

DATE: AUGUST 8, 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, COMPTROLLER

OTHERS PRESENT: DANIEL GARVANSITES, PARK MANAGER

Supervisor Harris called the August 8, 2019 Town Board Meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Executive Session #1

S. Harris made a motion at 7:01 p.m. to enter into an Executive Session for the purpose of discussing a contract and pending litigation. Seconded by C. Swartz.

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 adjourn the Executive Session at 7:24 p.m., seconded by S. Harris.

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

Board Discussion/Agenda

The Supervisor summarized all resolutions on the agenda. All were self-explanatory.

P. Harter explained that the board had approved resolution 2019-178 on May 9, 2019 which authorized funding up to \$12,500.00 for Girvin & Ferlazzo to representation the Planning Board for Article 78 proceedings. He said an invoice had been received that exceeds that amount by approximately \$600.00. He noted that he could not release the funds until the board discussed and approved the additional funding. He said a resolution would be placed on the next agenda to ratify and affirm the funding approval and recommended that the board consider increasing the amount to cover arguments scheduled for October.

Phone System: P. Harter said many departments in the town hall have experienced issues with the current phone system. He noted that his office had received many calls from irate

individuals who asked why they never answer their line. It was his estimation that the main operating system of the old phone system was failing. He explained, with the assistance of the town clerk, two quotes had been received for new systems. The first quote was from Verizon which would work with the current centrex lines and convert the system to a Voice over IP, only upgrading the phones. This had potential for failure as they would still be using the current operating system from Gracecom which was experiencing issues. The second quote was from Northeast IS and included not only upgrading all phone equipment but would also aid in minimizing the phone bill. He noted the cost of \$19,867.00 may seem high; however the reduction in the monthly bills, at a savings of \$600.00 per month, would allow for a projected pay-off of the system in three years.

Mower: D. Garvansites explained the mower used at the town park is currently owned by the Highway Department, is approximately seven years old and has 1,020 hours on the machine. He noted that it has been shared between the town park employees and the seasonal grounds crew for the past two years, resulting in conflicts. He said there were times when he and his assistant, who are both part-time, have attempted to use the mower and found that it was out for use by the summer grounds crew. He felt it was beneficial to purchase a separate mower for the town park using parkland funds to prevent any further issues. The mower to be purchased was available under state contract and would include a three year warranty. He added that the current mower has had over \$1,500.00 in repairs over the past two years and smokes at every start. S. Harris suggested having the highway mechanic service the mower as it seemed there may be a leak causing the smoking. C. Swartz asked what areas the park employees maintain at the town park. D. Garvansites said they mow approximately two acres that includes the soccer and ball fields as well as the lower parking lot. He noted that the Summer Grounds employees mow around the pavilion and adjacent field. C. Swartz expressed his concern that an additional mower may be needed for the highway department due to the age of the current machine. C. Kenney suggested speaking to K. Holmes, Highway Superintendent, to see if he agrees that the old mower will serve their needs or if he had another option. He said he was in favor of purchasing the mower but felt more research was needed. He also noted that a purchase such as this was normally saved for budget time. C. Swartz asked how much was available from the parkland funds. P. Harter said \$116,000.00. C. Bult said he noticed that only one bid was received and asked if other manufacturers, that are on state contract, had been looked at. D. Garvansites said no. C. Swartz said he was unsure why this purchase had not been presented at a workshop meeting, allowing the board members to discuss it with Mr. Holmes present. C. Bult asked if the current mower would suffice for the rest of the season. D. Garvansites said yes. Hearing opposition to the resolution, S. Harris called for a motion to withdraw 2019-220. C. Bult made the motion and was seconded by C. Rex. All were in favor.

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

Review of Abstracts of Claims and Budget Amendments: The Board reviewed claims #19-1167 to #19-1347 on Abstract No. 2019-08 in the amount of \$402,876.50, including the claims paid prior (\$226,272.02).

Public Comment

J. Dolan said he was happy that the board chose to withdraw resolution 2019-220. He noted that the Hudson Greenway, who is constructing the Albany-Hudson Electric Trail, offered to purchase a mower for the town in exchange for Schodack maintaining the trail. He felt, as they only require the ten miles of trail be mowed two to three times a year, it would be better to accept the task and receive the free mower rather than spend additional funds for a mower at the town park. He asked the board to open a dialogue with the Greenway.

M. Brunner read a letter that had been published in the local newspaper by George Brehm regarding the Amazon Project. She noted that the article highlighted the disruption that the project has had on the residents in the area including noise and dust. Ms. Brunner said she had contacted Ms. Fuda regarding the use of water trucks to control the dust; however, she never received a response. She said she had also emailed the board members on August 1, 2019 to ask why the hours of operation had been changed for the project; however, she had not received a response either. Atty. Langlois said he had received a copy of the email which had been forwarded to Scannell Properties and he was awaiting their response. Ms. Brunner said she had noticed that the Supervisor had visited a stretch of the Albany-Hudson Electric Trail in Kinderhook to address an issue that had arisen regarding use of a vibratory roller and felt that the board members should have taken the time to visit the residents who were impacted by the project prior to approval.

M. Sherwood said legislation had been passed to allow school buses to install cameras to catch motorists who ignore their red lights. She asked if the Chief of Police would speak to Schodack Central and East Greenbush Central School Districts to offer assistance to them to know what steps are required for prosecuting violators. S. Harris noted that all photos or videos should be sent to the police department for discipline. He said he would contact Chief Belardo as well as the School Superintendents from all four school districts including Schodack, East Greenbush, Averill Park and Ichabod Crane to offer any assistance necessary.

H. Brehm asked if the Amazon site was being monitored by town officials to ensure that they are not cutting more trees than allowed. She said she was concerned as she can see the site clearly from her home. S. Harris suggested she contact N. Fuda, Director of Planning and Zoning.

R. Jansing said his main concern for the Amazon project was the amount of noise generated from the site. He stated he had conducted noise testing off his back porch and found them to be between 70 to 80 decibels. He explained that he had spoken to N. Fuda about the noise issue who informed him that there would be no work on the site on Sundays or holidays. He said he had written an article that was published in *The Advertiser* illustrating the disruption the noise had caused to guests of his as well as the disappearance of birds and chipmunks in his yard. He reminded the Supervisor that he had

campaigned in 2017 against mega warehouses and found it interesting that he was now in favor of them.

L. Cash said it had been stated that Amazon would not be completing any local deliveries from the Schodack site but noted that they are a leader in drone technology and their use for deliveries. He added that there appears to be more parking spaces than would be needed for employees and trucks. He questioned why the “for sale” sign was still standing on the property. C. Rex said it had always been there and S. Harris added that it was their property. Mr. Cash said he was disgusted with the deception for the project.

Adoption of Resolutions

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

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

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

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

2019-218) Ratify and affirm authorizing Jordan Harrington and Alan Roehr, Police Officers and members of the Fire Investigation Unit to attend New York State Academy of Fire Science Course #01-01-0041 – Fire Investigation Course, June 10 through 14 and June 17 through 21, 2019 in Montour Falls, New York, at a seminar cost (\$270.00) lodging cost (\$764.00), plus mileage (\$278.40) and Tolls (\$32.60) for a total cost of \$1,345.00. [This is a budgeted item. A3410.4]

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 S. Harris:

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

2019-219) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on July 11, 2019 at 7:10 p.m. at the Schodack Town hall to hear all interested parties to amend the Zoning Map of the Town of Schodack 2191 Brookview Road, Tax Map Parcel 188.-6-15, and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk’s Sign Board on July 1, 2019 and advertised in the July 1, 2019 edition

of THE RECORD, official newspaper of the Town, and was posted on the official sign board of the Town of Schodack on July 1, 2019, and

WHEREAS, said public hearing was held on July 11, 2019, at 7:10 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed amendment of the Zoning Map or any part thereof,

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts the amendment of the Zoning Map of the Town of Schodack relating to Tax Map # Tax Map Parcel 188.-6-15 from RA Zone (Residential Agricultural) to PD2 (Planned Development) in accordance with Planning Board Site Plan File #2018-41 Elmbrook Solar Farm, for the purpose of a solar farm located at 2191 Brookview Road.

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

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

2019-220) **Withdrawn:** *Authorize Dan Garvensites, Park Manager to purchase a John Deere X580 Tractor from Hudson River Tractor Co. on New York State purchasing contract PC68131 (PGXNCG22) for total cost not to exceed \$6,067.18. [Parkland Funds]*

C. Bult 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:

2019-221) Authorize the purchase of a new, complete Mitel M/Voice Office 250 Phone System Northeast Information Systems New York State OGS purchasing contract number PM21140 at a cost not to exceed \$19,867.00. **[Partial amount approved as 2019 Budget Item]**

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:

2019-222) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #19-1167 to 19-1347 on Abstract No. 2019-08, in the amount of \$402,876.50, including the claims paid (\$226,272.02) 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. 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:

2019-223) Authorize the July 2019 budget modifications, interfund loans and interfund transfers as provided in document dated August 2019 and recommended by the Comptroller.

BUDGET MODIFICATIONS

July 2019

BUDGET MODIFICATIONS

	Fund/ Department #	Fund / Department Name	Increase	Decrease
2019				
51	A-960-3120.1011	Police Grant - Rens Co DWI Crack Down	167.76	
	A-509-2260.9999	Police Safety Services - Other Gov'ts	167.76	
	To modify the budget for DWI Crack Down grant awards			
52	A-960-3120.1012	Police Grant - PTS	449.04	
	A-509-4320.9999	Federal Aid Public Safety	449.04	
	To modify the budget for PTS grant awards			
53	A-960-3410.1000	Fire Protection - Personal Services	908.78	
	A-960-3410.1100	Fire Protection - Overtime	2,889.89	
	A-960-3120.1000	Police - Personal Services		908.78
	A-960-3120.1100	Police - Overtime		2,889.89
	To modify the budget for Fire Investigation training for Harrington and Roehr			
54	A-960-7110.4000	Parks - Contractual	2,259.45	
	A-509-5031.9999	General Fund - Interfund Transfer	2,259.45	
	To modify the budget for purchase of Picnic tables and grills using Parkland funds			
55	DB-960-5130.1400	Machinery - Police Work	387.60	

	DB-960-5130.1000	Machinery - Personal Services		387.60
	To modify the budget to cover employee work on department vehicles			
56	DB-960-9050.8000	Unemployment Insurance	603.06	
	DB-960-9010.8000	State Retirement		603.06
	To modify the budget to cover 2nd Quarter Insurance payment			
57	SS6-960-8130.1008	Personal Services - Dunkin Donuts	32.41	
	SS6-960-8130.1108	Overtime - Dunkin Donuts	-	
	SS6-960-8130.4008	Contractual - Dunkin Donuts	-	
	SS6-960-9030.8008	Social Security - Dunkin Donuts	2.48	
	SS6-960-9060.8008	Medical Benefits - Dunkin Donuts	3.57	
	SS6-509-5031.9999	Exit 10 Sewer - Sewer Charges	38.46	
	To modify the budget for reimbursement of Dunkin Donut expendiutres			
	5 Ayes 0 Noes. MOTION CARRIED. Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.			

Executive Session #2

C. Bult made a motion at 8:03 p.m. to enter into an Executive Session of the board to discuss matters pertaining to contract negotiations. Seconded by C. Kenney.

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

S. Harris noted that no further business would follow the executive session.

C. Swartz made a motion to adjourn the Executive Session at 8:32 p.m., seconded by C. Kenney.

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. Bult made a motion to adjourn the 08/08/19 Town Board meeting at 8:32 p.m., seconded by S. Harris. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk

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