cost and Connection Fees

The property to be added to Consolidated Water District No. 101 will become a rate payer under the district.

The Town of Schodack's building water line installation fee is \$200 (estimate 4 inspections @ \$50 each) and the sewer district extension connection fee is \$25 for a total of **\$225.00** to the Town of Schodack.

Current Town quarterly operations and maintenance charges are \$55 minimum (up to 18,000 gallons) plus \$4 per 1,000 gallons used over 18,000 gallons, billed approximately one week after the end of each calendar quarter. Based on a water use of 6,000 GPD, this would result in an annual water usage fee of:

$$(6,000 \text{ GPD} * 365 \text{ Days} - 72,000) / 1,000 \text{ GAL} * 4 = \$8,472.00 + \$220.00 = \textbf{\$8,692.00}$$

per year for the Distribution Center.

The Consolidated Water District No. 101 must repay annual debt. In accordance with Town Board Resolution 2017-239, for commercial properties, the calculation for the capital charges for each property would include 1 equivalent dwelling unit (EDU) plus 1 additional EDU, based upon estimated water usage or 50% discounted estimated water usage per DEC flow guidelines, for every 72,000 gallons or portion thereof in excess of 72,000 gallons. Estimated DEC flow guidelines are based upon the square footage of the structure calculated as follows:

$$6000 \text{ GPD} * 365 \text{ days} / 72,000 \text{ gal} = 31 \text{ EDU} + 1 \text{ additional EDU} = 32 \textbf{ EDU}.$$

Based upon the Consolidated Water District No. 101, the capital rate for the typical property is \$392 per equivalent dwelling unit. The total capital payment for the typical property within the water district extension for the first year after district extension creation shall equal:

$$32 \text{ units} * \$392 = \textbf{\$12,544}$$

in total capital charges.

Section 6: Conclusion

This report concludes that the Town of Schodack Consolidated Water District No. 101 has the capacity to accept the additional demand from this project.

McFARLAND-JOHNSON, INC., 60 RAILROAD PLACE SARATOGA SPRINGS, NY
12866 PHONE (518) 580-9380 FAX (518) 580-9383 www.mjinc.com

ENGINEER'S OPINION OF PROBABLE COSTS

Project: Scannell Properties, Schodack, New York
Consolidated Water District 101 Extension #6

July 5, 2018

Bid Item	Description (Item)	Unit	Quantity	Unit Price	Engineer's Estimate
01	12" PVC WATER PIPE	LF	2250	\$116	\$261,000.00
02	PIPE BENDS	LB	2200	\$12	\$26,400.00
03	WATER VALVES	EA	4	\$2,500.00	\$10,000.00
04	WATER HYDRANTS	EA	6	\$5,000.00	\$30,000.00

Additional Costs		Unit	Quantity	Unit Price	Engineer's Estimate

\$429,000.00

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

2018-201 **WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Consolidated Water district No. 101, Water District Extension No. 6, in the Town of Schodack, County of Rensselaer, State of New York, have been filed in the Town Clerk's Office for public inspection; and

WHEREAS, said map, plan and report shows all facilities together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the improvements proposed consist of the installation of 2,250 lineal feet of 12 inch PVC water pipe, 2200 pipe bends, 4 water valves, 6 water hydrants, 150 lineal feet of pipe for boring underneath Routes 9 & 20, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, said project will require compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations

of the Department of Environmental Conservation, Part 617, State Environmental Quality Review Act;

WHEREAS, the Town of Schodack Planning Board was designated as the lead agency in a coordinated review with the Town of Schodack Town Board; and

WHEREAS, the underlying project is the development of approximately 116.3 acres of real property along New York State Route 9 located within the Town of Schodack, New York on which real property a one million square-foot sales distribution center is proposed to be constructed; and

WHEREAS, in connection with this proposed project the Town of Schodack Planning Board in its role as lead agency in a coordinated review concluded that "the project will not have a significant impact on the municipal water system"; and

WHEREAS, a copy of the full environmental assessment form together with the negative declaration issued by the Town of Schodack Planning Board is attached hereto and made a part hereof as **Exhibit A** [Provided in Supporting Docs];

NOW, THEREFORE, IT IS RESOLVED: That the Town of Schodack Town Board hereby affirms the designation of the Town of Schodack Planning Board as the lead agency in a coordinated review with respect to the proposed project which encompasses the formation of Consolidated Water District No. 101, Water District Extension No. 6.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex. Noes – 0.

D.S. 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:

2018-202 **WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Consolidated Water district No. 101, Water District Extension No. 6, in the Town of Schodack, County of Rensselaer, State of New York, have been filed in the Town Clerk's Office for public inspection; and

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Water District Extension, general plan

of the Water District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the boundaries of the proposed Water District Extension are as described in **Schedule "A"** annexed hereto; and

SCHEDULE "A"

Legal Description

Consolidated Water District 101

Water District Extension No. 6

Consolidated lands now or formerly of Jill C. Palmer-Wood, Burdette J. Otterbeck, William J. & Mary Beaudoin and Mary Ann Sherman

All that certain parcel or piece of land situate in the Town of Schodack, County of Rensselaer, and State of New York, and more particularly bounded and described as follows:

Beginning at an iron pin found in the western highway boundary of U.S. Route 9 at its intersection with the division line between lands now or formerly of Jill C. Palmer-Wood and Burdette J. Otterbeck (Document number 2008-00302819) to the south and lands now or formerly of James R. Matias and Judith Dunham-Matias (Liber 169, page 1431) to the north; Thence along the western highway boundary of U.S. Route 9 South 26° 01' 48" West, a distance of 1142.41 feet to a capped rod found at the northeast corner of lands now or formerly of Michael and Charlotte Belak (Liber 1298, page 417); Thence North 78° 28' 35" West, a distance of 420.80 feet to a point, Thence South 21° 23' 25" West, a distance of 67.67 feet to a point; Thence along the division line with lands now or formerly of Michael and Charlotte Belak (Liber 1298, page 417) North 87° 14' 30" West, a distance of 16.77 feet to a capped rod found; Thence continuing along the division line with Michael and Charlotte Belak, and along the division line with lands now or formerly of Frank and Linda Paonessa (Liber 324, page 1892) South 11° 45' 30" West, a distance of 226.00 feet to an iron pin found; Thence along the division line with lands now or formerly of Clifford and Deborah Brehm (Liber 1249, page 225) and along the division line with lands now or formerly George Brehm (Liber 1032, page 306) South 86° 54' 22" West, a distance of 612.61 feet to an iron pin found; Thence along the division line with lands now or formerly of George Brehm (Liber 1032, page 306), lands now or formerly of Paul and Heather Brehm (Liber 1611, page 199), and lands now or formerly of Cheryl L. Ouderkirk (Liber 648, page 221) South 16° 16' 15" East, a distance of 546.03 feet to an iron pin in concrete found; Thence along the division line with lands now or formerly William J. Beaudoin and Mary Beaudoin (Liber 1302, page 805) and with the terminus of Hillcrest Avenue South 05° 52' 46" East, a distance of 200.90 feet to a rebar found; Thence along the southern side of Hillcrest Avenue and passing through an iron pipe, North 84° 07' 14" East, a distance of 115.00 feet to a point in the southern line of Hillcrest Avenue at its intersection with the division line between lands now or formerly of Carl and Mary Sherman (Liber 1302, page 807) to the east and William J. and

Mary E. Beaudoin and Mary Ann Sherman (Liber 7724, page 283) to the west; Thence along said division line South 05°52'46" East, a distance of 100.00 feet to a point; Thence along the division line with lands now or formerly of Hartland Associates, Inc. (Liber 7602, page 263) and lands now or formerly of Donald Hart (Liber 168, page 2218) South 84°07'14" West, a distance of 845.92 feet to a point; Thence continuing along the division line with lands now or formerly of Donald Hart (Liber 168, page 2218) and passing through a rebar found, South 27°07'14" West, a distance of 532.64 feet to a rebar found; Thence along the division line with lands now or formerly Hartland Associates, Inc. (Liber 168, page 2250) North 48°13'42" West, a distance of 586.77 feet to a rebar found at the eastern highway boundary of Interstate 90; Thence along the eastern highway boundary of Interstate 90 the following six courses and distances:

7. North 06°29'05" East, a distance of 262.42 feet to a point;
8. North 06°29'57" East, a distance of 1039.84 feet to a concrete monument found;
9. North 62°36'15" East, a distance of 377.34 feet to a concrete monument found;
10. North 04°25'52" West, a distance of 519.98 feet to a concrete monument found;
11. North 07° 28' 01" West, a distance of 754.97 feet to a concrete monument found;
12. North 87° 25' 18" East, a distance of 363.34 feet to an iron pipe found;

Thence along the division line with lands now or formerly of Otis J. Williams, II, and Jennifer L. Meehan (Liber 6446, page 73), and lands now or formerly of Wesley J. Sanford, Jr. and Lauren K. Sanford (Liber 7800, page 124) North 88°14'57" East, a distance of 243.29 feet to an iron pipe found; Thence continuing along the division line with lands now or formerly of Wesley J. Sanford, Jr. and Lauren K. Sanford (Liber 7800, page 124), and along the division line with lands now or formerly of Kristin M. Meashaw and Matthew B. Abatto (Liber 3129, page 334), lands now or formerly of Scott A. Dunham and Theresa A. Dunham, lands now or formerly of Robert A. Jansing (Liber 366, page 1395), lands now or formerly of Sarah E. and Kristen A. Fedigan (Liber 8173, page 197) and passing through two iron pipes found, South 89° 13' 33" East, a distance of 868.18 feet to a point; Thence along the division line with lands now or formerly of Brian J. and Laurel L. Smihosky (Liber 7266, page 77), lands now or formerly of Vittorio Lapietra & Donna Linhares-Lapietra (Liber 4008, page 178), lands now or formerly of Edward C. and Erin A. Cullings (Liber 4762, page 8), and lands now or formerly Kenneth C. and Crystal M. Swinton (Liber 7541, page 108) South 88° 41' 33" East, a distance of 585.84 feet to an iron pipe found; Thence continuing along the division line with lands now or formerly of Kenneth C. and Crystal M. Swinton (Liber 7541, page 108) South 89° 09' 53" East, a distance of 288.23 feet to capped rebar found; Thence along the division line with lands now or formerly of James R. Matias and Judith Dunham-Matias (Liber 169, page 1431) the following two courses and distances:

3. South 16° 52' 47" West, a distance of 430.00 feet to an iron pin found;
4. South 74° 02' 22" East, a distance of 280.00 feet to the point and place of beginning.

Containing or 116.39 acres or 5,070,100 square feet of land, more or less.

WHEREAS, the improvements proposed consist of the installation of 2,250 lineal feet of 12 inch PVC water pipe, 2200 pipe bends, 4 water valves, 6 water hydrants, 150 lineal feet of pipe for boring underneath Routes 9 & 20, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Four Hundred Twenty- Nine Thousand (\$429,000.00) Dollars; and

WHEREAS, approval of the New York State Comptroller will not be required for the formation of Consolidated Water District No. 101, Water District Extension No. 6, inasmuch as debt will neither be issued or assumed by the Town of Schodack, and assessments shall be on a benefit basis for the typical property; and

WHEREAS, the first year cost for operation and maintenance fees for the Water District Extension are estimated to be Eight Thousand Six Hundred Ninety-Two and 00/100 Dollars (\$8,692.00) to the typical property after the first year of the Water District Extension formation; and

WHEREAS, the water line installation fee is Two Hundred and 00/100 (\$200.00) Dollars and the Water District Extension connection fee is Twenty-Five and 00/100 (\$25.00) Dollars; and

WHEREAS, the capital charges for the typical property located within the Water District Extension are estimated to be Twelve Thousand Five Hundred Forty-Four and 00/100 (\$12,544.00) Dollars after the first year of Water District Extension formation.

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Town of Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, in said Town, on the 23rd day of August, 2018, at 7:30 p.m., local time, to consider said petition and the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex. Noes – 0.

D.S. 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:

2018-203 Authorize Jordan Harrington, Alan Roehr Jr., Jeffrey Arno, Gary Ziegler and Steven Kelly, members of the Fire Investigation Unit to attend New York State Academy of Fire Science Course #01-01-0018 – Fall Seminar, November 7 through 9, 2018 in Montour Falls, New York, at an estimated cost per person of \$25.00 – registration fee (\$125.00), materials (\$50.00) and lodging (\$576.00 and meals (\$279.00), and estimated cost for mileage (\$470.00) and tolls (\$35.00) for a total estimated cost of \$1,500.00. [A3410.4 This is a budgeted item.]

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:

2018-204 Ratify and affirm authorizing Joseph Tremblay, Building Inspector/Code Enforcement Officer to attend Basic Code Enforcement Training in Latham, NY and further authorize reimbursement for mileage as follows: classes attended in the August, September, October and November of 2017 (\$256.80) and classes attended January, February and March 2018 (\$130.80) for a total mileage reimbursement cost of \$387.60.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:

2018-205 BE IT RESOLVED, that the Town of Schodack hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Not Submitted Record of Activities or T/S
Elected Officials						
Town Board Member	James Bult	7	1/1/18-12/31/21	N	TBD	Not Summited
Appointed Officials						
Planning Board Member	John LaVoie	7	1/1/14-12/31/20	N	1.08 quarterly	

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex. Noes – 0.

D.S. 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:**

2018-206 Amend Resolution 2018-044 as adopted January 5, 2018 as follows: Pursuant to professional services agreement dated January 5, 2018, appoint Tabner, Ryan and Keniry, LLP as Special District Counsel and based on per hour fee schedule as follows: Partners \$260.00, Associates \$170.00 and Paralegals \$95.00. This authorization shall not exceed ~~\$7,500.00~~ \$25,000.00 without further board approval.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:**

2018-207 **WHEREAS**, the school house located on Clove Road (the “School House”) is a historically significant property owned and maintained by the Town; and

WHEREAS, it has been determined that the roof of the School House has fallen into disrepair and is in such a state so as to allow the elements into the School House, likely causing significant and permanent damage to the structure; and

WHEREAS, the Town is desirous of repairing the roof of the School House in order to preserve the structure for the enjoyment of future generations; and

WHEREAS, in accordance with Town procedure, multiple quotes were solicited and received for the repair and/or replacement of the School House roof; and

WHEREAS, having reviewed those quotes the Town has determined that the quotes offered by Phelps Brothers Roofing, LLC in the amount of \$9,200.00 and Lawlor Construction LLC in the amount of \$9,740.00 represent the best values for the requested repair services.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the Supervisor to enter into an agreement with Phelps Brothers Roofing, LLC and Lawlor Construction LLC for the timely and competent repair and/or replacement of the School House roof or portions thereof for an amount not to exceed \$18,940.00.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex. Noes – 0.

Atty. Mullahy proposed resolution 2018-208 be amended to include “and General Municipal

Amended 01/10/19 by 2019-074

Law §103(16)". All board members agreed.

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:**

2018-208 **WHEREAS**, in accordance with its procurement policies and General Municipal Law §103(16), the Town solicited proposals for playground equipment to be delivered and installed at a particular location within the Town Park; and

WHEREAS, the Town received multiple proposals in response to its solicitation; and

WHEREAS, having reviewed such proposals and conducted other such appropriate due diligence, including but not limited to visiting site locations where the respondent companies have delivered and installed their products the Town determines that the proposal made by [vendor] in the amount of [amount] represents the best value for the equipment sought by the Town.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the Supervisor to enter into an agreement with Kompan for the time and competent delivery and installation of the specified playground equipment for an amount not to exceed \$84,000.00.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex. Noes – 0.

D.S. 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:**

2018-209 **WHEREAS**, the Town Planning Board has been named as a party to an Article 78 Proceeding (Index #2018-260429) filed on or about July 30, 2018; and

WHEREAS, the Town desires to defend the actions of the Planning Board in the Article 78 Proceeding.

NOW, THEREFORE, BE IT RESOLVED that the Board appoints Girvin & Ferlazzo, P.C. as litigation counsel for the purposes of representing the Town in the Article 78 Proceeding (Index #2018-260429) based upon a fee schedule of \$225.00 per hour as contained in the Letter of Engagement and Retainer dated August 8, 2018, and. This authorization shall not exceed \$15,000.00 without further written Board resolution.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex. Noes – 0.

C. Rex 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:

2018-210 Authorize Supervisor Harris to execute and administer the Easement Agreement and the Lighting and Maintenance Agreement both relating to the parcel commonly known as Pond View both dated August 7, 2018.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex. Noes – 0.

C. Swartz 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:

2018-211 Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #18-1176 to 18-1335 on Abstract No. 2018-08, in the amount of \$369,759.35, including the claims paid (\$212,857.56) since the previous town board meeting.

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:

2018-212 Authorize the July 2018 budget modifications, interfund loans and interfund transfers as provided in document dated July 31, 2018 and recommended by the Comptroller.

**BUDGET MODIFICATIONS
July 2018**

BUDGET MODIFICATIONS

Fund/				
	Department #	Fund / Department Name	Increase	Decrease
2018				
29	A-960-1420.4000	Town Attorney - Contractual	15,000.00	
	A-960-1990.4000	Contingency - Contractual		15,000.00

To modify the budget for Article 78 representation (Res #18-209)

30	A-960-1620.2000	Oper of Plant/Building - Equipment	18,940.00	
	A-960-1990.4000	Contingency - Contractual		18,940.00
	To modify the budget for Clove Rd. School House Repairs (Res #18-207)			
31	A-960-3120.1010	Police Grant - Rens Co DWI	255.79	
	A-509-2260.9999	Police Safety Services - Other Gov'ts	255.79	
	To modify the budget for DWI grant awards			
32	A-960-3120.1012	Police Grant - PTS	728.98	
	A-509-4320.9999	Federal Aid Public Safety	728.98	
	To modify the budget for PTS grant awards			
33	A-960-7110.2000	Parks - Equipment	13,500.00	
	A-509-5031.9999	General Fund - Interfund Transfer	13,500.00	
	To modify the budget for Installation of Playground Equipment at Town Park (Res #18-208)			
34	B-960-1420.4000	Town Attourney - Contractual	17,500.00	
	B-960-1990.4000	Contingency - Contractual		17,500.00
	To modify the budget for Attorney work on Amazaon (Res #18-206)			
35	DB-960-5130.1400	Machinery - DB Highway Police Work	189.98	
	DB-960-5130.1630	Machinery - DB Highway Transfer Station Wk.	101.32	
	DB-960-5130.1000	Machinery - Personal Services		291.30
	To modify the budget to cover Work performed on Department Vehicles			
36	SS6-960-8130.1008	Personal Services - Dunkin Donuts	93.14	
	SS6-960-8130.4008	Contractual - Dunkin Donuts	-	
	SS6-960-9030.8008	Social Security - Dunkin Donuts	7.13	
	SS6-960-9060.8008	Benefits - Dunkin Donuts	9.42	
	SS6-509-5031.9999	Exit 10 Sewer - Inter-fund Transfer	109.69	
	To modify the budget for reimbursement by Dunkin Donut for Personal services plus FICA for Shawn Zinzow time in district.			

3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, 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:**

2018-213 Ratify and affirm amending resolution 2018-166 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:
Traveling Nurse – Tracey Delmerico
3 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex. Noes – 0.

C. Rex informed the board that she had spoken to Jack Conway, East Greenbush Supervisor. He asked to be considered during the water and sewer agreements, as he had yet to be contacted. Mr. Conway noted that he and the previous administration had been discussing the inter-municipal agreements and he recommended that they resume those discussions.

ADJOURNMENT

As there was no further business before the Board, C. Swartz made a motion to adjourn the 08/09/18 Town Board meeting at 7:36 p.m., seconded by C. Rex. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk

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