

**DATE:** APRIL 11, 2019

**KIND OF MEETING:** TOWN BOARD

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DEBRA L. CURTIS

**PRESIDING OFFICER:** DAVID B. HARRIS

**MEMBERS PRESENT:** JAMES E. BULT  
MICHAEL KENNEY  
SCOTT SWARTZ  
TRACEY REX

**MEMBERS ABSENT:**

**ATTORNEY:** CHRISTOPHER LANGLOIS, ESQ.

**COMPTROLLER:** PAUL HARTER

**OTHERS PRESENT:** BRUCE GOODALL, DIRECTOR OF TRANSFER STATION  
OPERATIONS  
KEN HOLMES, SUPERINTENDENT OF HIGHWAYS  
DAWNE KELLY, ASSISTANT TO THE SUPERVISOR

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Supervisor Harris called the April 11, 2019 Town Board Meeting to order at 7:01 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

S. Harris asked that all board members submit any names and resumes for prospective candidates for the vacant seat in the Board of Assessment Review to him as soon as possible. All board members agreed.

### **Review of Resolutions**

S. Harris briefly summarized the resolutions. He noted the summer grounds crew had done a great job last year and he was happy to welcome back Michael Canestro and Steven Kelly (2019-145). The Supervisor explained the \$3,000.00 for resolution 2019-144 would be the maximum amount allotted; allowing for any additional children to attend during the Schodack Day Camp. For resolution 2019-155, S. Harris explained the town was seeking to follow the Village of Castleton by decorating telephone poles with flags purchased by the local VFW which honor residents who have served during wartime. With regard to resolution 2019-163, Atty. Langlois explained a lease agreement had been created in 1996 allowing American Tower to sublease use of their cell tower. This resolution would gain consent from the town for American Tower to enter into a sublease agreement with T-Mobile. He said he had reviewed the agreement and was content to sign off. He noted the original lease agreement would be coming up for renewal in a few years and it would be the discretion of the board to either change the rent amount or create a permanent easement for a buy-out by American Tower. All other resolutions were self-explanatory.

## **Board Comment**

**Resolution 2019-149 & 2019-150:** C. Swartz asked for clarification regarding the rescinding of the prior Eastern Copy resolutions. The Town Clerk explained that issues had arisen with deliveries of the units which warranted her to speak with a manager from Eastern. She said the information she had received from the sales representative regarding not being able to obtain parts for the old machines was incorrect. Following the discussion with the manager, he stated that the machines did not need to be replaced and was able to provide a reduced rate for the service agreements saving the town roughly \$600.00. The board thanked the Town Clerk for her efforts.

**Resolution 2019-143:** C. Bult said he was concerned that the resolution stated that the board had reviewed the documentation for the reduction; however, this was the first time he was hearing about it. D. Kelly said she had received an email from Karen Justus, Sole Assessor, and had assumed that she had emailed all board members. Several board members stated that they had not received any such email. Atty. Langlois said an email should have been sent from Mr. Vincelette and volunteered to contact the firm to communicate with the board. C. Swartz asked if it would be an issue to table the resolution until the next meeting. Atty. Langlois said it would only be an issue if there were court proceedings. He said he would be comfortable tabling the resolution for two weeks to allow the board to review the supporting documents. All board members agreed to withdraw resolution 2019-143. D. Kelly asked if this would affect the tentative roll being filed. Atty. Langlois said as the roll was not filed until May 1<sup>st</sup> and changes could be made until July 1<sup>st</sup>, there should be no issue.

**Resolution 2019-158:** C. Swartz asked if the recycling containers were being included as surplus. B. Goodall said yes, as they had no value to the transfer station. He noted there would be three forty yard containers, one open top container and three recycling containers. C. Bult asked if one of the forty yard containers was being donated to the fire company. Mr. Goodall said no, there would be another container to donate in the future. C. Rex questioned selling the recycling containers. She noted it had been discussed at the previous meeting to keep them in the event of needing to revert back to sorting the recycling. S. Harris said it was dependent on NYS DEC regulations to require them to do so. C. Kenney said if the containers are saved for separating, the glass would need to be placed in the regular trash. He asked what the cost of a new container would be. Mr. Goodall said approximately \$5,500.00. He reminded the board that if they reverted back to sorting the recycling, the number of runs would be increased. He expressed concern that the containers would simply rust away. C. Kenney felt it was too late to revert back to separating the recycling. The town would need to continue paying for recycling. Mr. Goodall said the price was steadily increasing from \$56.15 per ton earlier in the year to a current cost of \$68.00 per ton. S. Harris said an issue they were facing was that they were being charged an added weight for water that would collect in the bottom of the container. C. Kenney said, with the rising cost, they should consider installing a canopy over the containers. He added it would be time consuming to separate the recycling and said it would be better to sell the containers to obtain a higher price than scraping. C. Rex said she agreed and asked to ensure that one container be kept for donating to the fire companies. Mr. Goodall agreed.

**Audits:** P. Harter said he had completed an audit of all departments (Justice Court, Building Department and Town Clerk) who maintain a petty cash fund and found no discrepancies. He noted he also conducted an audit on those same departments with regard to their monthly cash reports. He said there were no issues found with the Justice Court and Town Clerk; however, a clerical error was discovered in the Building Department regarding under reporting of revenue. The amount reported to Dawne was correct though.

**Banking:** P. Harter said, as the board had approved Pioneer Bank as a repository for the town, he was in the process of transferring funds from KeyBank to Pioneer. He noted he was disappointed in the government representative from KeyBank being unreachable and said the town would be earning a higher interest rate with Pioneer. He also had begun to invest in T-Bills at M&T Bank. It was his goal to create revenue to compensate for the Aid and Incentives to Municipalities (AIM) and Consolidated Local Street & Highway Improvement Program (CHIP) funding being withheld by the state. D. Kelly added that the town would not be losing money and Mr. Harter was conducting safe investments.

**Resolution 2019-159:** D. Kelly explained, as street lights burn out, the HID bulbs will be replaced with LED. There will be no added cost to the town.

**Road Program:** C. Bult asked if the chip seal was a carryover from 2018. K. Holmes said yes. He said the rain in August made it impossible to chip seal. D. Kelly asked if money had been encumbered from 2018 to cover the chip seal. K. Holmes said yes. He added that there should be plenty budgeted, with a potential for extra, to cover all projects and then some.

**Veteran Flags:** K. Holmes said the agreement with National Grid would allow the town to affix veteran flags on any pole within town limits. He felt they would be best placed on the parade route in the Village of Castleton as well as along Route 9&20 extending from exit 10 to 11. C. Swartz asked what height the flags would be placed. K. Holmes said approximately thirteen feet and added that they would be using ladders to hang them. C. Swartz asked if added permission would be needed from the state to place the flags along Route 9&20. K. Holmes said he was not sure and would contact NYS DOT. He asked the board if there were any objections to a resident asking to have a flag hung near their home. He gave the example of a resident at the intersection of NY 150 and Brookview Road who had already placed a request. All board members said there were no objections.

**Roller Purchase:** K. Holmes said he was happy to report that the expected life of the current roller had been extended to twenty-two years and noted the original purchase price was \$11,000.00. The new machine had a purchase price of \$14,483.34, which was just over a \$3,000.00 increase (resolution 2019-156).

**Salt Budget:** C. Bult asked for a status on the salt budget. K. Holmes said, as the snow had subsided early, the salt reserve was sufficient to last through the end of the year. He said he had heard that other Superintendents were struggling to maintain their budgets but noted Schodack was doing well. He attributed this to the mechanics keeping up with the maintenance of town equipment.

## **Public Comment**

M. Sherwood asked for an update on the Albany-Hudson Electric Trail (AHET). S. Harris said he was waiting to hear back from Andrew Beers. He had heard that construction would begin soon on the trail; however, no agreement had been reached for the town maintaining it. He noted it would cost a considerable amount of money for maintenance and said that cost would be passed onto the taxpayers of the town. He said the Greenway was offering to supply a lawnmower but felt it would not do enough to offset the cost. He explained in the event the town decided to refrain from opting in, as Chatham and Styvesant had, the state would be required to maintain it. C. Rex asked if there was concern from Nassau regarding any excavation of the trail as it may disturb the contamination from the Dewey Loeffel site. S. Harris said he had spoken to David Fleming, Supervisor for Nassau, who was unsure of any potential issue that may arise. Charles Peter said a meeting had occurred at Rensselaer County regarding the potential issue, as the trail was projected to run near the contaminated area. In the event potential spread of contamination would occur, construction would be halted.

M. Sherwood asked if there was any progress in selling the old town hall site. Atty. Langlois said there was interest and the town board was reviewing the negotiations within the executive sessions. He said there was no agreement as of yet. M. Sherwood said it was her primary interest to have the property back on the tax roll.

S. Harris read resolution 2019-157 in its entirety.

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

**Review of Abstracts of Claims and Budget Amendments:** The Board reviewed claims #19-0506 to #19-0660 on Abstract No. 2019-04 in the amount of \$411,895.42, including the claims paid prior (\$271,361.92).

## **Adoption of Resolutions**

The resolutions voted upon reflect additions, deletions and amendments approved by the consensus of the majority Board.

**EXPLANATION: Bracketed and strikethrough indicates language that was stricken from the resolution when adopted. Underlined indicates language that was added to the resolution when adopted. A WITHDRAWN resolution is so noted and italicized.**

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

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

**2019-142)** Adopt the fee schedule for Spring Clean-Up Days (May 16, 17 & 18) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16")	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors (limit of 2 items per household)	FREE
Propane Tanks	FREE
Furniture (limit of 3 items per household)	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

\*\*\*\*\*Please note: all other pricing remains the same\*\*\*\*\*

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

**2019-143)** **Withdrawn:** ***WHEREAS,** Nancy Rose and the Town of Schodack are desirous of having certain assessment issues resolved as to properties owned by Nancy Rose in the Town of Schodack, and*

***WHEREAS,** a settlement proposal resolving tax certiorari litigation was recommended by the Vincelette Law Firm, special counsel to the Town of Schodack, and reviewed by the Schodack Town Board at its regular monthly meeting, and*

***WHEREAS,** such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and*

***WHEREAS,** the Town Board has determined that the proposed settlement is in the best interests of the Town; now*

***THEREFORE BE IT RESOLVED,** that the Town Board does hereby accept a proposed settlement for the 2018 tax certiorari proceedings filed by Nancy Rose in which the 2018 assessed values of the subject properties shall be reduced as follows:*

<u>Year</u>	<u>Parcel No.</u>	<u>Prior Assessed Value</u>	<u>New Assessed Value</u>	<u>Reduction</u>
2018	220.-2-1.21	\$60,600	\$40,000	\$20,600
2018	220.-2-1.22	\$38,400	\$24,900	\$13,500
2018	220.-2-1.23	\$38,400	\$24,900	\$13,500

*Real Property Tax Law §727 shall apply, and the assessment shall remain unchanged for the 2019, 2020 and 2021 assessment rolls.  
and it is further*

***RESOLVED** that Nancy Rose shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision;*

*and it is further*

**RESOLVED**, that the Town Board does hereby adopt this resolution to end the litigation between Nancy Rose and the Town of Schodack as to the above referenced assessment.

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

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

**2019-144)** Authorize Supervisor Harris to execute and administer purchase order agreement with Tri-City ValleyCats on behalf of the Schodack Summer Camp for group event on August 1, 2019 (estimated 200 tickets @ \$12.50 per attendee with service charge of \$3.00) for an amount not to exceed \$3,000.00. 50% - to be remitted 30 days prior to the event.

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. Kenney:

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

**2019-145)** Appoint Michael Canestro and Steven Kelly as Summer Grounds persons, under the direction of Kenneth Holmes, Highway Superintendent, at an hourly rate set forth in the 2019 annual budget.

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

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

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

**2019-146)** Authorize Shawn Zinzow, Water Operator to attend New York Rural Water Association's Technical Conference, May 20<sup>th</sup> through May 22<sup>nd</sup> at the Turning Stone Conference Center, Verona, NY. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town per the 2019 adopted Town Budget, with are estimated cost of \$703.00.

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

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

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

**2019-147)** **WHEREAS**, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and

**WHEREAS**, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board accepts the audit report submitted for Justice Court for the fiscal year 2018.

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

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

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

**2019-148)** To concur that the Planning Board be designated lead agency for the Goulet Truck Corporate Center project.

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

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

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

**2019-149)** Rescind resolution 2019-134 and Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox Work Centre 5225p copier on the second floor (Assessor & Receiver of Tax Offices) at the Town Hall, ID # 973CH, for the period February 2, 2019 to February 1, 2020 for \$550.00 annually. Contract includes 12,000 copies annually with an overage charge of \$0.045 per copy.

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

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

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

**2019-150)** Rescind resolution 2019-091 and Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with

Eastern Copy Products, LLC for the Muratec 2030D copier in the Court/Meeting room, ID#144CH, for the period February 2, 2019 to February 1, 2020 for \$550.00 annually. Contract includes 12,000 copies annually with an overage charge of \$0.045 per copy.

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

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

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

**2019-151)** Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox VersaLink B405DN copier for Justice Court at the Town Hall, ID # WC3615DN, for the period February 2, 2019 to February 1, 2020 for \$403.14 annually. Contract includes 25,596 copies annually with an overage charge of \$0.01575 per copy.

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:**

**2019-152)** Approve listing the following as surplus vehicle and authorize Kenneth Holmes, Highway Superintendent to post said items on [www.AuctionsInternational.com](http://www.AuctionsInternational.com) at no cost to the Town. (Bidders must be registered to bid. Cost of registration is \$10.00):

1) 2013 Ford Taurus PPV – Police VIN 1FAHP2M86DG119295

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

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

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

**2019-153)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

Owner	Location	No. of Units
Heffner, Matthew	229 Clove Rd.	1
Mann, Carol	247 Clove Rd.	1
Sundowner Trailer Park c/o Hanson, Thomas & Debra	4-18 Amelia Way	6



Curtis Trailer Park

2032 East Schodack Rd.

70

c/o Garden Homes Mgmt.

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

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

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

**2019-154)** To approve the 2019 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on Cynthia Lane, Clove Road, Shelterwood Road, Jensis Road, Old Miller Road and Apple Tree Lane. Further, Crack Fill/Single Chip Seal treatments shall be applied on Lape Road, Beaver Road, Schoolhouse Road, Poyneer Road, Rice Road, Sagendorf Road, Palmer Road and Knickerbocker Road.

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

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

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

**2019-155)** Authorize Supervisor Harris to execute and administer agreement by and between the Town of Schodack and National Grid/Niagara Mohawk Power Corporation for the Town to attach street decorations to the electric poles in the Town of Schodack beginning May 1, 2019.

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. Kenney:

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

**2019-156)** Authorize the purchase of a 2019 New Wacker Neuson RD12A-90 Vibratory Ride-On Roller with Fixed ROPS from Admar Construction Equipment and Supplies at a cost not to exceed \$14,483.34 with a period of probable usefulness of 8 years. Pursuant to purchasing Contract 132329/503030.

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:**

**2019-157) WHEREAS**, it is the sense of the Schodack Town Board to act in accordance with its longstanding traditions of honoring the achievements of those who have given so generously to their community, exemplifying the ideals and values cherished by this great Town, and

**WHEREAS**, many settlers came to the Town of Schodack, making their homes in the countryside and along the Moordener Kill, and

**WHEREAS**, in 1910, James and Bertha Goold bought a small farm in the Town of Schodack, Southern Rensselaer County just east of Brookview, bordering the Moordener Kill, with a home that had with no running water or electricity; however, it did have an outdoor privy, and

**WHEREAS**, the James and Bertha started planting fruit trees on their spread, the trees grew and grew over the years and more trees were added, doubling, tripling, quadrupling the orchard several times over, and

**WHEREAS**, one hundred seven years later, the 106-acre farm has grown to consist of 7,000 trees, producing 35,000 to 40,000 bushels annually, enduring the test of time. It is now renowned as the only remaining commercial apple orchard in Rensselaer County, and

**WHEREAS**, over the years the orchard branched out into farm-oriented, family friendly events, hosting the Goold's Apple Festival, Annual Car Shows, children and family fun days and diversifying to host an onsite Winery at Brookview Station, and

**WHEREAS**, Sue Ellen Goold Miller, a granddaughter of the founders, James and Bertha and her husband, Ed Miller are preparing to semi-retire by transferring their Orchard and farm store to Scott and Todd Seeberger, local residents of Castleton-on-Hudson, and

**WHEREAS**, the Seeberger brothers currently run and own Windy Hill Orchard and Farm Market in Cassville, NY giving them the experience to ensure that Goold's Orchard will continue to provide and nurture our community for years to come

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislative Body of the Town of Schodack commends and congratulates the Sue Goold Miller and her husband Ed Miller, upon their semi-retirement, and

**BE IT FURTHER RESOLVED**, that the Town Supervisor present a certified copy of this resolution, suitably engrossed, to the Sue and Ed Miller.

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

C. Bult made a motion to adopt the following resolution, as amended, seconded by S.

Harris:

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

- 2019-158)** Declare 6 Roll off containers at the Transfer Station as surplus and accept offer dated April 2, 2019 from AC 3 Containers, LLC to purchase them at \$1,200.00 to \$2,000.00 per container based on condition.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

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

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

- 2019-159)** Authorize Supervisor Harris to execute and administer Opt-In LED Replacement Program to Replace End of Life National Grid-owned HID Roadway Luminaires.  
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. Rex:

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

- 2019-160)** **WHEREAS**, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and  
  
**WHEREAS**, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,  
  
**NOW, THEREFORE, BE IT RESOLVED** that the Town Board accepts the audit report submitted for Petty Cash Funds for the fiscal year 2018.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

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

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

- 2019-161)** **WHEREAS**, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and

**WHEREAS**, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board accepts the audit report submitted for Building Department Funds and Town Clerk Funds for the fiscal years 2018.

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

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

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

**2019-162)** Amend resolution 2019-092 as adopted February 14, 2019 to reflect \$1058.40 annually as follows: Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub 654a copier on the third floor at the Town Hall, ID # 770GF, for the period February 2, 2019 to February 1, 2020 for ~~\$4,008.00~~ \$1,058.40 annually. Contract includes 168,000 copies annually with an overage charge of \$0.006 per copy.

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

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

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

**2019-163)** Authorize Supervisor Harris to execute a Consent to Sublease on behalf of the Town consenting to a proposed sublease agreement between American Tower, as sublessor, and T-Mobile, as sublessee, with respect to the existing tower located on Route 20 immediately east of Bunker Hill Road.

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:**

**2019-164)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #19-0506 to 19-0660 on Abstract No. 2019-04, in the amount of \$411,895.42, including the claims paid (\$271,361.92) since the previous town board meeting.

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

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

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

**2019-165)** Authorize the March 2019 budget modifications, interfund loans and interfund transfers as provided in document dated April 2019 and recommended by the Comptroller.

**BUDGET MODIFICATIONS**

<b>Fund/</b>				
	<b>Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>2019</b>				
<b>20</b>	A-960-1110.2000	Justice - Equipment	99.99	
	A-960-1110.4000	Justice - Contractual		99.99
	To modify the budget for office chair purchase			
<b>21</b>	A-960-1620.1000	Buildings - Personal Services	497.60	
	A-960-1620.4000	Buildings - Contractual		497.60
	To modify the budget for Dan Garvensites time clear front walkway of snow			
<b>22</b>	A-960-3120.2000	Police - Equipment	16,651.00	
	A-960-3120.4000	Police - Contractual		16,651.00
	To modify the budget for purchase of body cameras-use of Fed Forfeit money. See BUD190131P modification went to .4 shb .2			
<b>23</b>	B-960-8020.1100	Planning - Overtime	40.43	
	B-960-8020.1000	Planning - Personal Services		40.43
	To modify the budget for Secretary Overtime attending Planning Board Meetings			
<b>24</b>	DB-960-5130.1100	Machinery - Overtime	1,870.17	
	DB-960-5130.1351	Machinery - W/S work OT	38.76	
	DB-960-5130.1400	Machinery - Police Work	206.72	
	DB-960-5130.1000	Machinery - Personal Services		2,115.65
	To modify the budget to cover employee O/T & Department vehicle work			
<b>25</b>	DB-960-5140.1600	Brush & Weeds - Town Hall Work	195.52	
	DB-960-5140.1000	Brush & Weeds- Personal Services		

195.52

To transfer funds to cover grounds work performed at Town Hall

<b>26</b>	DB-960-9050.8000	Unemployment Ins. - Employee	393.79	
	DB-960-9010.8000	State Retirement - Employee		393.79

To modify the budget for 2019 unemployment claims (Secor, Kelly, Canestro)

<b>27</b>	SS6-960-8110.4008	Contractual - Dunkin Donuts	63.33	
	SS6-960-8130.1008	Personal Services - Dunkin Donuts	289.48	
	SS6-960-8130.1108	Overtime - Dunkin Donuts	68.07	
	SS6-960-8130.4008	Contractual - Dunkin Donuts	456.49	
	SS6-960-9030.8008	Social Security – Dunkin Donuts	27.35	
	SS6-509-5031.9999	Exit 10 Sewer - Sewer Charges	814.04	

To modify the budget for reimbursement of Dunkin Donut expenditures

#### INTERFUND TRANSFERS

	<b>Fund/ Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>28</b>	A-522-9901.9000	General Fund - Transfer other Funds	14,375.84	
	A-200	General Fund - Cash		14,375.84
	EW-200	Enterprise Water Supply - Cash	14,375.84	
	EW-980-5031.9999	Enterprise Water Supply - I/F Xfer		14,375.84
	EW-200	Enterprise Water Supply - Cash	16,233.03	
	EW-980-2801.9999	Enterprise Water Supply - Revenue		16,233.03
	SWC1-522-8340.4010	Consol Water Dist - I/F Exp water Purch	16,233.03	
	SWC1-200	Consolidated Water Dist. - Cash		16,233.03
	EW-200	Enterprise Water Supply - Cash	25,107.29	
	EW-980-2801.9999	Enterprise Water Supply - Revenue		25,107.29
	SWC1-522-8340.4010	Consol Water Dist - I/F Exp water Purch	25,107.29	
	SWC1-200	Consolidated Water Dist. - Cash		25,107.29

To Transfer Funds A to EW and SWC1 to EW for April interest payment pursuant to 2019 budget

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

### **Executive Session**

C. Swartz made a motion at 7:54 p.m. to enter into an executive session of the Board for the purpose of discussing the proposed sale or lease of real property with its counsel in accordance with Public Officers Law Sections 105(h) and 108(3). Seconded by C. Rex.

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

C. Kenney made a motion at 8:14 p.m. to adjourn the executive session. Seconded by C. Bult.

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

### **ADJOURNMENT**

As there was no further business before the Board, C. Swartz made a motion to adjourn the 04/11/19 Town Board meeting at 8:14 p.m., seconded by C. Rex. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk

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