

**DATE:** MARCH 12, 2020

**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  
TRACEY REX

**MEMBERS ABSENT:** SCOTT SWARTZ

**ATTORNEY:** CHRISTOPHER LANGLOIS, ESQ.

**COMPTROLLER:** PAUL HARTER

**OTHERS PRESENT:** DAWNE KELLY, ASSISTANT TO THE SUPERVISOR

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Supervisor Harris called the March 12, 2020 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. C. Swartz was absent.

### **Briefing on Agenda**

S. Harris gave a brief summary of the resolutions. He noted a change was needed for the band scheduled to play at the music in the park on June 23<sup>rd</sup>. The group that had been previously booked had a conflict and was unable to perform (2020-119). All other resolutions were self-explanatory.

S. Harris welcomed the students who were attending the meeting for their Participation in Government class at Columbia High School. He wished them the best of luck in their future endeavors.

**Board Comment:** None.

**Public Comment:** S. McKnight, Castleton Fire, asked if the Nassau Lake Protection District also receive the same funding as the Nassau and East Schodack Fire Districts (2020-134). C. Bult said yes.

### **Public Hearing Spectrum Cable Franchise Agreement**

S. Harris called the public hearing regarding the renewal of a franchise agreement between the Town of Schodack and Spectrum Northeast a/k/a Charter Communications at 7:10 p.m.

The Town Clerk summarized the Affidavit of Publication seeking public comment regarding granting a cable television franchise agreement by and between the Town of Schodack and

Spectrum Northeast, a/k/a Charter Communications. The legal notice was posted on the Town Clerk's signboard and the Town's website on March 3, 2020 as well as published in local newspaper, *The Record*, on February 29, 2020 and March 5, 2020.

S. Harris asked Kevin Egan, Director of Public Affairs for Charter Communications (Spectrum), to lead the public hearing. Mr. Egan noted the franchise agreement which allows Charter to operate within the Town of Schodack was up for renewal. It was the desire of Charter to continue this agreement and maintain their relationship with the Town. Under the Public Service Commission (PSC) regulations, a public hearing must be held prior to the Town agreeing to the renewal. Once the agreement was signed, it would be forwarded to the PSC for approval. He said the approval could take a few months. S. Harris asked if there were plans to assist the many residents in outlying areas of the town who are without internet. He added that he had met with Congressman Tonko who was unable to assist. He wondered how Spectrum planned to increase service for those individuals as they are the only cable internet provider in the area. Mr. Egan said, based on density requirements by the PSC, Spectrum was meeting their requirements for service. He noted it was not economically feasible to serve everyone in the town. He added that grants were available to help with the expansion of service, if warranted. S. Harris understood that there would be an added cost; however, the increase in value and added customers should offset those costs. He noted students without internet at home are forced to go to the local library which is not always convenient. C. Bult said he shared S. Harris' concerns. Mr. Egan said Spectrum would examine the areas without service to determine if anything could be done. S. Harris asked what could be done about the recent disruptions in service. Mr. Egan said the main cause was weather. He noted many of their workforce resided within the town and in other local municipalities which allows for quick response times to resolve issues.

**Public Comment:** M. Sherwood said during a service outage, a credit is not automatically applied to the account. A call must be placed to show the company had been notified. She said she had considered contacting the PSC directly as she felt this was not fair. Mr. Egan stated it was procedure to require a call to notify Spectrum of the outage. He added that every situation is unique and reviewed on a case by case basis.

Atty. Langlois noted that a resolution would be included on the next agenda for the renewal of the franchise agreement.

Hearing no further public or board comment, S. Harris closed the public hearing at 7:22 p.m.

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

**Review of Abstracts of Claims and Budget Amendments:** The Board reviewed claims #20-0255 to 20-0423 on Abstract No. 2020-03 in the amount of \$394,812.51, including the claims paid (\$161,803.18) since the previous town board meeting.

### **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:**

**2020-118)** Amend resolution 2020-93 as adopted February 13, 2020 as follows: Ratify and affirm appointing Janette D. Peter as temporary Court Clerk, effective ~~January 3, 2020~~ December 27, 2019 at an hourly rate of \$ 15.00 without benefits, for up to 20 hours per week unless otherwise requested by the Justices.

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

C. Kenney 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:**

**2020-119)** Amend resolution 2020-106 as adopted February 13, 2020 as follows: Authorize Supervisor Harris to contract with musicians to perform at the 2020 Music in the Park as follows:

<del>Kyle Borgault Band</del>	<del>June 23<sup>rd</sup> (rain date 6/24/20)</del>	<del>\$800.00</del>
Jarrold	June 23 <sup>rd</sup> (rain date 6/24/20)	\$500.00

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

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:**

**2020-120)** Appoint Dean Thomas as part-time police officer at an hourly rate as set forth in resolution 2019-336.

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

C. Rex 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:**

- 2020-121)** Authorize Supervisor Harris to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for both the Konica Minolta Bizhub 284E copier in the Town Clerk's office, ID#731FL and for the Muratec MFX 3530 printer for Records Management, ID#227FN, combined contract, for the period February 24, 2020 to February 23, 2021 for \$510.53 annually. Contract includes 30,660 copies annually with an overage charge of \$0.01665 per copy.  
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

- 2020-122)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Owner</u>	<u>Location</u>	<u>No. of Units</u>
Rapin-Plant, John & Mary Joy	3804 US 20	1
Beberwyk, MaryAnn	7 Beberwyk Way	1
Tobin, Ed	777 Western Road	1
Leavenworth Trailer Park c/o Buck, Clemens	1477 Bame Rd.	17
Brown Cow Opportunities c/o Brian Chittenden	759 Schodack Landing Rd.	1
Curtis Trailer Park c/o Garden Homes Mgmt.	2032 East Schodack Rd.	70
Cedar Acres c/o Garden Homes Mgmt.	16 Hoags Corners Rd.	21
Field, George	85 Veering Rd.	1

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

- 2020-123)** Authorize Debra Curtis, Town Clerk, and Melissa Hulsopple, Deputy Clerk, to attend the annual New York State Town Clerk's Association Conference in Albany, New York, April 26 through April 29, 2020. All appropriate expenses (mileage and registration) are to be borne by the Town per the 2020 adopted Town Budget, which are estimated to be \$666.82, as budgeted [A1410.4]  
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

- 2020-124)** Pursuant to Article 3, Section 20(1)(a) of Town Law, by the recommendation of the Justices the Town Board hereby appoint Cynthia Waters as Secretary to Justice Court on a full-time basis at the hourly rate of \$16.18 to be effective March 16, 2020.  
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

- 2020-125)** Authorize the Justice Court to purchase a HP Color LaserJet Enterprise M607n Printer for an amount not to exceed \$583.81 as per quote QAL355136 dated March 6, 2020 from GSS Infotech NY Inc. pursuant to the 2020 Adopted Budget. [A1010.2]  
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, T. Rex, D. Harris. Noes – 0.

**2020-126)** Previously adopted. See pg. 79.

**2020-127)** Previously adopted. See pg. 80.

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:**

- 2020-128)** **WHEREAS**, Kyle Scalera, son of Anthony and Lori Scalera, on the 28th of October in the year two thousand nineteen, was awarded the rank of Eagle Scout, the highest rank a boy can achieve in scouting; and

**WHEREAS**, Kyle started his journey in scouting as a Bear Scout in 2010, with Pack 257, and

**WHEREAS**, Kyle has earned the Arrow of Light award the highest Cub Scout honor, and

**WHEREAS**, Kyle is a member of Boy Scout Troop 522, and has earned 25 Merit Badges in his 7 years of Boy Scouting, and

**WHEREAS**, Kyle has served the troop as Patrol Leader, Quartermaster and Senior Patrol Leader, and

**WHEREAS**, as his Eagle Scout project, Kyle with the assistance of other Scouts, Scout leaders, and family and friends, built a nature trail which included installation of a 16' bridge, a gate, and multiple sets of trail stairs and water swales at The Doane Stuart school in the City of Rensselaer, New York, and

**WHEREAS**, Kyle a senior at The Doane Stuart School, where he is a member of the Baseball Team, and will be attending Marist College this fall to study Criminal Justice, and

**WHEREAS**, Kyle is a professional drummer for "4 the Blues" and "The Young Wildcats", two blues bands who perform throughout the Capital Region.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Schodack commends and congratulates Kyle Scalera upon the auspicious occasion of being awarded the rank of Eagle Scout, Boy Scouts of America; and

**BE IT FURTHER RESOLVED** that Supervisor Harris will transmit a copy of this resolution, suitably engrossed to Kyle Scalera at his Court of Honor on March 29, 2020.

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

C. Kenney 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:**

**2020-129) WHEREAS**, the U.S. Housing and Community Development Act of 1974 (P.L. 93-383), as amended, provides for the development of viable urban communities by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low and moderate income; and

**WHEREAS**, said Act authorizes the Secretary of Housing and Urban Development (HUD), through the New York State Office of Homes Community Renewal to make grants to units of general local government to help finance Community Development Programs under Section 103 (a)(1) of Title I; and

**WHEREAS**, under said legislation, eligible applicants in the case of municipalities, are required to authorize an official representative to file the application and to provide the Secretary with certain assurance of compliance with applicable laws and regulations under Title I of said Acts; and

**WHEREAS**, it is desirable to conduct and hold a public hearing pursuant to the HUD Act to obtain the views of the citizens on Community Development needs, to establish priorities, and subsequently to develop the application, programs and any amendments or revisions thereto; and

**NOW, THEREFORE, IT IS RESOLVED**, by the Members of the Town Council: That the Town Clerk is hereby authorized to publish a Notice of Public Hearing to be held on **April 9<sup>th</sup>, 2020 at 7:10 p.m.** at the Town Hall to provide an opportunity for the Town to:

- a. Provide the citizens of the Town with adequate information concerning the amount of funds available for proposed community development activities, the range of activities that may be undertaken and other important program requirements.
- b. Provide citizens adequate opportunity to participate in the development of the application, any revisions, changes or amendments to the application, prior to the submittal.

**BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized to execute and file an application on behalf of the Town of Schodack with the New York State Office of Homes and Community Renewal for a community development grant pursuant to Title I of the Housing and Community Development Act of 1974, as amended; and

**BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized and designated as the representative and to act as such in connection with the application to provide additional information as may be required including all understandings and assurances contained in the application; and

**BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized and directed to execute any contract and/or agreement with the New York State Office of Homes and Community Renewal in connection with the Application and his designee is further authorized to request and expend funds from the U.S. Government pursuant to said contract and/or agreement; and;

**BE IT FURTHER RESOLVED**, to the extent all or any actions hereby authorized have been executed and/or performed by the Supervisor all are hereby ratified and confirmed and this Resolution take effect immediately.

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

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:**

**2020-130) WHEREAS,** The Schodack Town Board, understanding the responsibility we all have to the environment around us, has demonstrated a commitment to reducing its carbon footprint and improving its energy efficiency by adopting green energy technologies; and

**WHEREAS,** The Schodack Town Board has established a set of regulations pertaining to utility-scale solar collection systems and windmills or wind generator projects that allow for the siting of said green energy production to be located within the town while simultaneously taking into consideration our unique rural character, the preservation of our quality of life, and the concerns and impacts such projects could have on surrounding properties; and

**WHEREAS,** Governor Andrew Cuomo, in his 2020 State Budget presentation, in an effort to “streamline” the siting process for renewable-energy generating plants, proposed the elimination of local input on many of these projects and instead hand the permitting authority over to a newly formed agency within the State’s Department of Economic Development; and

**WHEREAS,** This newly created agency as proposed would have the ability to bypass local zoning regulations, set-up its own PILOT (payment in lieu of taxes) agreements outside any local Industrial Development Agency or local agreements made between municipalities and developers, and remove any local oversight of the siting of these projects;

**NOW, THEREFORE, BE IT RESOLVED,** That this Town Board does hereby oppose this Governor’s proposal to strip localities across New York State from having a voice in the permitting process of these renewable-energy generating plants and instead encourages him to allow the current process that respects the opinion of the local residents and follows the laws and regulations of these local municipalities to continue, and,

**BE IT, FURTHER RESOLVED,** That the Clerk of the Town of Schodack is hereby directed to transmit copies of this resolution to the Office of Governor Andrew Cuomo, and legislative leaders who represent Schodack in the State Senate and the State Assembly.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**



**2020-131) WHEREAS**, the Town of Schodack has a long and proud history of being a rural community with a strong agricultural sector where a number of farms still call Schodack home today, among them being Windy Hill Orchards, Swartz Dairy and Produce, and The Farm at Kristy's Barn, among others; and

**WHEREAS**, these farms along with others provide a vast array of goods for our consumption as well as chances to enjoy some of the natural beauty Schodack has to offer with various festivals, activities, or family events held on these farms as well as educational opportunities for local schools who visit on field trips; and

**WHEREAS**, this Town Board on occasion has adopted resolutions supportive of protecting farms in our town and county; and

**WHEREAS**, the farming economy is often tough, with changing and difficult market conditions, and these farmers continually face challenges beyond their control which present hurdles towards their ability to continue farming operations; and

**WHEREAS**, during the 2019 legislative session, the New York State Legislature passed a Farm Labor bill which implemented changes to the overtime structure of farm laborers, chief among them a 60-hour threshold for overtime; and

**WHEREAS**, this Bill, adopted with considerable dissent from upstate lawmakers, local elected officials and farmers, also called for the creation of a Farm Laborer Wage Board that would meet and could propose a lowering of this threshold but not an increase; and

**WHEREAS**, even though Farmers have not even had the chance to go through one growing season under these new conditions, the Wage Board is required to render a decision by the end of this year on whether or not to propose any changes; and

**WHEREAS**, factors like market prices, weather, and crop yield can vary dramatically year-to-year and have significant impact on the profitability and sustainability of a farming operation as well as decisions each farmer must make on how best to manage their business and employees;

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board calls on the Farm Laborer Wage Board to withhold suggesting any changes to the current overtime structure this year; and,

**BE IT, IT FURTHER RESOLVED**, that this Town Board encourages the Farm Laborer Wage Board to withhold making any such decision until a period of no fewer than five years has passed to allow farmers and growers ample time to examine the impacts these new regulations will have on their operations and decide how they can best proceed to maintain their viability, and,

**BE IT, IT FURTHER RESOLVED**, that the Clerk of the Town of Schodack is hereby directed to transmit copies of this resolution to the Office of New York State Department of Labor Commissioner Roberta Reardon, and legislative leaders who represent Schodack in the State Senate and State Assembly.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

**2020-132) WHEREAS**, the sharing of information between law enforcement agencies across all levels of government is key to the prevention, investigation, and prosecution of crime; and

**WHEREAS**, the Schodack Police Department enjoys positive working relations with a variety of other law enforcement agencies in achieving its goal of protecting the people of Schodack from those who might otherwise do them harm; and

**WHEREAS**, with the passage of the 2019 Green Light Legislation in New York State, various Federal law enforcement agencies have had their access to New York State Department of Motor Vehicle (DMV) records revoked; and

**WHEREAS**, local law enforcement agencies were forced to sign an agreement with New York State that stated they would not share said DMV records with these Federal agencies under threat that if they did not agree to these terms, they too would lose their access to these records; and

**WHEREAS**, these records are vital to the day-to-day operations of our Schodack Police Department and any such loss would make it nearly impossible to perform their duties; and

**WHEREAS**, the Acting Director of the Immigration and Customs Enforcement agency came to Rensselaer County and was joined by a number of leading law enforcement officials from across New York State to discuss the difficulties posed by the state legislation; and

**WHEREAS**, it is unheard of in a post 9/11 world that New York State would take such a step to limit cooperation amongst various law enforcement agencies;

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board asks New York State and Governor Andrew Cuomo to lift the restrictions placed on local law enforcement agencies preventing them from being able to fully work with all law enforcement agencies; and,

**BE IT FURTHER RESOLVED**, that this Town Board encourages New York State to restore full access to DMV records to these Federal agencies; and,

**BE IT FURTHER RESOLVED**, that the Clerk of the Town of Schodack is hereby directed to transmit copies of this resolution to the Office of Governor Andrew Cuomo, and legislative leaders who represent Schodack in the State Senate and State Assembly.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

**2020-133) WHEREAS**, there exist within the Town of Schodack four sewer districts, among others, to wit: Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District; and,

**WHEREAS**, the aforesaid sewer districts and one extension have been created for a similar purpose; and,

**WHEREAS**, the Town Board is desirous of conducting a Public Hearing pursuant to the provisions of Article 17A of the General Municipal Law for the purpose of hearing all persons upon the question of consolidating Town of Schodack Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District into one consolidated sewer district subject to the completion of proceedings pursuant to Article 17A of the General Municipal Law of the State of New York and further approving and authorizing the execution of a joint consolidation agreement by the Supervisor of the Town of Schodack; and,

**WHEREAS**, a map, plan and report prepared by Laberge Group, competent engineers, describing the proposed consolidation has been filed in the Town Clerk's Office; and,

**WHEREAS**, in the event of consolidation, all expenses for any future debt repayment and capital charges for the aforesaid four sewer districts and one extension shall be determined as follows: All parcels shall pay a \$100 flat fee, and in addition to the flat fee any remaining debt service shall be based on assessed valuation of the particular parcel.

**WHEREAS**, in the event of consolidation, expenses for operation and maintenance for the aforesaid four sewer districts and one extension shall be determined on a proportional basis resulting from the fraction derived from the number of the equivalent dwelling units per property within the consolidated sewer district as the numerator to the total number of the equivalent dwelling units in the consolidated sewer district as the denominator; and

**WHEREAS**, repairs and replacements required to be made within the consolidated sewer district shall be paid by the consolidated sewer district on a proportional basis resulting from the fraction derived from the number of the equivalent dwelling units per property within the consolidated sewer district as the numerator to the total number of the equivalent dwelling units in the consolidated sewer district as the denominator.

**NOW, THEREFORE, IT IS,**

**ORDERED** that the Town Board of the Town of Schodack shall meet and hold a Public Hearing at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, at 7:05 o'clock p.m. on the 9<sup>th</sup> day of April, 2020, to consider the consolidation of the four Town of Schodack Sewer Districts, to wit: Town of Schodack Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District into a single consolidated sewer district, known as the Town of Schodack Consolidated Sewer District No. 1; to consider the execution and approval of a Joint Consolidation Agreement; and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as shall be required or authorized by law, and it is further,

**ORDERED**, the Joint Consolidation Agreement proposes to consolidate the four Town of Schodack Sewer Districts and one extension pursuant to the provisions of Article 17A of the General Municipal Law and that as of June 1, 2020 it is proposed to consolidate the four aforesaid sewer districts and one extension located within the Town of Schodack pursuant to Article 17A of the General Municipal Law of the State of New York, and it is further,

**ORDERED**, the proposed Joint Consolidation Agreement is on file in the Town of Schodack Town Clerk's Office at 265 Schuurman Road, Castleton-on-Hudson, New York. A copy of the proposed Joint Consolidation Agreement and a summary thereof are displayed upon and available for public inspection on the Town of Schodack Town Clerk's Bulletin Board, at the Town Clerk's Office at the Town of Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, and on the Town of Schodack website; and it is further,

**ORDERED**, that a copy of the Summary of the Joint Consolidation Agreement is attached to this resolution as Exhibit A, and that a description of the geographic boundaries of the proposed consolidated sewer district is attached to this resolution as Exhibit B.

### **Exhibit "A"**

#### **SUMMARY OF THE JOINT CONSOLIDATION AGREEMENT**

The Joint Consolidation Agreement is to be entered into by the Town of Schodack with Sewer District No. 1 - Castleton Sewer District and its one extension; Sewer District No. 2- Castleridge Sewer District; Sewer District No. 4 -Brickyard Sewer District; and Sewer District No. 7 -Hamilton Printing Sewer District. The Town will as of June 1, 2020 be consolidating these four sewer districts and one sewer district extension into one consolidated sewer district. All property of the four sewer districts and the one extension will be transferred to the consolidated sewer district and any liabilities paid from the consolidated sewer district balances. Any future bonded indebtedness and any capital improvements of the consolidated sewer district will be paid for based upon the following formula: All parcels shall pay a \$100 flat fee, and in addition to the flat fee any remaining debt service shall be based on assessed valuation of the particular parcel.

Annual operation and maintenance expenses will be determined on a proportional basis resulting from the fraction derived from the number of the equivalent dwelling units per property within the consolidated sewer district as the numerator to the total number of equivalent dwelling units in the consolidated sewer district as the denominator. All repairs and replacements associated with sewage collection within the consolidated sewer district shall be funded by the consolidated sewer district on an equivalent dwelling unit basis.

A public hearing upon the consolidation will be held by the Town Board at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, not less than 35 days or more than 90 days after February 13, 2020. Notice of the date and time of the public hearing will be posted and published pursuant to Section 754 of the General Municipal Law of the State of New York.

A copy of the Joint Consolidation Agreement and this summary may be reviewed at the Town Clerk's Office, 265 Schuurman Road, Castleton-on-Hudson, New York, on the Town Clerk's bulletin board or on the town's website.

Schodack, New York February 13, 2020

**Exhibit "B"**

**TOWN OF SCHODACK, COUNTY OF RENSSELAER, STATE OF NEW YORK SUGGESTED DESCRIPTION CASTLETON CONSOLIDATED SEWER DISTRICT**

**ALL those parcels of land situated in the Town of Schodack, County of Rensselaer, State of New York, more particularly described as follows:**

**AREA 1**

Generally east of NYS Route 9J, north of Brickyard Road, south of the boundary between the Village of Castleton; being specifically tax parcels 198.19-8-5; 198.19-8-6.

**AREA 2**

Generally west of NYS Route 9J, south of the Moordener Kill, east of the Hudson River; being specifically tax parcel 198-4-1.11.

**AREA 3**

Generally south of Maple Hill Road, west of South Schodack Road; being specifically tax parcel 209-2-12.

**AREA 4**

Bounded on the west and north by the Village of Castleton; on the east by National Grid (tax parcel 199-7-18); on the south by the southern boundaries of tax parcels 199.17-1-18, 198-2-3.1, and 198-2-3.2; specifically excluding any portion of tax parcels 199-7-18, 199-7-17, 199-7-23.1, and 199-7-25 that is within the boundary described above.

**This description was generated on 8/8/2019, based on the tax assessment maps as they existed on August 8, 2019 by Raymond C. Smith Jr, LLS.**

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

**2020-134)** Concur that the Town Board of the Town of Schodack is the lead agency for the Fire District Consolidation project.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

**2020-135)** All Civil Service requirements having been met, the Town Board hereby permanently appoints Joseph Tremblay to the position of Town Building Inspector/Code Enforcement Officer.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

**2020-136)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #20-0255 to 20-0423 on Abstract No. 2020-03, in the amount of \$394,812.51, including the claims paid (\$161,803.18) since the previous town board meeting.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

**2020-137)** Authorize the January 2020 and February 2020 budget modifications, interfund loans and interfund transfers as provided in document dated March 2020 and recommended by the Comptroller.

**BUDGET MODIFICATIONS**

	<b>Fund/ Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>2019</b>				
<b>133</b>	A-960-1110.1100	Justice Court - Overtime	247.67	
	A-960-1110.1000	Justice Court - Personal Services		247.67
	To modify the budget for Police presence at court			
<b>134</b>	A-960-1220.1000	Supervisor - Personal Services	162.21	
	A-960-1220.4000	Supervisor - Contractual		162.21

To modify the budget for Overtime performed by Supervisor Assistant

<b>135</b>	A-960-1430.1000	Personnel - Personal Services	716.34	
	A-960-1430.4000	Personnel - Contractual		716.34

To modify the budget for Overtime performed by HR Manager

<b>136</b>	A-960-1620.1000	Building - Personal Services	101.55	
	A-960-1620.4000	Building - Contractual		101.55

To modify the budget for Park Manager time clearing Town Hall of snow

<b>137</b>	A-960-3120.1010	Police Grant - Rens County DWI	767.89	
	A-960-3120.1011	Police Grant - Rens County DWI Crack Down	272.64	
	A-509-2260.9999	Police Safety Services - Other Gov'ts	1,040.53	

To modify the budget for Renss County DWI grant award

<b>138</b>	A-960-3120.1900	Police - Part Time Personal Services	2,998.71	
	A-960-3120.1100	Police - Overtime		2,998.71

To modify the budget to cover higher use of Part-time Police Officers

<b>139</b>	A-960-3120.2000	Police - Equipment	12,240.21	
	A-960-3120.1100	Police - Overtime		12,240.21

To modify the budget to cover Conversion of station lighting to LED

<b>140</b>	A-960-3410.1100	Fire Protection - Overtime	245.43	
	A-960-3120.1100	Police - Overtime		245.43

To modify the budget for Investigation of Maple Hill Rd. Fire

#### BUDGET MODIFICATIONS

	Fund/ Department #	Fund / Department Name	Increase	Decrease
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#### 2019

<b>141</b>	A-960-5132.1300	Town Garage - Bldg Maintenance	124.02	
	A-960-5132.2000	Town Garage - Equipment	688.26	
	A-960-5132.4000	Town Garage - Contractual	1,564.65	
	A-960-1990.4000	Contingency - Contractual		2,376.93

To modify the budget to cover employee cleaning, LED Conversion at Town Garage

<b>142</b>	A-960-5182.4000	Street Lighting - Contractual	743.89	
	A-960-1990.4000	Contingency - Contractual		743.89

To modify the budget to cover Town street lighting costs

<b>143</b>	A-960-7110.1000	Parks - Personal Service	324.96	
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	A-960-7110.4000	Parks - Contractual	14.21	
	A-960-1990.4000	Contingency - Contractual		339.17
	To modify the budget to cover Park Manager excess hours and purchases			
<b>144</b>	A-960-8160.1100	Refuse - Overtime	308.72	
	A-960-8160.4000	Refuse - Contractual	111.47	
	A-960-8160.1000	Refuse - Personal Services		522.58
	To modify the budget to cover Highway employee coverage & Increase Costs			
<b>145</b>	A-960-8189.1100	Recycling - Overtime	308.72	
	A-960-8189.4000	Recycling - Contractual	111.46	
	A-960-8189.2000	Recycling - Equipment		420.18
	To modify the budget to cover Highway employee coverage & Increase Costs			
<b>146</b>	B-960-8020.4000	Planning - Contractual	127.22	
	B-960-8020.2000	Planning - Equipment		127.22
	To modify the budget to cover additional training and postage			
<b>147</b>	DB-960-5110.1100	Genl Road Repair - Overtime	589.83	
	DB-960-5110.4000	Genl Road Repair - Contractual	8,559.76	
	DB-960-5110.1000	Genl Road Repair - Personal Svcs		9,149.59
	To modify the budget to cover Employee Overtime Road material and guard rail purchases			

#### BUDGET MODIFICATIONS

Fund/				
	Department #	Fund / Department Name	Increase	Decrease
<b>2019</b>				
<b>148</b>	DB-960-5130.1100	Machinery - Overtime	164.73	
	DB-960-5130.1400	Machinery - Police Work	12.92	
	DB-960-5130.4000	Machinery - Contractual	5,687.59	
	DB-960-5130.1000	Machinery - Personal Services		5,865.24
	To modify the budget to cover employee over-time and work on department vehicles			
<b>149</b>	DB-960-5142.1000	Snow Removal - Personal Services	7,564.69	
	DB-960-5142.1100	Snow Removal - Overtime	6,252.80	
	DB-960-5110.1000	Road Repair - Personal Services		13,817.49
	To modify the budget to cover employee Snow Removal during December			
<b>150</b>	DB-960-9050.8000	Unemployment Insurance	3,046.71	
	DB-960-9030.8000	Social Security		3,046.71
	To modify the budget to cover additional Unemployment costs			

<b>151</b>	SS1-960-8110.4000	Sewer District #1 - Contractual	29.70	
	SS1-960-1990.4000	Sewer Dist #1 - Contingency		29.70
	To modify the budget to cover employee Interfund Work in District			
<b>152</b>	SS2-960-8130.1000	Sewer District #2 - Personal Services	7.58	
	SS2-960-8130.1100	Sewer District #2 - Overtime		7.58
	To modify the budget to cover employee Work in District			
<b>153</b>	SS6-960-8130.1008	Personal Services - Dunkin Donuts	58.34	
	SS6-960-9030.8008	Social Security - Dunkin Donuts	4.46	
	SS6-509-5031.9999	Exit 10 Sewer - Sewer Charges	62.80	
	To modify the budget for reimbursement of Dunkin Donut expendiutres			
<b>154</b>	SS8-960-8130.1000	Sewer Dist #8 - Personal Services	162.71	
	SS8-960-8130.4000	Sewer Dist #8 - Trans & Dist Contractual	521.90	
	SS8-960-9030.8000	Sewer Dist #8 - Social Security	7.77	
	SS8-960-1990.4000	Sewer District #8 - Contingency		386.27
	SS8-960-8110.4000	Sewer District #8 - Admin Contractual		164.72
	SS8-960-9010.8000	Sewer District #8 - Retirement		141.39
	To modify the budget to cover employee work in District and purchases			

#### BUDGET MODIFICATIONS

Fund/				
	Department #	Fund / Department Name	Increase	Decrease
<b>2019</b>				
<b>155</b>	SW1-960-8310.4000	Clearview Water Admin - Contractual	80.38	
	SW1-960-8320.1100	Clearview Water Supply - Overtime	198.67	
	SW1-960-8320.4001	Clearview Water Supply - Contractual	758.70	
	SW1-960-8340.1000	Clearview Water Transmission - Per. Svcs.	3.49	
	SW1-960-9030.8000	Clearview Water Transmission - Social Sec	2.40	
	SW1-960-1990.4000	Clearview Water Transmission - Contingency		80.38
	SW1-960-8320.4000	Clearview Water Supply - Contractual		957.37
	SW1-960-8340.1100	Clearview Water Transmission - Contractual		3.49
	SW1-960-9040.8000	Clearview Water Transmission - Wks. Comp		2.40
	To modify budget to cover employee work and Radio Field Service in District			
<b>156</b>	SW3-960-8310.4000	Maple Crest Water #3 - Admin Contractual	174.49	
	SW3-960-1990.4000	Maple Crest Water #3 - Contingency		174.49
	To modify budget to cover Debt admin fee and employee interfund work			

157	SWC1-960-8310.4000 Consolidated District Admin Contractual	75.10
	SWC1-960-1990.4000 Consolidated District - Contingency	75.10

To modify budget to cover employee interfund work for district

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

### **Adoption of Resolutions**

The following resolutions were adopted out of sequence:

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 and the board thanked Chief Belardo for his years of service and wished him the best.

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:**

**2020-126) WHEREAS**, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievement of those who have given so generously to their community, exemplifying the ideals and values cherished by this great Town, and

**WHEREAS**, Joseph Belardo has distinguished himself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to his position of Schodack Police Chief in the Town of Schodack, and

**WHEREAS**, Joe has been a life-long resident of the Town of Schodack and a graduate of Maple Hill High School class of 1987, and

**WHEREAS**, Joe began his career as a part-time Police Officer in Philmont from April 1991 thru May 1992 while at the same time was working as a Police Officer with the Copake Park Police, then as a Rensselaer County Sheriff, and then with Chatham Police from August 1992 thru November 1995, and

**WHEREAS**, on October 26, 1995 the Town Board of the Town of Schodack authorized the hiring of Joseph J. Belardo for the Schodack Police Department for the COPS FAST three-year grant

**WHEREAS**, Joe assumed the position of Police Officer on November 13, 1995 rising to the rank of Lieutenant and served faithfully in this role under Supervisors: Eileen Natoli, Beth Secor, Dennis Dowds, David Harris and Police Chiefs: David Schlinder and Bernard Peter until his retirement on May 30, 2014, and

**WHEREAS**, from early on, Joe demonstrated his commitment to the community by serving on the SWAT team, and

**WHEREAS**, Joe came out of retirement to be appointed Assistant Police Chief on June 13, 2014 and Police Chief on February 22, 2017, and

**WHEREAS**, Joe has demonstrated his love of family by being the father of Anthony Belardo, stepfather to Michael and Jordyn Wood, grandpa to Austin and Noah and devoted husband of Renee', and often shares his love for barbecuing and smoked meat with his coworkers and friends,

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislative Body of the Town of Schodack is moved to honor Joseph Belardo, who has given himself to this community in so many ways and distinguished himself throughout his career bringing great pride to his family, his peers, his associates and his community by being a person of commitment, integrity and an impressive role model for all, and be it

**FURTHER RESOLVED**, that the Legislative Body of the Town of Schodack will pause in its deliberations on the 12<sup>th</sup> day of March 2020 to acknowledge and honor Joseph Belardo, upon his retirement, for his 25 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to him.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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:**

**2020-127) WHEREAS**, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievement of those who have given so generously to their community, exemplifying the ideals and values cherished by this great Town, and

**WHEREAS**, Dean Thomas has distinguished himself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness and compassion to his position of Schodack Police Detective Sergeant in the Town of Schodack, and

**WHEREAS**, Dean has been a life-long resident of the Town of Schodack and a graduate of Columbia High School class of 1987, and

**WHEREAS**, Dean began his career in 1995 as a Reserve Officer with the Village of Nassau Police Department, and

**WHEREAS**, Dean graduated from Zone 14 Law Enforcement Academy in the spring of 1997 and became a Full Time Police Officer of the Village of Nassau Police Department, and

**WHEREAS**, Dean earned his Associates Degree in Criminal Justice from Hudson Valley Community College in 1998, and

**WHEREAS**, on January 21, 1999 the Town Board of the Town of Schodack authorized the hiring of Dean Thomas for the Schodack Police Department, and

**WHEREAS**, Dean assumed the position of Police Officer on February 1, 1999 rising to the rank of Detective Sergeant and served faithfully under Supervisors: Eileen Natoli, Beth Secor, Dennis Dowds, David Harris and Police Chiefs: David Schlinder, Bernard Peter and Joseph Belardo until his retirement on March 11, 2020, and

**WHEREAS**, Dean has held positions of Basic Motor Vehicle Collision Investigator, Advanced Motor Vehicle Collision Investigator, Sergeant and Detective Sergeant and is responsible for maintaining the Town's entire evidence room and regarded as a mentor to both patrol and the supervisory staff, and

**WHEREAS**, Dean has demonstrated his love of family by being the father of Holden and Taylor and devoted husband of Nicole, and often shares his love for hunting and camping with his coworkers and friends, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislative Body of the Town of Schodack is moved to honor Dean Thomas, who has given himself to this community in so many ways and distinguished himself throughout his career bringing great pride to his family, his peers, his associates and his community by being a person of commitment, integrity and an impressive role model for all, and be it

**FURTHER RESOLVED**, that the Legislative Body of the Town of Schodack will pause in its deliberations on the 12<sup>th</sup> day of March, 2020 to acknowledge and honor Dean Thomas, upon his retirement, for his 21 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to him.

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

On behalf of the board, S. Harris presented D. Thomas with a framed copy of the resolution and thanked him for his years of service. D. Thomas thanked the board for giving him the opportunity to serve the town and for allowing him to continue his service as a part-time officer.

### **ADJOURNMENT**

As there was no further business before the Board, C. Kenney made a motion to adjourn the 03/12/20 Town Board meeting at 7:34 p.m., seconded by S. Harris. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk