

DATE: AUGUST 23, 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
SCOTT SWARTZ
MICHAEL KENNEY
TRACEY REX

MEMBERS ABSENT:

ATTORNEY: RYAN P. MULLAHY, ESQ.

COMPTROLLER:

OTHERS PRESENT: WILLIAM RYAN, SPECIAL DISTRICT COUNSEL
BRUCE GOODALL, DIRECTOR OF TRANSFER STATION
OPERATIONS

Supervisor Harris called the August 23, 2018 Town Board Meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All were present as noted above.

**Public Hearings
Sewer District 6, Extension 4 and
Consolidated Water District 101, Extension 6**

The transcript of said hearings is attached here unto as Exhibit A.

Letters were submitted by Tony Kirby, Marci Brunner, Janet Schmidt, John Schmidt, Fred Lanz and Abbey Block Cash. All were duly filed in the office of the Town Clerk.

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 A WITHDRAWN resolution is so noted and italicized.

S. Harris 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:**

2018-214 **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 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 requires 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; 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 the coordinated review concluded that "the project will not have a significant impact on the municipal sanitary sewer system"; and

WHEREAS, the Town of Schodack Planning Board in its role as lead agency in its coordinated review issued a negative declaration with respect to the proposal to develop a one million square foot sales distribution center;

NOW, THEREFORE, IT IS RESOLVED:

That the Town of Schodack Town Board hereby affirms the negative declaration issued by the Town of Schodack Planning Board with respect to the proposal to develop a one million square foot sales distribution center inasmuch as the Town of Schodack Planning Board, acting as lead agency in a coordinated review under the State Environmental Quality Review Act, has thoroughly evaluated all aspects of the project and has carefully reviewed all relevant materials, and that the proposal will not have significant adverse environmental impacts.

The foregoing was moved by Supervisor Harris, and seconded by Councilperson Bult.

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. Kenney:

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

2018-215 WHEREAS, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of Sewer District No. 6, Sanitary Sewer Extension #4 in the Town of Schodack, County of Rensselaer, State of New York, has heretofore been filed in the Town Clerk's Office; and,

WHEREAS, a map, plan and report relating to the establishment of Sewer District No. 6, Sanitary Sewer Extension #4 prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, has been filed with the Town Clerk of Schodack, in accordance with the requirements of the Town Law; and,

WHEREAS, an order was adopted by the Town Board of the Town of Schodack on August 9, 2018, reciting the filing of the map, improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office for public inspection, and all other matters required by law to be stated; and,

WHEREAS, the order set August 23, 2018 at 7:00 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York 12033 as the date, time and place of the public hearing to consider the map, plan and report, and to hear all persons interested in the subject thereof, and to take such action as required and authorized by law; and,

WHEREAS, such order was published and posted as required by law; and,

WHEREAS, a hearing on the matter was held by the Town Board on the 23rd day of August, 2018, beginning at 7:00 p.m. and the matter being duly discussed and all interested persons having been duly heard; and,

WHEREAS, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a scheduled meeting of the Town Board to be conducted on the 23rd day of August, 2018 at the Schodack Town Hall.

NOW, upon the evidence given at the hearing, and upon motion of Councilperson Swartz and seconded by Councilperson Kenney, it is

RESOLVED AND DETERMINED:

- (a) That the petition is signed and acknowledged or proved as required by law and complies with the requirements of Town Law Section 191 as to sufficiency of signers and is otherwise sufficient, and the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- (b) That all property and property owners within the proposed sewer district extension are benefited thereby;
- (c) That all the property and property owners benefited are included within the limits of the proposed sewer district extension;
- (d) That it is in the public interest to establish Sewer District No. 6, Sanitary Sewer Extension #4;
- (a) A hook up fee to the property line is estimated to equal Forty-Five Thousand and 00/100 (45,000.00) Dollars; the building sewer inspection fee is Two Hundred and 00/100 (\$200.00) Dollars; the Sewer District Extension fee is Two Hundred Twenty-Five and 00/100 (\$225.00); and the first year cost for full operation and maintenance for the typical property within Sewer District No. 6, Sanitary Sewer Extension #4 is estimated to equal Seventeen Thousand Five Hundred Twenty and 00/100 (\$17,520.00) Dollars; costs after the first year of district extension formation shall be determined on a benefit bases.
- (e) That the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of Six Hundred Eighty-Seven Thousand (\$687,000.00) Dollars.

- (f) Approval of the New York State Comptroller is not required for the formation of Sewer District No. 6, Sanitary Sewer Extension #4 since no public debt is to be issued or assumed by the town for the improvement since the infrastructure improvements will be paid in full by the property owner; and it is further,

RESOLVED AND DETERMINED, that the establishment of Sewer District No. 6, Sanitary Sewer Extension #4, as set forth in the map, plan and report, be approved and that the approval of the Comptroller of the State of New York is not required for the reasons set forth above, and that the requested improvements be constructed, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district shall be known and designated as Sewer District No. 6, Sanitary Sewer Extension #4 in the Town of Schodack, and shall be bounded and described as set forth on Schedule "A" attached hereto and made a part hereof; and it is further,

RESOLVED AND DETERMINED, that the Town Clerk of the Town of Schodack shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Office of the State Department of Audit and Control at Albany, New York, and in the office of the Rensselaer County Clerk.

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.

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

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

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

2018-216 **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 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 requires 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 the coordinated review concluded that “the project will not have a significant impact on the municipal water system”; and

WHEREAS, the Town of Schodack in its role as lead agency in its coordinated review issued a negative declaration with respect to the proposal to develop a one million square foot sales distribution center;

NOW, THEREFORE, IT IS RESOLVED:

That the Town of Schodack Town Board hereby affirms the negative declaration issued by the Town of Schodack Planning Board with respect to the proposal to develop a one million square foot sales distribution center inasmuch as the Town of Schodack Planning Board, acting as lead agency in a coordinated review under the State Environmental Quality Review Act, has thoroughly evaluated all aspects of the project and has carefully reviewed all relevant materials, and that the proposal will not have significant adverse environmental impacts.

The foregoing was moved by Supervisor Harris, and seconded by Councilperson Swartz.

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

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

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

2018-217 **WHEREAS**, a petition, pursuant to Article 12 of the Town Law, 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, has heretofore been filed in the Town Clerk’s Office; and,

WHEREAS, a map, plan and report relating to the establishment of Consolidated Water District No. 101, Water District Extension No. 6, prepared

by McFarland Johnson, competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, has been filed with the Town Clerk of Schodack, in accordance with the requirements of the Town Law; and,

WHEREAS, an order was adopted by the Town Board of the Town of Schodack on August 9, 2018, reciting the filing of the map, improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office for public inspection, and all other matters required by law to be stated; and,

WHEREAS, the order set August 23, 2018, at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York 12033 as the date, time and place of the public hearing to consider the map, plan and report, and to hear all persons interested in the subject thereof, and to take such action as required and authorized by law; and,

WHEREAS, such order was published and posted as required by law; and,

WHEREAS, a hearing on the matter was held by the Town Board on the 23rd day of August, 2018, beginning at 7::30 p.m. and the matter being duly discussed and all interested persons having been duly heard; and,

WHEREAS, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a regularly scheduled meeting of the Town Board to be conducted on the 23rd day of August, 2018 at the Schodack Town Hall.

NOW, upon the evidence given at the hearing, and upon motion of Supervisor Harris and seconded by Councilperson Bult, it is

RESOLVED AND DETERMINED:

- (b) That the petition is signed and acknowledged or proved as required by law and complies with the requirements of Town Law Section 191 as to sufficiency of signers and is otherwise sufficient, and the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- (c) That all property and property owners within the proposed water district extension are benefited thereby;
- (d) That all the property and property owners benefited are included within the limits of the proposed water district extension;

- (e) That it is in the public interest to establish Consolidated Water District No. 101, Water District Extension No. 6;
- (f) The water line installation fee is Two Hundred and 00/100 (\$200.00) Dollars; the Water District Extension connection fee is Twenty-Five and 00/100 (\$25.00) Dollars; the first year cost for full operation and maintenance for the typical property within Consolidated Water District No. 101, Water District Extension No. 6, is estimated to equal Eight Thousand Six Hundred Ninety-Two and 00/100 (\$8,692.00) Dollars; and the first year capital charges for the typical property within the Water District Extension are estimated to equal Twelve Thousand Five Hundred Forty-Four and 00/100 (\$12,544.00) Dollars; costs after the first year of district extension formation shall be determined on a benefit bases.
- (g) That the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of Four Hundred Twenty-Nine Thousand (\$429,000.00) Dollars.
- (h) Approval of the New York State Comptroller is not required for the formation of Consolidated Water District No. 101, Water District Extension No. 6 since no public debt shall be issued or assumed by the town for the improvement since all infrastructure improvements will be paid in full by the property owner; and it is further,

RESOLVED AND DETERMINED, that the establishment of Consolidated Water District No. 101, Water District Extension No. 6, as set forth in the map, plan and report, be approved and that the approval of the Comptroller of the State of New York is not required for the reasons set forth above, and that the requested improvements be constructed, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district shall be known and designated as Consolidated Water District No. 101, Water District Extension No. 6, in the Town of Schodack, and shall be bounded and described as set forth on Schedule "A" attached hereto and made a part hereof; and it is further,

RESOLVED AND DETERMINED, that the Town Clerk of the Town of Schodack shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Office of the State Department of Audit and Control at Albany, New York, and in the office of the Rensselaer County Clerk.

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 $26^{\circ} 01' 48''$ 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 $78^{\circ} 28' 35''$ West, a distance of 420.80 feet to a point, Thence South $21^{\circ} 23' 25''$ 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 $87^{\circ} 14' 30''$ 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 $11^{\circ} 45' 30''$ 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 $86^{\circ} 54' 22''$ 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 $16^{\circ} 16' 15''$ 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 $05^{\circ} 52' 46''$ 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 $84^{\circ} 07' 14''$ 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 $05^{\circ} 52' 46''$ 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 $84^{\circ} 07' 14''$ 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 $27^{\circ} 07' 14''$ 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 $48^{\circ} 13' 42''$ 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.

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

Discussion Items

Image Permission Request: S. Harris explained a request for permission to use had come in to the Historian regarding the image of Elsie the Cow from the Payne Farm, which is under the control of the town. Atty. Mullahy said he was not sure if the rights for the image were with the town or with J.M. Smucker Company, who now owns the brand Elsie represents. He asked where the request originated from. S. Harris said the request came from New York State Archives for use in their magazine. C. Swartz requested obtaining counsel's advice prior to giving permission. Atty. Mullahy asked to be given time to do further research on the ownership of the image. C. Bult made a motion to table the matter until a later meeting. C. Swartz seconded. All board members agreed.

Fall Clean-Up Days/Transfer Station: B. Goodall, Director of Transfer Station Operations, explained they would be hosting Fall Clean-Up days again this year. The dates, which will occur in October, will offer discounts to residents for items, other than garbage, to be deposited at the Transfer Station. He noted that at the Spring Clean-Up, there were abuses noticed regarding dropping off large quantities of items. This included a total of sixteen pallets of televisions being dropped off during the three days. He asked if a limit should be placed on the number of items deposited per resident. S. Harris added one resident had brought more than twenty televisions which he claimed were all from their residence. C. Bult wondered where the items would go if they were not accepted at the transfer station. He asked if it would be a burden to accept electronics separately, on another weekend. B. Goodall said there was no charge for electronics and he felt a special weekend was not necessary. C. Bult suggested including items that are free in the ad to inform residents to minimize the influx. B. Goodall said he could include the information to the ad. He felt most residents chose to clean out their homes on those days and explained the event typically runs very smoothly. C. Bult asked for an update on the incoming mulch. B. Goodall said they had been receiving larger trees lately and was concerned that they may be flagged by DEC. He explained, under DEC regulation, the mulch area of the transfer station was only allowed to accept mulch under four inches in diameter to maintain their exempt status. He noted they have been handing out notices to inform residents of the limitations. S. Harris added a notice had been posted on the transfer station building. B. Goodall said the only exception is any amount of mulch brought in from the Highway Department can be deposited as there is no other suitable location. He mentioned that he was awaiting quotes for removal of the brush pile as well. S. Harris informed the board of an issue that had been discovered regarding one of the wells for the landfill. He explained B. Goodall had purchased a camera to examine the well to understand why they were unable to obtain a water sample. He noted they were working with DEC to save the well. B. Goodall said there were three wells in the capped landfill to monitor any potential contamination. When he attempted to retrieve a sample, he was unable to pump any water out. When he sent the camera down the pipe, he noticed an issue approximately 31 feet down. A representative from DEC, who was present, recommended trying to replace the foot pump to salvage the well as it had the most data obtained from it and it would be in their best interest to continue its use. DEC authorized the town to install a pipe smaller than two inches to be connected to the new foot pump to bypass the issue, allowing the continued use of the well. The new pump should be installed next week.

ADJOURNMENT

As there was no further business before the Board, C. Kenney made a motion to adjourn the 08/23/18 Town Board meeting at 8:46 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk

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EXHIBIT

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TOWN OF SCHODACK

August 23, 2018

7:00 p.m.

HEARING in the matter of a petition
for an extension of Sewer District No. 6,
Sanitary Sewer Extension No. 4 and extension
of Consolidated Water District No. 101, Water
District Extension No. 6 at the Schodack Town
Hall, 265 Schuurman Road, Castleton-on-Hudson,
New York; before Donna Miller Moran, Court
Reporter and Notary Public in and for the
State of New York.

APPEARANCES:

Supervisor David Harris
Town Clerk Debra L. Curtis
Town Attorney, Ryan P. Mullahy
Councilperson Bult
Councilperson Kenney
Councilperson Swartz
Councilperson Rex
Special Counsel, William F. Ryan, Jr.

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SUPERVISOR HARRIS: Thank you.
Please be seated. Roll call will be done to show that all board members are present, counsel is present, and special counsel William Ryan is also present at the dais. It is now 7:00 o'clock. I am going to open the public hearing on the two things we have on the agenda for this evening. One is on the extension of the sewer. And one is on the extension of a water district.

I will now call on Attorney William Ryan for his presentation and comments.

MR. RYAN: She needs to read the Notice.

SUPERVISOR HARRIS: I am sorry, I have got to have Deb read the Notice, I apologize.

TOWN CLERK CURTIS: A notice was placed on the Town Clerk signboard and website on August 10, 2018 and in the local paper, The Record on August 11, 2018 regarding a public hearing to establish Sewer District

1 (Hearing - August 23, 2018)

2 Number 6, Sanitary Sewer District Extension
3 Number 4 in the Town of Schodack pursuant to
4 Article 12 of the Town Law of the State of
5 New York.

6 MR. RYAN: We need a motion to
7 open the public hearing.

8 COUNCILPERSON BULT: So moved.

9 MR. RYAN: Is there a second?

10 COUNCILPERSON SWARTZ: Second.

11 MR. RYAN: Let the record reflect
12 that it is 7:03 p.m. on August 23, 2018.

13 This public hearing, ladies and gentleman,
14 is with respect to the formation of Sewer
15 District Number 6, Extension Number 4. And
16 I'm going to give you a brief overview of how
17 special districts are formed within the State
18 of New York. And then we will get into the
19 specifics of the project.

20 Initially districts are formed
21 under Articles 12 or 12A of the Town Law of
22 the State of New York. And under Article 12
23 the process is that a certain percentage of

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2 owners within a particular district or
3 extension file a petition with the Town
4 Clerk requesting the creation of a special
5 district. In this particular case, the
6 owners of the property, which we are here
7 talking about, filed a petition according
8 to Article 12 of the Town Law with the town
9 clerk.

10 Thereafter, a map, plan and report
11 was repaired by competent engineers and also
12 filed with the Town Clerk's office.

13 At the last Town Board meeting,
14 resolutions were adopted scheduling this
15 public hearing and the sum and substance of
16 those notice requirements are that the notice
17 of the public hearing have to be posted and
18 published no less than 10, but no more than
19 20 on the Town Clerk's bulletin board, on
20 the town's website and within the newspaper
21 dedicated by the town for giving notice. In
22 this case it is the Troy Record.

23 Now, with regard to the extension

1 (Hearing - August 23, 2018)

2 about which we are here to discuss, the
3 engineering behind it is set forth within
4 the map, plan and report that is on file. And
5 it calls for the installation of 4,200 lineal
6 feet of eight-inch PVC sewer pipe, 21 sewer
7 manholes, one sewer connection, 150 lineal
8 feet of boring under Routes 9 and 20 and
9 upgrade to the pump station.

10 The map, plan and report as well as
11 the resolution subsequently to be considered
12 by the Town Board tonight lists that the
13 maximum cost to the property owner for this
14 infrastructure improvement is \$687,000. The
15 map, plan and report as well as the resolution
16 to be considered by the Town Board later
17 tonight sets forth that the hook-up fee is
18 \$45,000, the inspection fee is \$200, the
19 sewer district extension fee is \$225 and the
20 estimated first year cost is \$17,520. All of
21 these fees are to be paid for by the property
22 owner and it is not going to be an encumbrance
23 or an obligation of the Town of Schodack.

1 (Hearing - August 23, 2018)

2 With that said, our engineer is
3 here to generally outline the configuration
4 of what is being proposed, and if you could
5 identify yourself for the record, that would
6 be great.

7 MR. BOISVERT: Steven Boisvert
8 with McFarland Johnson. The sewer extension
9 connects at the existing manhole roughly
10 right across the street from the Dunkin'
11 Donuts along Routes 9 and 20. It extends
12 south to where the Routes 9 and 20 and Route 9
13 split, and then extends south again roughly
14 another 2,000 feet to our site. All of the
15 improvements, both the gravity portion of the
16 main and the force main and the pump station
17 all fall within New York State DOT right-of-way
18 and, therefore, there are no environmental
19 impacts associated with the off-site sewer
20 extension for this project.

21 MR. RYAN: Now, you raised a good
22 point. There has been a lot of discussion
23 and hearings before the Planning Board and

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2 the Planning Board did have a coordinated
3 review with the Town Board with respect to
4 the environmental concerns of this project.
5 Based upon your review, is there any, in
6 your opinion, adverse environmental impacts
7 associated with the installation of this
8 infrastructure for the sewer district
9 extension?

10 MR. BOISVERT: No, there is not.

11 MR. RYAN: And is that -- is the
12 reasoning for that set forth both within
13 the map, plan and report and also within the
14 environmental assessment form previously
15 prepared?

16 MR. BOISVERT: Correct.

17 MR. RYAN: All right. Okay. I
18 have nothing further to add to this proposal.

19 If members of the town wish to speak,
20 feel free. We only request that you identify
21 yourself for the record at the microphone and
22 speak slowly for the lady to my right who is
23 transcribing all of this.

1 (Hearing - August 23, 2018)

2 (Man raises hand.)

3 MR. RYAN: Go ahead, sir.

4 MR. KIRBY: My name is Tony Kirby.

5 I am vice-president of the Schodack Planning
6 and Development Association. I have lived
7 in the town for over 25 years. It is a
8 beautiful town. I like living here. I am
9 afraid what is going to be happening is going
10 to affect it severely. I have a beautiful
11 front porch. I sit up on a hill. I am
12 not that close to this development, but I hear
13 tractor-trailers going up and down 9 and 20,
14 not real often, but often enough, okay. And
15 I have gotten used to it, no big deal.

16 This development is going to be 24/7.
17 Okay. It is going to happen all times of the
18 day. I am not even close to it, okay. People
19 in Birchwood, for example, I am concerned about
20 where they are going to be at and what kind of
21 impact that is going to cause them, but that
22 is why I am not -- that is not why I am here.
23 I am really here to talk about kind of the

1 (Hearing - August 23, 2018)

2 impact that it is going to have on the town.
3 I don't know if anybody has looked at the
4 comprehensive non-plan. Have you seen the
5 non-plan? It has got a whole bunch of things
6 in there and it has got -- it has got something
7 they call guiding principles. And let me read
8 you what those are.

9 Protect the vital natural assets,
10 particularly the water resources. The
11 Moordener Kill is right by this development,
12 okay. No environmental impact. Okay, sure.

13 Cluster development. It says,
14 the second guiding principle says, Cluster
15 residential development along sewer and
16 water resources, which means not warehouse
17 row, which is what I am concerned is going
18 to happen on 9 and -- well, especially 9
19 going down to Exit 12. I don't want to see
20 warehouse row there because you put sewer
21 and water there, it is going to invite people
22 to come for that purpose. That is what I
23 am concerned about. That is what you guys

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2 should be concerned about.

3 Protect and preserve open environ- --
4 open spaces. Okay. We have got tons of open
5 spaces there. What are you going to do to
6 protect any of that? Put in over a million
7 square foot building there with trucks coming
8 in 24/7? Okay.

9 Protect ecological sensitive areas
10 such as streams. The Moordener Kill, which
11 is right there, wetlands and steep slopes.
12 There is a slope right there also.

13 Encourage business development
14 along I-90, and here is the key, for public
15 services and provide retail and service
16 businesses. We are not getting that with
17 this and if we will get a bunch of warehouses
18 up there, we are not going to get that either,
19 you know. For this development, the average
20 salary of people who are going to work in the
21 Amazon warehouse is \$27,000. That is not a
22 lot of money. Okay. But it is probably
23 higher than the average 90 percent of people

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2 who work there are actually going to make.

3 Okay. So these are not going to be people
4 who are going to take these jobs who live in
5 the Town of Colonie -- Town of Colonie, excuse
6 me, Town of Schodack because we have got to
7 pay the taxes in this town, you know. It is
8 going to be people from Troy, Schenectady,
9 Albany, who are going to work here, you know.

10 It is going to be minimum wage warehouse
11 jobs, you know. It is not going to benefit
12 us and it is not going to provide us with
13 services.

14 The guiding principles should mean
15 something, and quite frankly my experience
16 since the comprehensive non-plan was developed
17 is it doesn't mean anything. Nobody pays
18 attention to it. The Planning Board doesn't
19 and the Town Board hasn't. You need to take
20 it seriously and you need to do two things.
21 You need to work on developing a real
22 comprehensive plan and take the guiding
23 principles, which are very good, okay, they

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2 are important to this town. And when I
3 looked at them and when I looked at the
4 comprehensive plan, I said, Right on, that
5 is what we need to do. But then I read the
6 rest of it and it didn't say how we were going
7 to get there. The plan should say, because
8 plans do that, say how you are going to get
9 there, you know. It just was a whole bunch of
10 things slapped together and probably about
11 that thick (indicating) and it didn't tell me
12 anything, you know. So a comprehensive plan
13 needs to be worked on.

14 But one of the other big things
15 that needs to happen is we have a zoning
16 committee that has been in place now for
17 close to four years, I believe. And I could
18 be wrong, it could be less, it could be more.
19 But they are supposed to develop definitions
20 for warehouses and distribution centers and a
21 whole bunch of other things that should happen
22 in this town. And quite frankly nothing they
23 are doing is public. I don't have a clue.

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2 And again being involved with the Schodack
3 Planning and Development Association, one
4 would think we would be consulted with and
5 talked to about this. Because it is one of
6 the few town committees that really cares
7 about what our town looks like, but no
8 involvement, haven't heard from anybody,
9 any time we ask, Oh, it is going to come
10 soon, it is going to come soon. We got
11 nothing. So we have got two things. We have
12 got this town committee and we have got a
13 comprehensive plan and we are still getting
14 this thing developed there, which I think
15 is going to have a negative impact on this
16 town and nobody seems to care.

17 And the other problem is, and the
18 good news about all of this, is at least the
19 Town is not paying for it, somebody else is
20 paying for the sewer and water. But do you
21 know who else is going to pay for the sewer
22 and water, more warehouses that are going to
23 go down Route 9. And that is, you know,

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2 Schodack Planning and Development runs a
3 candidate debate and some of you were there
4 and some of you even said, Oh we don't want
5 warehouses all over the place, we want to
6 make sure that there is mixed development and,
7 you know, we do things rights and we do smart
8 growth. We are not doing smart growth, okay.
9 So stick to what you said and do the right
10 thing for this town because quite frankly this
11 isn't the right thing. Thank you for your
12 time. I appreciate it.

13 (Clapping.)

14 MR. RYAN: Thank you for your
15 comments, Mr. Kirby. Just a point of
16 reminder and a point of reference here, the
17 public hearing concerns the creation of this
18 sewer district extension. And although I
19 was not present at the various Planning Board
20 meetings, I trust that a lot of your comments
21 were addressed or articulated at those
22 meetings.

23 MR. KIRBY: They were not addressed.

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2 MR. RYAN: Well, they were probably
3 articulated then.

4 MR. KIRBY: Articulated, that is
5 right.

6 MR. RYAN: Would anyone else like
7 to speak concerning this sewer district
8 extension?

9 (Lady raises hand.)

10 MR. RYAN: Come on up. Please
11 state your name and address for the record,
12 ma'am.

13 MS. CASH: Hi. Abbey Cash,
14 Woodward Road. And I am not going to state
15 after every sentence, and this regards the
16 sewer district extension, so I will put this
17 before. I will predicate my remarks by
18 saying that so you can add that on so you
19 are not thinking that my remarks are not
20 applicable to this meeting.

21 I again state my complaints with
22 the Schodack Boards that there have been no
23 appropriate comprehensive, independent and

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2 impartial environmental review about the
3 potential impacts of the Amazon project
4 relative to traffic, the aquifer, noise,
5 lighting and numerous other environmental
6 aspects such as the sewer aspect that we
7 are discussing tonight.

8 I believe, sir, that you said that
9 "our engineers" and this is being monitored
10 here so you can check, you said "our engineers"
11 when you presented this gentleman over here
12 (indicating). He is not our engineer. He is
13 the engineer for Amazon, for Scannell.
14 However, he is not our independent engineer.
15 He is a paid partisan. So I want to make sure
16 for the record that we know that. Whatever he
17 says in terms of the impact or passing this
18 along, that is his opinion because he is
19 getting paid to have that opinion.

20 I again state my complaint that
21 the Boards do not deliberate any aspects of
22 the Amazon project in front of the public.
23 You referred to something before such as a

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2 public review. I would love to have known
3 when that was. I would have gone. I would
4 love to have heard what you all had to say.
5 And I would like to have heard your arguments
6 and deliberations. Votes are taking by
7 citing the motion, asking for a vote and
8 then having virtually everyone approve it.
9 There is no request for any discussion.
10 There is no allowance for any discussion
11 and there is no discussion. Where is the
12 discussion occurring? Behind closed doors?
13 That is not legal. On the phone, by e-mail,
14 elsewhere? The public is being cheated by
15 not hearing your views, your perspectives,
16 your considerations, your wisdom, your
17 research. It appears that you are just
18 rubber stamping motions rather than giving
19 them any thought or consideration. It appears
20 that the Boards do not care about how the
21 Schodack population perceives them for their
22 actions, that you do not care that the citizens
23 are insulted, that you are not applying proper

1 (Hearing - August 23, 2018)

2 procedures and we are not being served well.
3 Why wouldn't you want the cooperation of your
4 community? No matter what side citizens are
5 on regarding this project, the practice to
6 ignore proper rules of order when conducting
7 public meetings is frightening. For all of
8 those people who think their interests are
9 being favored now by the advent of a mammoth
10 Amazon, you might want to reflect that any
11 aspect of this project could easily flip.
12 And the behaviors that have been set as a
13 precedent by the Boards would remain and then
14 not fall in your favor.

15 Up to this point, the decisions
16 passed by the Boards regarding the Amazon
17 project appear to be arbitrary based on their
18 favoring them rather than the citizens of
19 Schodack without any reasons given. I believe
20 this to be an abuse of your discretion. That
21 is why I am participating in the Article 78
22 that has been filed against you. I can only
23 hope that this ugly situation will reverse

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2 itself in time. Thank you.

3 MR. RYAN: Thank you.

4 (Clapping.)

5 MR. RYAN: State your name for the
6 record, sir.

7 MR. JANSING: I shall. Bob Jansing,
8 6 Star Terrace, Schodack or technically
9 Castleton. I have a question regarding the
10 Town Board meeting notes that were published.
11 Page 3 states that all property and property
12 owners within the proposed sewer district
13 extension are benefitted thereby and my name
14 is included in this. Can anyone -- is that
15 something I misinterpreting?

16 ATTORNEY MULLAHY: Where are you?

17 MR. JANSING: This is what I
18 received online and I clearly might be
19 misinterpreting this, page 3. And I certainly
20 might be misinterpreting this, down at the
21 bottom, A and B. If you would just clarify
22 that? Maybe I am wrong.

23 SUPERVISOR HARRIS: Could you

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2 bring that up so I could see what you're
3 looking at?

4 MR. JANSING: Certainly, A and B
5 down at the bottom (indicating).

6 MR. RYAN: Well, this is language
7 out of the Town Law and the property that
8 is included within this extension is the
9 distribution center. That is it.

10 SUPERVISOR HARRIS: It is the
11 warehouse center.

12 MR. JANSING: Okay. So let me
13 interpret this. That the property owners
14 within the proposed sewer district extension
15 are benefitted thereby. So that is the
16 warehouse you're talking about?

17 MR. RYAN: Well, you can refer to
18 it as a warehouse, I prefer --

19 MR. JANSING: It is a warehouse.

20 MR. RYAN: -- well, distribution
21 center.

22 MR. JANSING: It is a warehouse.

23 MR. RYAN: Okay.

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2 MR. JANSING: My concerns are
3 several fold and I guess I can start with
4 comments by a member of our town -- well, one
5 of our town fathers, who prior to being elected
6 was -- our sitting town supervisor was opposed
7 to mega warehouses. And then upon being
8 elected was very much in favor of mega
9 warehouses.

10 Also, Mr. Jake Ashby, and I will
11 quote from his platform. Endured -- he states
12 that the 107 Assembly District has endured
13 blatant government oversights negatively
14 impacting our environment, and as a steadfast
15 and vigilant leader needs to hold the echelons
16 of bureaucrats accountable and safeguard the
17 pristine beauty we call home.

18 I think anyone who considers a
19 million square foot facility down Route 9
20 as pristine beauty of our home has to go
21 maybe to a dictionary and get the definition
22 of pristine.

23 I will read briefly from the 2011

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2 Town of Schodack Comprehensive Plan, January
3 2011. The town will encourage and manage
4 its growth to preserve historic, cultural
5 and natural resources for this and future
6 generations. What is going to happen in 15
7 years when this million square foot facility
8 is left vacant? Our future generations, you
9 can drive by and show your kids and grandkids
10 what this looked like some time ago.

11 Schodack will retain its small
12 town feel by encouraging the preservation of
13 prime farm land and agriculture, the key
14 components to preserving rural character.
15 Rural character, and natural landscapes, which
16 are so valued by many residents. Me included.

17 A variety of planning and development
18 techniques should be used by the town to
19 protect and conserve open space, agricultural
20 land and to continue to promote and preserve
21 the future rural nature of Schodack.

22 Just allow me another statement.
23 The town should ensure that all projects

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2 affecting transportation, a huge issue on
3 this project, huge, should protect the public
4 safety and to the extent reasonable provide
5 a family friendly environment. A million
6 square foot facility I don't think falls
7 within that.

8 Safe residential neighborhoods and
9 easy safe access to public transportation
10 and major highways. The town should carefully
11 examine every proposed new development or
12 building project for its compliance with
13 Federal, State and County environmental and
14 health requirements to assure that there will
15 be no negative impacts on the quality of any
16 public water supplies.

17 This monstrosity is on top of our
18 aquifer, if you remember. Over time, the
19 town should develop comprehensive integrated
20 water -- wastewater and stormwater systems
21 which assure both adequate public services
22 and protect the environment, particularly the
23 aquifer.

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2 This thing doesn't belong here.

3 I think anybody who looked at whatever is
4 going on with that property, and I know there
5 are things going on well above this level that
6 are dictating what is going on here, but this
7 is a disgrace. It should not be allowed.

8 Thank you.

9 (Clapping.)

10 MR. RYAN: Anyone else?

11 MS. LANZ: Yes.

12 MR. RYAN: Go ahead, ma'am.

13 MS. LANZ: Hi. My name is Louise
14 Lanz, and I live at 1708 Richwood Drive.
15 This is going in my back garden.

16 In regards to the proposal to
17 extend the sewer and water line to service
18 the Amazon warehouse, I would like to inquire
19 why this portion of the approval is segmented
20 instead of coordinated with the Planning
21 Board's site approval as it should have
22 been through SEQR. This is an afterthought
23 instead of a well-planned out comprehensive

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2 proposal. Furthermore, why is Amazon being
3 used to pull the sewer and water further
4 down Route 9, but according to your agreement
5 with East Greenbush you will only have an
6 excess of 9,000 gallons afterwards for
7 further development. That isn't a lot of
8 sewer to support the economic growth both
9 you as the supervisor as well as Scannell in
10 their fiscal report propose. All the business
11 owners further down Route 9 who want the
12 benefits of this project won't be able to
13 receive the sewer and water hook-ups they
14 undoubtedly desire. An EIS would have
15 looked at this. This extension will cost
16 the taxpayers money to maintain the infra-
17 structure, but doesn't offer much fiscal
18 worth to the actual town. This extension
19 is fool's gold. It looks promising, but
20 the numbers aren't going to save a single
21 taxpayer a single cent including those who
22 belong to the sewer and water lines. They'll
23 suffer with an increase in their bills, maybe

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2 not immediately, but in the future. In
3 essence it doesn't have the capacity to use
4 Amazon as an anchor. The sewer will be a
5 dead end for maybe one more business.

6 (Clapping.)

7 MR. RYAN: Sir.

8 MR. LANZ: Good evening. Fred
9 Lanz, 1708 Richwood Drive. I just need
10 some clarification on a couple of pages here.
11 There is a name that I don't understand
12 that is a property owner or previous
13 property owner on page 6. Halfway down
14 the first paragraph, after Brian J. and
15 Laurel Smihosky, there is a Vittorio Lapietra
16 and Donna. I am not sure of the names. I
17 have never heard of those people before.
18 We bought the house off of Leo and Fran
19 Capitano. That is should be Lanz in there.
20 That is our house. They were the original
21 owners.

22 MR. RYAN: Are you referring to
23 the property description?

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2 MR. LANZ: Yes, the names on the
3 property description.

4 MR. RYAN: Well, that came from the
5 title review.

6 MR. LANZ: There was only one other
7 owner of the house.

8 MR. RYAN: Well, I can't speak to
9 that. I didn't do the title report and
10 prepare this description. It is in the
11 map, plan and report.

12 MR. LANZ: Can that be clarified
13 or changed?

14 MR. RYAN: Well, I stand by what
15 is in here.

16 MR. LANZ: You do?

17 MR. RYAN: Yes.

18 MR. LANZ: Then maybe you should
19 review your records because it is not true.

20 MR. RYAN: Well, I don't want to be
21 argumentative with you.

22 MR. LANZ: I don't want to be
23 argumentative, it is just the facts are the

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2 facts. The original owner who built the
3 house was Leo and Fran Capitano. We bought
4 the house off of them. We are only the
5 second owners of the house.

6 MR. RYAN: I am just telling you
7 that this --

8 MR. LANZ: Your records are wrong.

9 MR. RYAN: Well, not necessarily.

10 MR. LANZ: They are.

11 MR. RYAN: Maybe you are wrong.

12 THE REPORTER: Stop.

13 MR. LANZ: I am just saying we
14 bought the house off the original owners.
15 They built it in '69.

16 MR. RYAN: Good.

17 MR. LANZ: So can you please clarify
18 that for me?

19 MR. RYAN: I have.

20 MR. LANZ: No, you haven't.

21 MR. RYAN: Yes, ma'am.

22 MS. SCHMIDT: Janet Schmidt, 1704
23 Richwood Drive. As an 11-year resident of

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2 Richwood Drive in the Town of Schodack,
3 I am very concerned with the anticipated
4 building of a million square foot warehouse
5 on the same property as our aquifer. I
6 believe our town should do independent
7 environmental studies to be very certain
8 that we will be protecting our most important
9 resource, water. Clean, uncontaminated water
10 is not only important to the residences
11 on Richwood Drive, but to all of us in the
12 Town of Schodack including all of you.
13 Without clean water we do not survive.
14 Please preserve this precious resource and
15 the land surrounding it. Thank you.

16 (Clapping.)

17 MR. RYAN: Sir.

18 MR. SCHMIDT: Good evening. John
19 Schmidt, Birchwood Estates. I would like
20 to respond to a recent criticism of our
21 neighborhood association members who have
22 been accused of being selfish because of
23 our opposition to a million square foot

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2 warehouse being proposed in our backyards.
3 When we moved into our neighborhood, we
4 understood that this was a residential area
5 and expected it to remain that way. For
6 years now, we have been trying without any
7 success, to clarify the zoning classification
8 to eliminate any misinterpretation.

9 Birchwood Estates has been in
10 existence for about 50 years now and
11 certainly must be considered an established
12 residential neighborhood. We believe strongly
13 that taking measures to preserve the natural
14 beauty and rural character of our properties
15 is our right and our responsibility. Before
16 criticizing us for acting as stewards of the
17 environment, we ask other residents of the
18 Town of Schodack to consider what they would
19 do in our situation.

20 The aquifer that lies beneath the
21 proposed site supplies precious clean
22 drinking water to more than just those in
23 our neighborhood. Many residents of the

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2 town rely on this for their wells. Nearby
3 Hoosick Falls is still feeling the effects of
4 water contamination in their area. Elevated
5 levels of the toxic chemical PFOA were found
6 in the Village of Hoosick Falls public water
7 system in 2014. Two days ago, the Times
8 Union reported that scientists and former
9 environmental regulators found a higher
10 incidence of cancer in people exposed to
11 PFOA in several local communities than had
12 been estimated by the State Health Department.
13 Doesn't it make sense to carefully examine
14 the chances of something like that happening
15 here. Everyone who is concerned about their
16 health and the health of their loved ones
17 needs to speak out. Our Town Board made a
18 serious mistake recently to forgo an
19 independent environmental impact study when
20 they issued a negative declaration. This was
21 their opportunity to have a thorough study
22 conducted. Such an impartial study could
23 have also examined the increased noise and

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2 truck traffic which would be expected to
3 occur. It is now clear that our Town Board
4 is more interested in unreasonable development
5 such as this huge warehouse, which will surely
6 become an eyesore. Residents and taxpayers
7 are considered collateral damage. Thank you.

8 (Clapping.)

9 MR. RYAN: Would anyone else like
10 to speak?

11 (Two people raise their hands.)

12 MR. RYAN: Two people.

13 MS. BRUNNER: Good evening. I
14 will apologize if I kind of cross over because
15 my comments are mixed between water and sewer.

16 MR. RYAN: Can you just give you
17 name, please.

18 MS. BRUNNER: Sure. My name is
19 Marci Brunner, 1692 Julianne Drive. I am
20 a homeowner and taxpayer in Schodack. The
21 proposed Amazon warehouse is in a direct
22 recharge area of the Schodack aquifer. I
23 call your attention to the water regulations

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2 Chapter 175 of the Town of Schodack.

3 Specifically Section 175-2 states that, It
4 shall be the intent of the Town of Schodack
5 to continually consider and assess all of the
6 immediate and future impacts, on the well-being
7 of our town and its limited potable water
8 supply, of all actions taken with regard to
9 expanding, upgrading and permitting water
10 distribution systems.

11 In an article in the Times Union
12 dated June 19, 2018, it is stated that,
13 Schodack supervisor believes Amazon can save
14 town. Supervisor Harris, you said you were
15 glad to finally learn on June 18, 2018 that
16 online retail giant Amazon was behind plans to
17 build a one million square foot fulfillment
18 center in the town after months of speculation.
19 You also said you were convinced that an Amazon
20 facility of that size, which you predicted
21 would employ between 1,000 and 1,200 workers
22 would be good for the town and its businesses
23 as well as the local school districts. The

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2 same evening project officials told the
3 Schodack Planning Board that the facility
4 would create 800 full-time jobs. So is the
5 final number 800 for this facility? I think
6 all residents deserve to have accurate
7 information as the Rensselaer County IDA is
8 negotiating a deviated PILOT deal to allow
9 Amazon to pay only 50 percent of taxes for
10 10 years. The Fiscal Impact Statement
11 prepared by Camoin on behalf of the developer
12 and approved by the Schodack Planning Board
13 analyzed the overall benefits using 20 years.
14 Amazon is a 15-year lease. In the reports,
15 the years 16 through 20, which represent the
16 largest increase of revenue to the district
17 and the town will never be realized as this is
18 a 15-year lease. To put that into perspective,
19 they expected \$31 million in the report should
20 be reduced to \$19 million, and of the \$19
21 million, \$11 million goes to East Greenbush
22 Schools.

23 To quote you, Supervisor Harris,

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2 from the TU article on 6/18, you said, I
3 think Amazon is a pretty smart company, I
4 think it is all going to work out. As a
5 resident and taxpayer, I am personally
6 shocked that you think it is all going to
7 work out. This is not something we should
8 think will work out, this is something we
9 should know. I must agree, Amazon is a
10 smart company. They get tax breaks and
11 then they leave and they go somewhere else
12 and Schodack is left with a mammoth size
13 building and no plans for the end of its
14 life.

15 Supervisor Harris, you then go on
16 to say that the sewer, water and utilities
17 that Amazon need will be extended to the site
18 and will spur new growth along the Route 9
19 corridor that hasn't been possible in the
20 past due to lack of infrastructure. The
21 current sewer agreement between Schodack and
22 East Greenbush allows for 45,000 of waste
23 into the East Greenbush sewer system per day.

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2 Currently Schodack is usually 30,000 and this
3 project is proposed to use 6,000. This leaves
4 only 9,000 for future growth. This does not
5 appear viable to support the new business
6 growth that we are told will occur. The
7 Amazon warehouse could be the end of the
8 development on Route 9. Future impacts have
9 not been assessed and, therefore, you should
10 vote no to the extension of the water lines to
11 the Amazon site as well as sewer.

12 In addition, Section 175-3 states,
13 it shall be the intent of the town that
14 approval of any new water works must include
15 an addition to any and all regulatory
16 (inaudible), an acceptable engineering
17 assessment of how that system could be
18 integrated into a future town-wide system and
19 the positive and/or negative impacts that any
20 new system could have on existing 4, including
21 municipal and private wells and aquifer supply
22 and quality concerns.

23 It should be noted there is a memo

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2 submitted by Scannell which notes that on
3 June 18, 2018, the building inspector Joe
4 Tremblay responded in writing to Scannell and
5 confirmed that the proposed use constitutes a
6 sales distribution center. This project as
7 you know is in a PD-3 zone which is not
8 suitable for warehouses, although according
9 to Mr. Tremblay this project fits the
10 definition of a sales distribution center.
11 Residents in Birchwood have asked for years
12 for a definition of a sales distribution
13 center, but were told there is no definition.
14 And now a million square foot building fits
15 the definition.

16 Planned development zones were
17 established in 1995, and I am attaching them
18 again along with the Town Board's recommen-
19 dations for 1994, which show the intent for
20 PD-3 was light commercial use and no heavy
21 truck traffic. And this was to protect the
22 aquifer and co-exist with pre-established
23 neighborhoods such as Birchwood. This was

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2 reiterated by a former 1995 Planning Board
3 member, Joe Visalli during the June 4th, 2018
4 public hearing. Again, warehouses are not
5 allowed in PD-3. This is a wrong location for
6 a project this size over the town aquifer. I
7 see references to two other Amazons in the
8 documents submitted online for this evening's
9 meeting. There is 1180 Innovation Wing -- I
10 am sorry, 1180 Innovation Way located in
11 Boston and in Lakeland, Florida. Both these
12 are Amazons and they are located in industrial
13 parks with no residences nearby. Did any of
14 you research this? Do you not have concerns
15 for the residents that are directly affected?

16 Scannell Properties submitted a
17 stormwater pollution prevention plan, which
18 I am also attaching for the record. And the
19 title reads, Sales Distribution Warehouse.
20 So is this a sales distribution center or a
21 warehouse? It appears to be whatever it
22 needs to be to get approved and will swiftly
23 be changed very quickly just like all the

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2 countless plans we, the residents, have
3 pointed out is inaccurate over the last few
4 months.

5 The future impacts and the quality
6 of the supply of water have not been assessed
7 since a complete environmental impact state-
8 ment was not performed. As the Town Board and
9 the Town Supervisor, you should all know the
10 impacts prior to approval. Until such time
11 that a complete EIS is performed, including a
12 long, hard look at the zoning and definitions,
13 you should vote no to these water and sewer
14 extensions. I am pleading with you to do the
15 right thing and vote no. Thank you.

16 (Clapping.)

17 MR. RYAN: Sir.

18 MR. CASH: Yes. My name is Lawrence
19 Cash, 377 Woodward Road, Nassau, New York.
20 I have trouble with the way this whole
21 procedure has come about. First of all, they
22 kept the applicant's name a secret. That did
23 not give the residents time to research the

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2 problems that might occur at other Amazons,
3 the number of employees, the number of police
4 calls. I believe our fire department is not
5 equipped to handle a fire at this location
6 with all its contents. If you think of the
7 contents of a general discount store, Walmart
8 or something like that, there is very few
9 things in there that will not burn or explode
10 because there are pressurized cans or have
11 fuel. This would be directly over the
12 aquifer. We are not equipped to handle a
13 major catastrophe and it will be a catastrophe
14 on the aquifer. I also am very skeptical
15 about things that Scannell has said. I heard
16 they, and they can correct me, that there was
17 not going to be any outbound small vehicles.
18 Is that correct?

19 MR. RYAN: They --

20 MR. CASH: If they don't want to
21 answer it, they don't have to answer it.
22 But let me tell you, that doesn't make
23 sense to me because to deliver in a 20-30

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2 mile radius, you are not going to send these
3 out to the post office or FedEx or whoever, you
4 are going to have it delivered locally. And
5 Amazon is a leader in drones and driverless
6 cars, but they say they are not going to have
7 any outbound local deliveries. I don't
8 believe it.

9 They also say that there is going
10 to be 800 employees over multiple shifts.
11 I don't believe it. Why don't I believe it?
12 Because they have parking for 1,000 cars. If
13 you have 800 employees over multiple shifts,
14 why do you need a 1,000 car parking lot?

15 You also announced near the end --
16 in one of your late meetings, that there was
17 going to be 32,000 square feet of offices
18 there. Is that correct? Who is going to be
19 employed in there? How many cubicles can you
20 fit in 32,000 square feet of offices? Are
21 you going to use a computer station base,
22 phone base? There is going to be more than
23 800 employees. And if they want to stand

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2 by that, let's give them a little breathing
3 room. Let's let them have a maximum of 1,200
4 employees or 1,600 employees, but I don't think
5 they will agree to it. I think these people
6 reverse engineered all their facts and
7 information to look good and they will do what
8 the hell they want later. I do not believe
9 these people. I could give you other examples.
10 For example, the traffic study they did. The
11 traffic study they did said that -- they
12 initially said that 70 percent of the traffic
13 was going to go to Exit 11. I found that
14 hard to believe as if you look at the
15 demographics, the majority of the population
16 is to the south and east and that would bring
17 the traffic to Exit 12. Sure enough, at the
18 last minute, they say, oh, the traffic is
19 going to Exit 12. Well, the environmental
20 impact study, they didn't use Exit 11. Exit
21 12 is considerably different than Exit 11.
22 Exit 12 has all the people south of Exit 12.
23 When I used to live in Kinderhook, I used to

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2 enter on Exit 12 and go to Albany. You have
3 the Pilot gas station, you have the Hannaford
4 warehouse, A. Duie Pyle. That area is very
5 congested.

6 I do not trust these people and I --
7 and the number of employees I think they
8 are going to devastate the sewer line. I
9 don't know if they would be willing to put a
10 cap on the number of employees because you're
11 considering the sewage, but I think you
12 ought to do that. So, I am sorry --

13 MR. RYAN: Take your time.

14 MR. CASH: The number of vehicles,
15 the number of employees, the fact that it
16 is in danger of a fire is enough reason to
17 shut this down.

18 Also, I wish Scannell would withdraw
19 their application and go someplace else.
20 There is an Article 78 going on. There was
21 an Article 78 in Hudson that has dragged out
22 in the courts for 15 months and still hasn't
23 been heard. So I don't know what their -- I

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2 guess I said my piece. I could give you more
3 examples of where I feel they are inaccurate,
4 but thank you.

5 MR. RYAN: Yes, ma'am.

6 MS. WILLIAMS: Good evening.

7 Jennifer Williams, 1666 Julianne Drive. I
8 thank you all for actually looking at me and
9 paying attention during the whole time. I
10 would appreciate the respect that you are
11 giving me and I will give you the same respect
12 as you sit up there and make those great
13 decisions.

14 So I am here tonight to address the
15 concerns of the project regarding the sewer
16 and water extensions. I ask that while I
17 talk, that you actually listen and not just
18 stoically look at me. If you need to stretch,
19 it is okay. I am a teacher. I am used to
20 kids moving around. But I just ask that you
21 really listen with your ears and minds open.
22 Okay?

23 There are major concerns as you

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2 enter -- entertain Scannell's application
3 which you most certainly will approve as most
4 of the public hearings seem to be a formality
5 and not really actual open government.

6 I am concerned in this proposal
7 specifically as the sewer and water extension
8 was not included in the site approval process
9 for SEQR. Why would you segment the approvals
10 when one depends upon the other? You can't
11 build the building without the water and
12 sewer so why would give a site approval
13 without doing the water and sewer first?
14 Why wouldn't the Town Board coordinate with
15 the Planning Board? And why are residents
16 inconvenienced to come to multiple meetings
17 with ever changing updates and new studies
18 instead of a proposal for the entire project
19 being comprehensively presented and then have
20 your mandatory meetings? It seems as though
21 something is being hidden or multiple people
22 in departments are not educated regarding the
23 SEQR laws or you just want to inconvenience us.

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2 Specifically the sewer extension is
3 allotting a projected 6 gallons -- 6,000
4 gallons into the East Greenbush sewer system,
5 with the town's continued agreement of 45,000
6 gallons. Now, a little elementary math problem
7 for you. Let's say that after this extension,
8 you only have 9,000 gallons for future economic
9 growth. So why is Scannell being asked to
10 drag the sewer line down to the end of the
11 corn field? 9,000 gallons is not a lot to
12 work with for the next development especially
13 if the 300 apartments in East Greenbush goes
14 through and they are anticipating 50,000 to
15 60,000 gallons for that project. The math
16 tells me that this idea of saving Schodack or
17 using Amazon as the anchor, or a corridor of
18 growth is nothing more than catchy phrases
19 of fake news.

20 At some point, your 14-year-old
21 agreement will wear itself thin and need a
22 new one. Until then you have 9,000 gallons
23 to play with if Scannell actually is only

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2 using 6,000. How many more businesses can
3 you develop with that much? Not many, maybe
4 one to two depending on how many employees
5 they employ versus just being a place to store
6 stuff.

7 The economic development that keeps
8 being promised is sunk because we aren't in
9 charge of the septic. East Greenbush will
10 simultaneously expand as you do and you will
11 run out unless these clandestine meetings
12 are occurring where you are going to build
13 your own sewer and water treatment plant.
14 And the 9,000 gallons for the cost to the
15 taxpayers and the poor individuals and
16 businesses will fund the bill to maintain
17 this infrastructure? We will suffer. It is
18 a fool's errand under the pretense that it
19 looks good. All the business owners on
20 Route 9 won't get the fiscal benefit or hook
21 ups themselves. A commercial sewer line with
22 limited commercial business doesn't seem like
23 good business. Well, what do I know? Maybe

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2 you are already working on that.

3 The water line is being offered to
4 the Schodack Diner, the Army and Navy store.
5 How about the businesses that already exist
6 in Schodack? Help the local businesses before
7 the big box goes up and the smaller ones are
8 long forgotten and struggling, as I watched
9 in only the six years of being here. Have you
10 studied what the capacity will be and how
11 much water flows from that portion of the
12 aquifer? Where are the studies that show if
13 you excavate that undeveloped and abandoned
14 corn field they called it, only two years not
15 farmed, but now it is abandoned, where are
16 the studies that show if you excavate that
17 undeveloped and abandoned corn field that
18 your water supply to the existing businesses
19 inside your sewer and water district will go
20 unaffected. Again, common sense, green open
21 land equals groundwater. Concrete and pavement
22 equals less groundwater.

23 You're extending a line to which I

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2 haven't seen a single study from the town's
3 end to ensure that you can supply more water
4 to the further economic growth down the
5 Route 9 corridor. I dare say that the average
6 consumer does more homework buying a TV or
7 the newest iPhone than I have seen on the
8 municipal end of accepting such a large
9 undertaking without asking questions. Maybe
10 you have asked questions and just don't want
11 to be transparent.

12 It is very disturbing to read in
13 the TU this week that the residents next to
14 the proposed 300-apartment complex have been
15 met with and their concerns been heard. Not
16 one of you came by to my house and asked for my
17 concerns or answered my questions, which you
18 all got an e-mail from me. All of you left
19 pamphlets at my door and my mailbox, and not
20 one of you ever came to discuss sewer, water
21 or site approval concerns before you gave a
22 green light to this project. And yet you
23 can't blame the Planning Board as a separate

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2 entity. You are, in fact, their boss. You
3 didn't do your homework and you forgot the
4 government is a two-way street. I respect-
5 fully ask you to do your due diligence and
6 consider the outcomes before you vote with
7 careful consideration.

8 Supervisor Harris, we spoke on the
9 phone for 32 minutes and you never called me
10 back to say that you did your homework or
11 that you had answers for me. I will leave
12 you with this statement, hoping it doesn't
13 fall on deaf ears. Your deeds are your
14 monuments. This means that the things you
15 do are what you are remembered by, that your
16 actions define your character. What will
17 your monuments be during your time as an
18 elected official and council member of
19 Schodack? Which I will ask you already,
20 Supervisor Harris, is your monument a couple
21 of big boxes down Route 9 or a community
22 thriving and happy? Thank you for your time
23 and attention.

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2 (Clapping.)

3 MR. RYAN: Would anyone else like
4 to speak?

5 MR. KIRBY: You only talked
6 about sewer and water.

7 MR. RYAN: Well, you had that
8 opportunity when you were up here before.

9 MR. KIRBY: Well, I am going to
10 talk about East Greenbush and the fact they
11 haven't been consulted with yet in terms
12 of something you are all going to vote on
13 tonight. And from what I understand, it
14 depends on East Greenbush being able to
15 handle what we are going to ship down to
16 them and a leader from East Greenbush that
17 I spoke to today said there has been no
18 consultation. Now, I don't know if that
19 is true or not. He was unaware of any
20 consultation and told me the supervisor was
21 not aware of any either. So I am concerned
22 that you are going to vote on something when
23 you don't even know that it is possible.

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2 MR. RYAN: Do you want to speak,
3 sir?

4 MR. WALSH: Yes, please.

5 MR. RYAN: Could you come up and
6 state your name for the record?

7 MR. WALSH: Good evening. Bill
8 Walsh, and I live at 1327 Muitzeskill,
9 M-u-i-t-z-e-s-k-i-l-l, Road, Schodack Landing.
10 I would just like to say that I pay taxes
11 here. I keep my house up. I do the best I
12 can. I pay a lot in taxes.

13 (People in audience speaking
14 amongst themselves.)

15 MR. WALSH: Do you mind?

16 MS. LADY: I apologize.

17 MR. WALSH: I appreciate it. I am
18 going to be the black sheep. I am actually
19 for the project and I know a lot of people
20 here, probably they are already getting hot
21 and might be getting a little upset with me,
22 but, you know, I can feel for the people that
23 live in that area, you know. When they bought

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2 inside that little development, they didn't
3 think that eventually Route 9 would get
4 developed. If you show the history of Route 9
5 it has basically been stagnant. I have been
6 around for 25 years and I haven't seen much in
7 growth except for Hannaford, Pilot and Duie
8 Pyle getting an addition. You know, so maybe
9 there was a comfort level when they bought
10 their properties, but I have really got to say,
11 and I am not trying to upset any of the towns'
12 people, but if you buy something along a
13 four-lane highway that is using 20 percent
14 of the highway right now, there was a vision
15 before and it is looking for growth, you need
16 to build along Route 9. This is a four-lane
17 highway going into basically a six-lane
18 highway, which is the main thoroughfare or
19 one of the main thoroughfares across New York
20 State and across the eastern part of this
21 country. And then it goes right to one of the
22 main thoroughfares that goes north and south.
23 What do you think you are going to attract?

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2 You are going to attract truck traffic and
3 that is what that road was built for. So I do
4 think that the box store, that is what you're
5 basically going to get for that area. There
6 is probably 10 or 11 properties that are
7 still for sale down along through there, and I
8 think you're going to see more Amazons and
9 Hannafords, Duie Pyles, you are going see more
10 growth like that through there. And I think,
11 I am sorry, but I think that is where it
12 should go. I mean, like I said, it is right
13 there. It is on a four-lane highway right
14 through to the main thoroughfare. That is
15 what they look for. Do I agree with everything
16 with Amazon, and how this is going to be built?
17 No. I have some concerns here as a town's
18 person too, but I do think it is the right
19 move. I think you guys have done your due
20 diligence. And I think the Planning and Zoning
21 Board has done their due diligence. I know
22 there is an aquifer here. There is no fuel --

23 (People still talking in the

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2 audience.)

3 MR. WALSH: Do you people mind? I
4 didn't talk when you guys were talking?
5 I have been through this before. So thank
6 you. Please.

7 I know there is an aquifer there.
8 The only thing you're looking at is probably
9 a little bit of road salt. There is no --
10 there is going to be no fuel storage. There
11 is no septic. Everything is going to be
12 pumped down to East Greenbush. I am in the
13 construction field. Most of you people up
14 there know that I am actually a business rep
15 for the operating engineers for the trades.
16 I have built septic 4. I build water treatment
17 plants. This is what we do every day. So if
18 something gets to capacity, we expand. That is
19 growth. I mean, I pay over \$12,000 a year in
20 taxes. I would love to see water and sewer
21 come down Muitzeskill Road some day. Am I
22 ever going to see it? Probably not in my
23 lifetime, but maybe my kids will. But the

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2 only way you are going to do it is by
3 expanding on Route 9 and other areas.

4 You know, if you're really looking
5 for that country lifestyle, you know, maybe,
6 you know, Schodack -- East Greenbush at one
7 time was country living. Now, look at East
8 Greenbush? It is going to -- there is people
9 born every day and it is going to get populated
10 and things need to expand. So I do think
11 that you have made the right move. Like I
12 said, once again, I think you have done your
13 due diligence. I say build the project. I
14 wish they would use local labor. I have
15 talked to, you know, Scannell Properties and
16 it is something that we are working out. But
17 I really hope you do the right thing here.

18 THE REPORTER: Stop.

19 SUPERVISOR HARRIS: Please, the
20 man is trying to talk and you are being
21 very rude.

22 (Inaudible.)

23 MR. WALSH: I am used to it.

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2 Thank you. Once again, I hope they make an
3 agreement to at least use some type of local
4 labor to help keep this area going. You know,
5 there is probably around 1,000 construction
6 jobs. This is how a lot of people in this
7 area, you know, the building trades represent
8 about 22,000 people in this area and this is
9 how a lot of us make our living. I know I
10 have heard before, yelled out, that they
11 are not permanent jobs. But, you know, is the
12 guy that built your house, is he still there?
13 You know, nothing is permanent. So I guess
14 what I am trying to say, I hope they do the
15 right thing and build this. Thank you.

16 (Clapping.)

17 MR. RYAN: Would anyone else like
18 to speak before we close the public hearing?

19 (Man raises hand.)

20 MR. RYAN: Go ahead, sir.

21 MR. LUCARELLI: My name is
22 Christopher Lucarelli. I live at 2731 Doelner,
23 D-o-e-l-n-e-r, Circle, Castleton. Just

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2 something what the previous gentleman said.
3 When I drive down Route 9, I see an
4 incredibly underutilized resource. That is
5 a four-lane State highway, all right, with
6 exits on either side. So I agree with the
7 previous gentleman. I see that and I see
8 transportation.

9 The other thing I want to bring up
10 is everybody talks about the noise on
11 Route 9 and the traffic on Route 9 and you
12 have the field where this is being built, but
13 nobody talks or nobody complains about is just
14 on the other side of that field is I-90 and
15 nobody talked about the noise and the truck
16 traffic on I-90, and that is there. So what
17 I see is I see land nestled between a four-
18 lane State highway with exits on either road,
19 and on the other hand, no way out. So I agree,
20 I think this is a very good location for
21 transportation and things like that. And I
22 think moving the infrastructure down Route 9
23 is a good thing. And I see that for years

1 (Hearing - August 23, 2018)

2 that corridor being an underutilized resource
3 that can help the town.

4 The one other comment I would make
5 is when people talk about the tax revenue to
6 the schools and saying that it doesn't help
7 us. I live in the East Greenbush School
8 District and I would welcome \$11 million of
9 tax revenue. I am sorry it doesn't help
10 Schodack Central, but you know what,
11 Hannaford doesn't help East Greenbush too,
12 and I don't bitch about Hannaford. I think
13 they are good neighbor. I think moving the
14 infrastructure down will eventually help. A
15 rising tide raises all ships. Thank you.

16 (Clapping.)

17 MR. BRUNNER: Adam Brunner,
18 1692 Julianne Drive. First of all, I just
19 want to indicate that I don't think that
20 anyone is against development. I think that
21 we are against the wrong type of development.
22 I am a homeowner and taxpayer in Schodack.
23 As you are aware, the Planning Board declared

1 (Hearing - August 23, 2018)

2 a negative declaration on July 2nd, 2018 so
3 that a full environmental impact statement
4 need not be performed for this very large
5 project. The action by the Planning Board
6 was highly suspect and unprecedented, as the
7 Hannaford warehouse on Route 9 near Exit 12
8 received a positive declaration, as did many
9 much smaller projects in the Town of Schodack.
10 I am asking that you, as elected Board
11 members do the right thing and vote no to
12 extending the water and sewer lines to this
13 site since the Planning Board did not do
14 the right thing.

15 You promised not to make Schodack
16 a warehouse town in November of 2017, so
17 please follow through on that promise. I am
18 extremely disappointed that you, Supervisor
19 Harris, along with several other Board
20 members came to our home less than a year
21 ago to ask for our votes. I remember our
22 conversation in my driveway regarding all
23 your desires and promises to not make Schodack

1 (Hearing - August 23, 2018)

2 a warehouse town. Just a few short months
3 later that is exactly what you allowed to
4 happen as the Planning Board blindly approved
5 this project. We put our trust and faith in
6 you and it appears that you were dishonest
7 to me and my family and many others in this
8 community. Unfortunately, we have lost faith
9 due to the many empty promises.

10 We have heard that this project
11 will save Schodack and help stabilize taxes.
12 In addition to looking at new projects to
13 save this town, I ask you, Supervisor Harris,
14 to take a hard look at budget items and put
15 together a working group of residents and
16 officials to identify positions that are
17 not needed to save taxpayer dollars
18 immediately.

19 A few items that come to mind, one,
20 the use of Schodack police officers at Town
21 Board meetings. Is this necessary?

22 Two, does the town really need the
23 additional expense of another attorney to

1 (Hearing - August 23, 2018)

2 represent the Planning Board?

3 I would like to know what
4 qualifications the current Planning Board
5 Attorney Craig Crist, which you approved in
6 the annual 2018 budget, make him the best
7 choice for this position if he does not possess
8 the experience regarding an Article 78 filing,
9 which is not uncommon in towns.

10 And, finally, it is great that we
11 see so many of you on Facebook and social
12 media touting all the wonderful events you
13 are attending. I will ask you to use that
14 energy in ways that will make a difference
15 for all and not just image and perception
16 for what appears to be a photo opportunity.
17 Actions speak louder than words. So I am
18 imploring you to act now the way you promised
19 and vote no to these extensions. Thank you.

20 (Clapping.)

21 MR. RYAN: Would anyone else like
22 to speak? Very good.

23 Then I think a motion is in order

1 (Hearing - August 23, 2018)

2 to close the public hearing.

3 COUNCILPERSON BULT: I so move.

4 COUNCILPERSON KENNEY: I second it.

5 MR. RYAN: What we can do now is we
6 have closed the public hearing on the sewer
7 extension. We can vote on the appropriate
8 resolutions with regard to that now or since
9 the other public hearing was scheduled for
10 7:30, we can open that public hearing now
11 and then make our presentation with the
12 public comment and then close that and then
13 vote on all of the resolutions at the same
14 time.

15 SUPERVISOR HARRIS: Yes.

16 MR. RYAN: So I just want to note
17 for the record that it is 8:10 p.m.
18 And could the clerk read the notice.

19 TOWN CLERK CURTIS: The public
20 Notice was placed on the Town Clerk's
21 sign-board and website on August 10th, 2018
22 and was also published in the local paper, The
23 Record, on August 11th, 2018 regarding order

1 (Hearing - August 23, 2018)

2 for public hearing on establishment of Town
3 of Schodack Consolidation Water District 101,
4 Water District Extension Number 6 in the Town
5 of Schodack, County of Rensselaer, State of
6 New York pursuant to Article 12 of the Town
7 Law of the State of New York.

8 MR. RYAN: Okay. We are going to
9 need a motion to open the public hearing on
10 Extension Number 6 to Consolidated Water
11 District 101.

12 COUNCILPERSON KENNEY: I will move
13 it.

14 COUNCILPERSON SWARTZ: I will
15 second it.

16 MR. RYAN: All in favor?

17 (All Ayes.)

18 MR. RYAN: This is no different
19 than what we just went through with regard
20 to the sewer district extension, but this
21 pertains to water. Again, the request came
22 via a petition according to Article 12 of the
23 Town Law of the State of New York. Thereafter

1 (Hearing - August 23, 2018)

2 a map, plan and report was prepared and filed
3 in the Town Clerk's office, which outlines
4 the cost and various engineering principles
5 associated with extending the water line.

6 I will note for the record that
7 the map, plan and report sets forth the costs
8 associated with this and also the engineering
9 that is involved. And I will note from
10 Appendix 4 within the map, plan and report,
11 the water line extension calls for installation
12 of 2,250 lineal feet of 12-inch PVC water
13 pipe, 2,200 water bends, 4 water valves,
14 6 water hydrants, and 150 feet of boring
15 under Routes 9 and 20.

16 The installation fee associated
17 with the extension is \$200, the water
18 connection fee is \$25, the estimated cost
19 for operation and maintenance is \$8,692 for
20 the first year. The capital charges amount
21 to \$12,544 for the first year, and the maximum
22 cost to the property owners \$429,000.

23 Like the sewer, this is all going

1 (Hearing - August 23, 2018)

2 to be paid for by the property owner. And
3 the town will not be encumbered with any debt
4 associated with this water district extension.
5 Future charges will be on a benefit basis and
6 Mr. Boisvert from McFarland engineering also
7 did the map, plan and report with regard to
8 this extension and I will hand the mic over to
9 him now.

10 MR. BOISVERT: Thank you. As shown
11 on the aerial, the blue line represents the
12 2,250 linear feet of 12-inch water line that
13 will be extended from the existing line that
14 is currently at the split with 9 and 20 and
15 20, run down along the east side of Route 9,
16 cross and bore underneath the road down the
17 west side of Route 9 to the project site.

18 MR. RYAN: Now, you prepared the
19 map, plan and report; am I correct?

20 MR. BOISVERT: That is correct.

21 MR. RYAN: And you're a licensed
22 professional engineer within the State of
23 New York?

1 (Hearing - August 23, 2018)

2 MR. BOISVERT: That is correct.

3 MR. RYAN: For how long have you
4 been licensed?

5 MR. BOISVERT: I have been licensed
6 25 years.

7 MR. RYAN: Okay. Now, you heard --
8 well, let me ask you this question: Is
9 there going to be any negative environmental
10 impact associated with the installation of
11 these -- of the water line on the aquifer?

12 MR. BOISVERT: There is no impact
13 on the aquifer as a result of the extension
14 of this water line. I would like to state
15 for the record, there was an environmental
16 assessment report that contained over 800
17 pages of analysis reports and also accompanied
18 detailed engineering plans and drawings that
19 were submitted to the Planning Board and
20 reviewed by a third-party engineer hired by
21 the Planning Board with a firm called Laberge
22 Group. They did a detailed review and analysis
23 and agreed with our conclusion that there is

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2 no environmental impact to the aquifer. Both
3 the water and the sewer lines were part of
4 the original application and review by the
5 Planning Board as documented in the materials
6 that were submitted by the Board.

7 MR. RYAN: Okay. Anything else
8 with regard to the environmental impact,
9 if any?

10 MR. BOISVERT: That is it.

11 MR. RYAN: Thank you. All right.
12 Now we can open it up to the public on the
13 water district extension.

14 (Cellphones ringing.)

15 MR. RYAN: Cellphones. I understand
16 that you all made comments during the sewer
17 district public hearing. And in the interest
18 of full disclosure, if you want, you can
19 take those statements that were given to the
20 stenographer and we can incorporate them into
21 this public hearing. She has a record of it.
22 Many of you have given her written statements,
23 and we can do that that way. If you want to

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2 notwithstanding that, come up and make comment,
3 feel free.

4 MS. LADY: I think that is a good
5 idea. I agree with that.

6 MR. RYAN: You're all good with
7 that? I see Mr. Cash -- right, no, you are
8 not Cash, Mr. Jansing and Mrs. Lanz.

9 MR. MAN: Yes.

10 MR. RYAN: And the rest of the
11 community is fine with that; am I correct?

12 (Nodding agreement.)

13 MS. WILLIAMS: Can I just add to
14 mine?

15 MR. RYAN: Go right ahead.

16 MS. WILLIAMS: Thank you. Jennifer
17 Williams, 1666 Julianne Drive. I would
18 just like to, for your water application,
19 McFarland Johnson just said that there was
20 a report stating that there would be no
21 negative effects on the aquifer. The report,
22 the density report included which way the
23 groundwater would flow. It didn't say

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2 anything in regards to when the construction
3 of pavement on the 12 miles of aquifer, which
4 you want to further economically grow, how
5 that would affect your town water supply?

6 So just to clarify, the density
7 report does groundwater flow, it does not say
8 if you build on it, that you will have less
9 water or more water. And if you're planning
10 to extend your sewer and water line and build
11 more buildings on the aquifer because it is
12 12 miles down Route 9, and we didn't choose
13 to build a five-lane highway sitting on top
14 of the aquifer, that wasn't a choice that we
15 as Birchwood made because an educated person
16 who did a study beforehand on the aquifer
17 probably would have advised against that, but
18 here we sit.

19 So there is a five-lane highway,
20 12 miles of aquifer, direct recharge station
21 where the corn field sits. There was no
22 study talking about the effects of the direct
23 recharge station. The only report that they

1 (Hearing - August 23, 2018)

2 did was which way the groundwater would flow,
3 not how much groundwater would be eaten up
4 by putting pavement on the direct recharge
5 station. So just clarify that. That is
6 deceiving that the report didn't answer the
7 question that I just asked you about 15 minutes
8 ago. Is there a study that if you further
9 develop the Route 9 corridor that it will not
10 have an effect on the aquifer to which your
11 town water supplies and which you are going
12 to run that water line in hopes to get to
13 Amazon. If Amazon takes the water away,
14 you are not going to have enough pressure to
15 even get it to Amazon, let alone the other
16 businesses that are already hooked up to that.
17 So my question to you again from 15 minutes
18 ago was: Where is the study that says that,
19 and if you don't have the answer to that
20 question, do your due diligence and figure
21 that out. Thank you.

22 (Clapping.)

23 MR. RYAN: Would anyone else like

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2 to speak on this water district extension?

3 (No response.)

4 Then I think the Board should
5 entertain a motion to close the public
6 hearing.

7 SUPERVISOR HARRIS: So move it.

8 COUNCILPERSON BULT: I will second.

9 MR. RYAN: All in favor.

10 (All ayes.)

11 MR. RYAN: It is time to vote if
12 you are so inclined. There is -- we should
13 do this on a roll call basis. And I think
14 it is best that we vote initially, the first
15 set of motions will be on the Sewer District
16 No. 6, Extension Number 4. There is two
17 motions with respect to that sewer district
18 extension. The first deals with the State
19 Environmental Quality Review Act, and the
20 resolution that I have before you sets forth,
21 that the Town of Schodack Town Board hereby
22 affirms the negative declaration issued by
23 the Town of Schodack Planning Board with

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2 respect to the proposal to develop a one
3 million square foot sales distribution center
4 inasmuch as the Town of Schodack Planning
5 Board, acting as lead agency in a coordinated
6 review under the State Environmental Quality
7 Review Act, has thoroughly evaluated all
8 aspects of the project and has carefully
9 reviewed all relevant materials, and that the
10 proposal will not have significant adverse
11 environmental impacts.

12 Is there a motion to support that
13 resolution?

14 SUPERVISOR HARRIS: I will move it.

15 MR. RYAN: Is there a second?

16 COUNCILPERSON SWARTZ: I will
17 second.

18 MR. RYAN: All in favor? We will
19 go to a roll call.

20 TOWN CLERK CURTIS: Councilperson
21 Rex, how do you vote?

22 COUNCILPERSON REX: Aye.

23 TOWN CLERK CURTIS: Councilperson

1 (Hearing - August 23, 2018)

2 Swartz, how do you vote?

3 COUNCILPERSON SWARTZ: Aye.

4 TOWN CLERK CURTIS: Councilperson
5 Kenney, how do you vote?

6 COUNCILPERSON KENNEY: Aye.

7 TOWN CLERK CURTIS: Councilperson
8 Bult, how do you vote?

9 COUNCILPERSON BULT: Aye.

10 TOWN CLERK CURTIS: Supervisor
11 Harris, how do you vote?

12 SUPERVISOR HARRIS: Aye.

13 MR. RYAN: The second resolution
14 deals with the creation of the sewer district
15 extension and the determinations are set
16 forth within the body of the resolution,
17 which I should probably read into the record.

18 RESOLVED AND DETERMINED, that the
19 petition is signed and acknowledged and
20 approved as required by law and complies
21 with the requirements of Town Law Section
22 191 as to sufficiency of signers and is
23 otherwise sufficient, and the notice of

1 (Hearing - August 23, 2018)

2 hearing was published and posted as required
3 by law, and is otherwise sufficient;

4 That all the property and property
5 owners within the proposed sewer district
6 extension have been notified;

7 That all property and property
8 owners benefitted are included within the
9 limits of the proposed sewer district
10 extension;

11 That it is in the public interest
12 to establish Sewer District Number 6,
13 Sanitary Sewer Extension Number 4;

14 A hook-up fee to the property line
15 is estimated to equal \$45,000; the building
16 sewer inspection fee is \$200; the Sewer
17 District Extension fee is \$225; and the
18 first year cost for full operation and
19 maintenance for the typical property within
20 Sewer District No. 6, Sanitary Sewer
21 Extension 4 is estimated to equal \$17,520;
22 costs after the first year of district
23 extension formation shall be determined on

1 (Hearing - August 23, 2018)

2 a benefit basis;

3 That the maximum amount to be
4 expended for said improvement and/or
5 acquisition of necessary lands is the sum
6 of \$687,000.

7 Approval of the New York State
8 Comptroller is not required for the formation
9 of Sewer District 6, Sanitary Sewer Extension
10 Number 4 since no public debt is to be issued
11 or assumed by the town for the improvement
12 since the infrastructure improvements will be
13 paid in full by the property owner. And it
14 is further,

15 RESOLVED AND DETERMINED, that
16 the establishment of Sewer District No. 6,
17 Sanitary Sewer Extension Number 4, as set
18 forth in the map, plan and report, be approved
19 and that the approval of the Comptroller of
20 the State of New York is not required for
21 the reasons set forth above, and that the
22 requested improvements be constructed, and
23 the necessary easements and lands be acquired

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2 upon the required funds being made available
3 and provided for, and such district shall be
4 known and designated as Sewer District Number
5 6, Sanitary Sewer Extension 4 in the Town of
6 Schodack, and shall be bounded and described
7 as set forth on Schedule A attached hereto and
8 made a part hereof; and it is further,

9 RESOLVED AND DETERMINED, that the
10 Town Clerk of the Town of Schodack shall,
11 within 10 days after the adoption of this
12 resolution, file a certified copy thereof,
13 in the Office of the State Department of
14 Audit and Control in Albany, New York, and
15 in the office of the Rensselaer County clerk.

16 If you're inclined, we need a
17 motion and a second and a role call.

18 COUNCILPERSON SWARTZ: I will move it.

19 COUNCILPERSON KENNEY: I will second.

20 TOWN CLERK CURTIS: Councilperson
21 Rex, how do you vote?

22 COUNCILPERSON REX: Aye.

23 TOWN CLERK CURTIS: Councilperson

1 (Hearing - August 23, 2018)

2 Swartz, how do you vote?

3 COUNCILPERSON SWARTZ: Aye.

4 TOWN CLERK CURTIS: Councilperson
5 Kenney, how do you vote?

6 COUNCILPERSON KENNEY: Aye.

7 TOWN CLERK CURTIS: Councilperson
8 Bult, how do you vote?

9 COUNCILPERSON BULT: Aye.

10 TOWN CLERK CURTIS: Supervisor
11 Harris, how do you vote?

12 SUPERVISOR HARRIS: Aye.

13 MR. RYAN: The next set of
14 resolutions deals with the Consolidated
15 Water District 101, Extension Number 6, and
16 similarly as with the sewer district extension,
17 there is State Environmental Quality Review
18 Act resolution and a subsequent, a second
19 resolution with regard to the formation of
20 the water district extension.

21 And the resolution part of the, the
22 body of the resolution states that in part,
23 That the Town of Schodack Town Board hereby

1 (Hearing - August 23, 2018)

2 affirms that the negative declaration issued
3 by the Town of the Schodack Planning Board
4 with respect to the proposal to develop a
5 one million square foot sales distribution
6 center inasmuch as the Town of Schodack
7 Planning Board, acting as lead agency in a
8 coordinated review under the State
9 Environmental Quality Review Act, has
10 thoroughly evaluated all aspects of the project
11 and has carefully reviewed all relevant
12 materials, and that the proposal will not have
13 a significant adverse environmental impact.

14 SUPERVISOR HARRIS: I will move it.

15 COUNCILPERSON SWARTZ: I will second.

16 TOWN CLERK CURTIS: Councilperson
17 Rex, how do you vote?

18 COUNCILPERSON REX: Aye.

19 TOWN CLERK CURTIS: Councilperson
20 Swartz, how do you vote?

21 COUNCILPERSON SWARTZ: Aye.

22 TOWN CLERK CURTIS: Councilperson
23 Kenney, how do you vote?

1 (Hearing - August 23, 2018)

2 COUNCILPERSON KENNEY: Aye.

3 TOWN CLERK CURTIS: Councilperson
4 Bult, how do you vote?

5 COUNCILPERSON BULT: Aye.

6 TOWN CLERK CURTIS: Supervisor
7 Harris, how do you vote?

8 SUPERVISOR HARRIS: Aye.

9 MR. RYAN: The second resolution
10 deals with the creation of the Consolidated
11 Water District 101, Water District Extension
12 Number 6, and the body of the resolution
13 states in part that,

14 RESOLVED AND DETERMINED, that
15 the petition is signed and acknowledged or
16 approved as required by law and complies
17 with the requirements of Town Law Section
18 191 as to sufficiency of signers and is
19 otherwise sufficient, and the notice of
20 hearing was published and posted as required
21 by law, and is otherwise sufficient;

22 That all property and property
23 owners within the proposed water district

1 (Hearing - August 23, 2018)

2 extension are benefitted thereby;

3 That all the property and property
4 owners benefitted are included within the
5 limits of the proposed water district
6 extension;

7 That it is in the public interest
8 to establish Consolidated Water District
9 Number 101, Water District Extension Number 6;

10 The water line installation fee is
11 \$200; the Water District Extension connection
12 fee is \$25; the first year cost for full
13 operation and maintenance for the typical
14 property within the Consolidated Water
15 District 101, Water District Extension
16 Number 6 is estimated to equal \$8,692; and
17 the first year capital charges for the typical
18 property within the Water District Extension
19 are estimated to equal \$12,544; costs after
20 the first year after district extension
21 formation shall be determined on a benefit
22 basis.

23 That the maximum amount to be

1 (Hearing - August 23, 2018)

2 expended for said improvement and/or
3 acquisition of necessary lands is the sum
4 of \$429,000.

5 Approval of the New York State
6 Comptroller is not required for the formation
7 of Consolidated Water District 101, Extension
8 Number 6 since no public debt shall be issued
9 or assumed by the town for the improvements
10 since all infrastructure improvements will be
11 paid in full by the property owner; and it is
12 further,

13 RESOLVED AND DETERMINED, that the
14 establishment of Consolidated Water District
15 Number 101, Water District Extension Number
16 6, as set forth in the map, plan and report,
17 be approved and that the approval of the
18 Comptroller of the State of New York is not
19 required for the reasons set forth above, and
20 that the requested improvements be constructed,
21 and the necessary easements and lands be
22 acquired upon the required funds being made
23 available and provided for, and such district

1 (Hearing - August 23, 2018)

2 shall be known and designated as Consolidated
3 Water District Number 101, Water District
4 Extension Number 6 in the Town of Schodack,
5 and shall be bounded and described as set
6 forth in Schedule A attached hereto and made
7 a part hereof; and it is further,

8 REQUIRED AND DETERMINED, that the
9 Town Clerk of the Town of Schodack shall,
10 within 10 days after the adoption of this
11 resolution, file a certified copy thereof, in
12 the Office of the State Department of Audit
13 and Control in Albany, New York and in the
14 Office of the Rensselaer County Clerk.

15 SUPERVISOR HARRIS: I will move it.

16 COUNCILPERSON BULT: I will second.

17 TOWN CLERK CURTIS: Councilperson
18 Rex, how do you vote?

19 COUNCILPERSON REX: Aye.

20 TOWN CLERK CURTIS: Councilperson
21 Swartz, how do you vote?

22 COUNCILPERSON SWARTZ: Aye.

23 TOWN CLERK CURTIS: Councilperson

1 (Hearing - August 23, 2018)

2 Kenney, how do you vote?

3 COUNCILPERSON KENNEY: Aye.

4 TOWN CLERK CURTIS: Councilperson
5 Bult, how do you vote?

6 COUNCILPERSON BULT: Aye.

7 TOWN CLERK CURTIS: Supervisor
8 Harris, how do you vote?

9 SUPERVISOR HARRIS: Aye.

10 This will close the hearings on the
11 resolutions for the water and the sewer at
12 this time.

13 (WHEREUPON, the hearings in the
14 above-entitled matters were concluded.)
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C E R T I F I C A T I O N

I, DONNA MILLER MORAN, Court Reporter
and Notary Public in and for the State of New
York, do hereby CERTIFY that the foregoing
record taken by me, at the time and place noted
in the heading hereof, is a true and accurate
transcript of the same, to the best of my
ability and belief.



DONNA MILLER MORAN
Court Reporter

Dated: August 30, 2018

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