

**DATE:** SEPTEMBER 22, 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:** BRUCE GOODALL, DIRECTOR OF TRANSFER STATION  
OPERATIONS  
BILL MORGAN, SOLE ASSESSOR

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Supervisor Peter called the September 22, 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**

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 7:31 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.

### **Library Presentation**

Library Directors Melissa Tacke (Castleton Library), Jill Dugas Hughes (East Greenbush Library) and Tracy Clague (Nassau Free Library) gave a joint presentation, emphasizing the services offered by each library to the residents of Schodack and explaining their funding requests for 2023. Together, they conveyed their appreciation to the town board for their past support and their willingness to serving the residents of the town in the future.

M. Tacke explained that the Castleton Library, which receives eighty percent of its funding from the Town of Schodack, was able to resume activities for 2022 such as field trips which had been halted due to the pandemic. They also continued to offer take-home kits that had been established during the pandemic and were still very popular. In addition to activities, the Castleton Library utilized remaining funds from a NYS Construction Grant, awarded in 2019, which allowed for the installation of an art hanging system, within the newly renovated

community room. She added that they would be soliciting artists to display their work in the coming months. The library was also able to purchase three new laptops which allowed for more flexible use when teaching computer skills, rather than a desktop. For 2023, the funding request for Castleton Library would be \$176,000.00, an increase of 10.5 Percent. Included in the 2023 budget, the library would be utilizing \$6,000.00 from their fund balance to offset operations costs; however, with the rising cost of materials, insurance and benefits for staff, the 10.5 Percent increase was necessary to maintain services to town residents.

J. Dugas-Hughes highlighted the following activities and services offered by the East Greenbush Library to residents of the Town of Schodack and East Greenbush: library of things, lending items such as snowshoes and telescopes; STEM Kits; Storytime; Afterschool Programs; and access to online periodicals such as the Times Union and The NY Times. She noted that anticipated upgrades were needed to maintain the facility, including repaving the road and parking lot, replacing the roof and cooling tower, redoing the stucco on the exterior of the building and adding solar. In addition to the upgrades, changes were needed to the employee positions, making the salaries and benefits more competitive. As with the Castleton Library, the East Greenbush Library was requesting an increase in funding of 6 percent to \$339,000.00 for 2023 allowing the library to accommodate for the needed upgrades as well as increases in utilities costs and materials.

T. Clague explained that the Nassau Free Library, which had been in operations for 131 years, continued to loan materials such as books, eBooks, DVDs and audio books to the residents of Schodack. As of November 2021, the library was fine-free which decreased barriers and brought many users back to the library. Based on a 50/50 Construction Grant, the library was able to upgrade the front porch with Trex Composite Decking, install two handrails and install a kitchenette for staff and programs. For 2023, the Nassau Free Library was requesting a 2.9 percent increase from 2022 to \$36,000.00.

S. Peter thanked all the directors for their hard work and dedication to their libraries.

### **Discussion Items**

**Transfer Station Building:** S. Peter said a proposal had been made by B. Goodall, Director of Transfer Station Operations to move their operations building to allow the replacement of the current foundation of asphalt with a concrete slab. The labor for the project would be supplied from the Highway Department with the only cost being the concrete which was estimated to be ten yards. B. Goodall added that there would be a need for an electrician to wire the operations building for use while the slab was being poured. C. Swartz asked if the project would be budgeted for 2023 or completed this year using 2022 funds. B. Goodall said he had spoke to B. Brahm, Interim Highway Superintendent, who advised that October would be best for the Highway Department to complete the project. He noted that he had adequate funds in the 2022 budget for completion. S. Peter asked the total cost of the project. B. Goodall said \$12,000.00. He said he was uncertain of the cost to move the building, which would cause a slight increase. C. Swartz asked for an email with the proposal. S. Peter recommended that a meeting occur at the Transfer Station with B. Goodall, B. Brahm, C. Kenney and himself to view the site and firm up the details of the project.

**Public Fishing – Town Park:** S. Peter said he was contacted by the Rensselaer County Conservation Alliance regarding stocking the stream within the town park with fish. A letter

would be needed to be drafted from the town board formally allowing public fishing before the stocking could occur.

### **On-Going Discussion Items**

**Park Updates:** S. Peter said the sound system had been purchased for the park and had been used at the 9/11 tribute by Girl Scout Troup 1762. The projector and screen had been ordered and should be delivered within the next few weeks.

**Noise Ordinance:** S. Peter noted that a large amount of research had been conducted to fine tune the town code for noise, including reviewing of other town codes, to determine necessary changes. Those changes include amending the quiet time from Midnight to 6:00 AM to 11:00 PM to 6:00 AM on weekdays and 11:00 PM to 7:00 AM weekends as well as remove the decibel level for sound. The level would be determined by the impact on residents, creating a more common-sense approach. Atty. Langlois mentioned that feedback on the quiet hours and defining excessive noise was still needed. This would aid the police department in enforcement of the code and the collection of evidence for prosecution. C. Kenney recommended that the Chief of Police be consulted. S. Peter agreed. He would email the draft to the board with hopes that it could be approved soon.

**Union Contracts:** S. Peter said negotiations for the CSEA Union contract (Highway Department) would begin in the coming weeks and asked if the Police Union contract negotiations should be halted until a new Police Chief is hired. All board members felt that they should proceed with negotiations.

### **Review of Resolutions**

S. Peter summarized the resolutions on the agenda. For resolution 2022-280, he said the amended hourly rate for Cynthia Waters would be set at \$21.98 with an effective date of August 22, 2022. Per advice from counsel, language would be stricken from resolutions 2022-283, 2022-284 and 2022-285 as the agreements mentioned had already approved. Atty. Langlois added that he had reviewed the decommissioning surety agreements and had worked with the developer to finalize the content of said agreements. For resolution 2022-287, S. Peter noted that the deeding of the paper road within Sunset Hills was not final as it still needed to go before the Planning Board. All other resolutions were self-explanatory.

**Board/Public Comment:** None.

### **Adoption of Resolution**

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, as amended, seconded by C. Rex:

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

**2022-280)** Amend resolution 2022-021 as adopted on January 6, 2022 as follows: Pursuant to Article 3, Section 20(1)(a) of Town Law, the Justices hereby appoint Cynthia Waters as ~~Secretary to Justice Court Clerk~~ on a full-time basis at the hourly rate as set forth in resolution 2021-290 of \$21.98. Effective August 22, 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:**

**2022-281)** Appoint Gloria Brewer Rogers as a member of the Board of Assessment Review at salary as set forth in Year 2022 adopted budget. Term to expire September 30, 2027.

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. Swartz:

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

**2022-282)** Appoint Peter Schweigert as a member of the Board of Assessment Review at salary as set forth in Year 2022 adopted budget. To fill the remainder of the unexpired term until September 30, 2024.

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, as amended, seconded by C. Rex:

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

**2022-283)** Authorize Supervisor Peter to execute and administer the Solar Facility Decommissioning Surety Agreement and the Solar Facility Maintenance Surety Agreement between the Town and Cedar Hill Solar, LLC, with respect to the solar energy facility to be constructed on Philips Road in the Town of Schodack.

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, as amended, seconded by C. Bult:

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

**2022-284)** Authorize Supervisor Peter to execute and administer the Solar Facility Construction Surety Agreement and the Solar Facility Decommissioning Surety Agreement between the Town and Elmbrook Solar, LLC, with respect to the solar energy facility to be constructed at 2191 Brookview Road in the Town of Schodack.

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, as amended, seconded by C. Swartz:

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

**2022-285)** Authorize Supervisor Peter to execute and administer the Solar Facility Construction Surety Agreement and the Solar Facility Decommissioning Surety Agreement between the Town and White River Solar, LLC, with respect to the solar energy facility to be constructed at 2270 River Road in the Town of Schodack.

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. Kenney:

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

**2022-286)** **WHEREAS**, the Town has determined that there is surplus chip and grass material at the Transfer Station generated during the 2022, and

**WHEREAS**, the Town has determined that said surplus material needs to be removed to reduce a potential fire hazard, and

**WHEREAS**, the Town has received a sole proposal for grinding material and removing it from the Transfer Station as follows: a proposal from Advantage Tree Service, LLC for \$7,450.00; a proposal from Ken Morris & Sons Excavating, LLC for \$7,200.00 and a proposal for grinding only, from SM Gallivan, LLC for \$6,900.00,

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to the recommendation of the Transfer Station Director, that the Town Board does hereby accepts Ken Morris & Sons Excavating, LLC proposal in the sum of \$7,200.00.

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:**

**2022-287)** Authorize Supervisor Peter to execute and administer Quit Claim deeds in accordance with Section 212-a in the Highway Law for abandoned paper road relative to a proposed undeveloped road adjoining and adjacent land to Leo and Robin Roohan, 15 Bayberry Drive, and Albert and Thomasina Wilson, 17 Bayberry Drive, and as further described in metes and bounds descriptions dated August 26, 2022. Further authorize Supervisor Peter to execute and administer TP 584 and RP-5217 in conjunction with Quit Claim Deeds transfer. [Documents to be prepared/provided by Roohan and/or Wilson]

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

S. Peter read the proclamation.

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:**

**2022-288)** **WHEREAS**, it is the tradition of the Schodack Town Board to recognize the achievements of those who have given so generously to their community, exemplifying the ideals and values cherished by the Town of Schodack, and

**WHEREAS**, Lawrence Cooper has distinguished himself as a person of outstanding ability and integrity, recognized for his selfless dedication and service to his community through his various roles as a member of Nassau Hose Company Number One over the past 60 years, and

**WHEREAS**, Larry grew up on Elm Street in the Village of Nassau and, deciding to follow in his family's tradition, joined Nassau Hose Company Number One in March of 1962 at the age of 16, and

**WHEREAS**, in the years that followed, Larry met and married Pat, purchased a home on Chatham Street "a stone's throw away from the firehouse" and, subsequently, raised their children, and

**WHEREAS**, Larry, taking on more responsibility, served in various positions with Nassau Hose Company Number One, serving as Lieutenant and Captain from 1965 to 1970, Assistant and Deputy Chief from 1970 to 1974, rising to the rank of Chief, serving in that position from 1974 until 1976, and

**WHEREAS**, Larry has shared his high energy and colorful style throughout his career in the fire service, and further demonstrated a strong commitment to the community by serving on the Nassau Ambulance in the “old days of load and go” responses, and

**WHEREAS**, Larry has mentored many members of the department over the years including his son Matthew, recapping stories and experiences from traffic accidents, water emergencies, drills, parades and firematic competitions to memorable structure fires such as Delson’s Department Store and Millbrook Kitchen fires, and

**WHEREAS**, in the winter of 2000, Larry and Pat relocated to their country home on Lape Road in the Town of Schodack where Larry enjoyed a brief “retirement” from leadership responsibilities, while their son Matthew was becoming a full-fledged member in his own right, following in father’s footsteps with Nassau Hose Company Number One and rising through the ranks to Chief, Larry once again assumed the role as Assistant and Deputy Chief from 2002 through 2007, and

**WHEREAS**, in 2010 Larry switched hats to take on an administrative role, thereby, following in his father’s footsteps became the second generation of Coopers to serve as President of Nassau Hose Company Number One from 2010 through 2014

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

**BE IT FURTHER RESOLVED**, that the Legislative Body of the Town of Schodack did pause in its deliberations of the 22<sup>nd</sup> of September, 2022, to acknowledge and honor Lawrence Cooper in recognition of his sixty years of active service in Nassau Hose Company Number One also serving Nassau Lake West Protective District in the Town of Schodack. A copy of this resolution, suitably engrossed, will be transmitted to him by the Supervisor Peter.

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

## **ADJOURNMENT**

As there was no further business before the Board, C. Kenney made a motion to adjourn the 09/22/22 Town Board meeting at 8:38 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk