

DATE: AUGUST 11, 2022

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DEBRA L. CURTIS

PRESIDING OFFICER: CHARLES J. PETER

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

MEMBERS ABSENT:

ATTORNEY: CHRISTOPHER LANGLOIS, ESQ.

COMPTROLLER: PAUL HARTER

OTHERS PRESENT: DAWNE KELLY, ASSISTANT TO THE SUPERVISOR

Supervisor Peter called the August 11, 2022 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

C. Bult made a motion at 7:00 p.m. to enter into an Executive Session of the board pursuant to Public Officers Law, Article 7, §105(f). Seconded by C. Swartz.

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

C. Swartz made a motion at 7:07 p.m. to adjourn the executive session. Seconded by C. Rex.

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

Briefing on Agenda

The Supervisor summarized all resolutions on the agenda. He explained that Shawn Master, Receiver of Taxes had informed the Human Resources Manager of Rena Peter's, Deputy Tax Receiver, intentions to resign thus leaving a vacancy in his office. He asked K. Joiner to post for the deputy position; however, it was customary for the board to pass a resolution authorizing the posting for all open positions (2022-240). He noted that S. Masters, as an Elected Official, had discretion over his hire but felt it would be best to keep with procedure (2022-242). He added that R. Peter would assist with training the new deputy through September 2022 (2022-241). S. Peter informed the board that an issue had arose with ordering a projector for use at the park. The projector that was selected by the board from ATEC had an estimated ship date of January 2023. He said a second quote was obtained from Audio Video for a projector and a screen (2022-244). The cost was \$450.00 more than ATEC for the projector; however, they were fairly certain that the projector would be available in time for a fall event (2022-243). Upon further discussion regarding a movie night, it was

determined that a Public Address (PA) System would also be needed (2022-245). For resolution 2022-247, the Supervisor stated that the Police Chief and Human Resources Manager had completed the list of duties for the newly created part-time Police Clerk position (2022-247). The position was provisional on the approval of Civil Service. With regard to resolution 2022-254, it was the consensus of the board to remove "Temporary" from the position of Dog Control Officer. All other resolutions were self-explanatory.

Board Comment

Resolutions 2022-243 to 2022-245: C. Bult asked, if the board moved ahead with the second quote, was there enough time left to host a movie night at the park. S. Peter said he had discussed the matter with K. Konig, Director of Building and Grounds. K. Konig had mentioned hosting a Halloween event during the day and a movie in the evening. He was able to meet with a representative from Audio Video and upon review of the pavilion, it was determined that the quote received for the PA System had too low of a wattage for projecting the audio (300 Watt). The representative recommended an 800-to-1,000-Watt system to cover outside noise with a cost of \$1,500.00 to \$2,000.00 for the higher quality. C. Swartz asked how long it would take to obtain the necessary movie licensing. D. Kelly said not long at all. It was merely a matter of completing the application and mailing in a check. C. Bult said he had received positive feedback from residents regarding the increase in events at the town park, creating more outlets for youth and adults in the community. He expressed his support in moving forward on purchasing the equipment for a movie night. C. Kenney and C. Swartz agreed. S. Peter noted that the representative of Audio Video was willing to assist in obtaining the needed items. As it would take a bit more time, he proposed withdrawing resolutions 2022-243, 2022-244 and 2022-245 and introducing them again at a future meeting. All board members agreed.

Elevator: S. Peter informed the board of the continued issue with the elevator breaking down and obtaining the necessary part for repair. He was working with Schindler Elevator who was a member of a purchasing consortium which would allow the town to upgrade the unit without having to follow the procurement policy of obtaining bids for the project. It would be necessary for the board to authorize the Supervisor to sign the agreement. Once approved, it would take up to three months to obtain the parts for modification of the elevator and another two to three weeks to complete the work. C. Bult asked if there was a cost to join the consortium. P. Harter said no. Upon the approval of all board members, resolution 2022-257 was added to the agenda.

Public Comment

There was no public comment.

Review of Abstracts of Claims and Budget Amendments: The Board reviewed claims #22-1208 to #22-1414 on Abstract No. 2022-08 in the amount of \$622,154.17 including the claims paid prior (\$208,858.85).

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

Receiver.

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:**

- 2022-239)** Amend resolution 2021-125 as adopted on April 8, 2021 as follows: Authorize the purchase of a new, complete ~~Mitel M-Voice Office 250~~ **Univerge Blue* Engage** Phone System for Highway Garage from Northeast Information Systems New York State OGS purchasing contract number ~~PM21140~~ at a cost not to exceed ~~\$6,620.34~~. **1,950.83.**
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. 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:**

- 2022-240)** Ratify and affirm authorizing Human Resources Manager to post internally and advertise publicly the part-time position of Deputy Tax Receiver and further authorize advertising in the official Town newspaper as necessary.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. Noes – 0.

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

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

- 2022-241)** Appoint Rena Peter as per-diem Deputy Tax Receiver at \$18.60 hourly rate as set forth in resolution 2021-290, to be effective for the period of August 22, 2022 through September 30, 2022.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. 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:**

- 2022-242)** Pursuant to Article 2, Section 35 of the Town Law, the Tax Receiver hereby appoints Heidi Bushika (\$18.60/hr.) as Deputy Tax Receiver at an hourly rate as set forth in resolution 2021-290, to be effective August 22, 2022.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. Noes – 0.

- 2022-243)** **Withdrawn:** Authorize the purchase of a _____ from Audio Video at a cost not to exceed \$_____.

- 2022-244)** **Withdrawn:** Authorize the purchase of a Folding Screen with HD Legs from _____ at a cost not to exceed \$_____.

- 2022-245)** **Withdrawn:** Authorize the purchase of a _____ PA System from _____ at a cost not to exceed \$_____.

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:**

- 2022-246)** Authorize Supervisor Peter to execute and administer proposal dated July 26, 2022 from Capital District Flooring Installations to buff, repair, level floor and Install carpet on 2nd Floor in an amount not to exceed \$2,942.10.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. 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:**

- 2022-247)** Authorize Human Resources Manager to post internally and advertise publicly the part-time position of Police Clerk, pending civil service approval and further authorize advertising in the official Town newspaper as necessary.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. 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:**

2022-248) Authorize Supervisor Peter to execute and administer purchase agreement dated August 2, 2022 with All Traffic Solutions to purchase 6 Solar powered Speed Alert Signs for an amount not to exceed \$20,412.00. (U.S. Communities/Texas BuyBoard)

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. 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:

2022-249) Authorize Supervisor Peter to execute and administer agreement by and between the Town of Schodack consenting to the proposed assignment from AT&T/SBC Tower Holdings LLC to American Tower Asset Sub II, LLC, of the Option and Lease Agreement dated July 8, 1995, between the Town and AT&T/SBC Tower Holdings LLC (part of Tax Map No. 189-7-3.11).

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

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

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

2022-250) Authorize Paul W. Peter, Justice to attend New York State Magistrates Association Fall Conference October 30 through November 2, 2022 at Saratoga Springs, New York with registration fee of \$75.00, lodging (meals included) not to exceed \$889.26 and travel costs (mileage/parking) not to exceed \$67.65 for a total estimate not to exceed \$1,084.56. [A1110.4 This is a budgeted item]

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex. Noes – 0. C. Peter abstained.

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:

2022-251) Amend resolution 2022-110 as adopted on February 24, 2022, ratify and affirm appointing Thomas King as Building Inspector/Code Enforcement Officer at a salary of \$56,000.00, effective February 22, 2022. Further, this is a provisional appointment which requires said appointee to take the next civil service exam offered for that title. To the extent of an annual salary of \$60,770.00 beginning August 8, 2022, resulting from his successful completing State of New York Basic Code Enforcement Training program.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. 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:**

2022-252) Pursuant to Article 3, Section 20(1)(a) of Town Law, the Justices hereby appoint Marion Spar as Justice Court Clerk on a full-time basis at the hourly rate as set forth in resolution 2021-290. Effective August 22, 2022.

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

S. Peter 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:**

2022-253) Amend resolution 2022-03 as adopted January 6, 2022, to cancel the Regular Town Board meeting for August 25, 2022.

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

C. Rex made a motion to adopt the following resolution, as amended, seconded by C. Kenney:

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

2022-254) Reinstate Maggie Banker as Temporary Dog Control Officer. The rate of payment shall be \$50.00 per call. Effective August 15, 2022.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. 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:**

2022-255) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #22-1208 to 22-1414 on Abstract No. 2022-08, in the amount of \$622,154.17, including the claims paid \$208,858.85.

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

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

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

2022-256) Authorize the July 2022 budget modifications, interfund loans and interfund transfers as provided in document dated August 2022 and recommended by the Comptroller.

BUDGET MODIFICATIONS

	Fund/ Department #	Fund / Department Name	Increase	Decrease
2022				
49	A-960-1220.1100	Supervisor - Overtime	19.22	
	A-960-1220.1000	Supervisor - Personal Services		19.22
	To modify the budget for Supervisor Assistant 7/15 1/2-hour Overtime			
50	A-960-1330.4000	Tax Collection - Contractual	2,492.50	
	A-960-1330.1000	Tax Collection - Personal Services		2,492.50
	To modify the budget for BAS Maintenance and Envelope Purchases			
51	A-960-1440.4000	Town Engineer - Contractual	543.21	
	A-960-1990.4000	Contingency - Contractual		543.21
	To modify the budget for LaBerge ARPA and GEIS Services			
52	A-960-3120.1012	Police Grant - PTS	392.85	
	A-509-4320.9999	Federal Aid Public Safety	392.85	
	To modify the budget for PTS grant awards			
53	B-960-1680.4000	Central Data Processing - Equipment	240.46	
	B-960-1680.2000	Central Data Processing - Equipment		240.46
	To modify the budget for Microsoft Exchange online plan			
54	B-960-8020.1100	Planning - Overtime	29.25	
	B-960-8020.1000	Planning - Personal Services		29.25
	To modify the budget for Melissa Knights 7/15 1/2-hour overtime			
55	B-960-8160.1000	Refuse & Garbage - Personal Services	1,000.00	
	B-960-8160.4000	Refuse & Garbage - Contractual	1,000.00	
	B-960-1990.4000	Contingency - Contractual		2,000.00

To modify the budget for Hazardous Waste Collection Day

56	B-960-9060.8000	Hospital & Medical Insurance	14,750.00
	B-960-1990.4000	Contingency - Contractual	14,000.00
	B-960-9060.8100	Hospital & Medical Insurance - Retiree	750.00
	To modify the budget for Additional of Building Inspector to Health Insurance		
57	DB-960-5110.1100	General Road Repair - Overtime	1,959.02
	DB-960-5110.1000	General Road Repair - Personal Services	1,959.02

To modify the budget for crew July overtime and call out

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

Atty. Langlois recommended that the resolution be amended to include “*subject to approval by counsel*”. All board members agreed.

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

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

2022-257) Authorize Supervisor Peter to execute and administer agreement with Source Well dated August 10, 2022 for the purpose of cooperative purchasing, subject to approval by counsel.

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

Open Discussion

Speed Alert Signs: C. Swartz asked where the six signs would be placed. S. Peter said the following roads had been proposed: North Old Post Road, Schodack Drive, Sand Road by Clearview, Schodack Landing Road and Bunker Hill Road (suggested by B. Brahm, Interim Highway Superintendent). He noted that Brookview Road and the side streets of Clearview were other options. C. Rex added that the mobile unit was also available.

Zoning: C. Bult said recommended that, as it was a slow process having all board members meet separately with Nicole from Laberge to discuss the proposed zoning changes, the town board schedule workshops to help facilitate the process. The meetings would need to be noticed as they would fall under the open meeting law. C. Rex agreed with scheduling workshops. C. Swartz asked the Supervisor to speak with Nicole to determine what would work best for her.

Chairs for the Dais: S. Peter noted that a brief discussion had occurred at a previous meeting regarding the purchase of new chairs for the dais. As it was so late in the fiscal year, he recommended the purchase be considered for the 2023 Budget. All board members agreed.

Budget: S. Peter welcomed recommendations from board members for the 2023 Proposed Budget.

Executive Session #2

C. Swartz made a motion at 7:32 p.m. to enter into an Executive Session of the board pursuant to Public Officers Law, Article 7, §105(f). Seconded by C. Bult.

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

S. Peter informed the audience that no further business would be conducted following the executive session.

C. Rex made a motion at 8:30 p.m. to adjourn the executive session. Seconded by C. Bult.

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

ADJOURNMENT

As there was no further business before the Board, C. Kenney made a motion to adjourn the 08/11/22 Town Board meeting at 8:30 p.m., seconded by C. Swartz. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk

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