

**DATE:** FEBRUARY 9, 2023

**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

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Supervisor Peter called the February 9, 2023 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.

S. Peter announced that the town was fortunate to receive surplus chairs for the dais and partitions for the second floor from another government agency. He added that K. Konig adjusted the location of lights above the dais, increasing the visibility. He thanked everyone for their efforts.

### **Briefing of the Resolutions**

S. Peter gave a brief overview of the resolutions. He noted that he had spoken to Rensselaer County regarding the shared service agreement for K. Konig and had not received the draft with the discussed amendments; therefore, he recommended withdrawing resolution 2023-97. All board members agreed. All other resolutions were self-explanatory.

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

**Review of Abstracts of Claims and Budget Amendments:** The Board reviewed claims #23-0107 to #23-0266 on Abstract No. 2023-02 in the amount of \$2,088,368.09, including the claims paid prior (\$58,884.10).

**Board Comment:** C. Swartz noticed that there was more mileage reimbursement on the abstracts and asked, due to the increase in the rate, if the departments had considered utilizing one of the town vehicles. S. Peter said the newest vehicle for the Building

Department could be used on Mondays and Fridays when G. Ziegler was not in the office. It would be up to employees to coordinate the vehicle schedule.

**Public Comment:** A resident asked what the claims were for (2023-107). P. Harter explained that some invoices need to be paid prior to the next board meeting, which totaled \$58,884.10. All remaining claims, which totaled \$2,088,368.09, mainly consisted of budgetary/contractual payments to the Castleton Volunteer Ambulance Company, East Schodack Fire District #1, East Greenbush Fire District #3, Nassau Fire District #1, Schodack Landing Fire District, Schodack Valley Fire District, South Schodack Fire District, Castleton Public Library, Nassau Free Library and the Castleton V.F.W. Post.

**Public Hearing  
Proposed Local Law 3-2023  
Amend Chapter 151 - Noise**

C. Swartz made a motion to open the public hearing for proposed local law #1-2023 to order at 7:05 p.m. Seconded by C. Rex. All in favor.

The Town Clerk summarized the Affidavit of Publication seeking public comment on Proposed Local Law No. 3 of 2023 Amending Chapter 151 entitled Noise in the Town of Schodack. The legal notice was posted on the Town Clerk's signboard, the Town's website and published in *The Record* on January 30, 2023.

B. Murphy of 455 Palmer Road questioned how the law would be enforced. S. Peter said it would be the responsibility of the Code Enforcement Officer and the Police Department to enforce the ordinance. Mr. Murphy asked which department would possess a decibel meter. S. Peter stated that Code Enforcement had one and others would be purchased for the Police. Mr. Murphy expressed concern with the time allotted for garbage trucks as he felt it would be better to move the time from 6 a.m. to 7 a.m. S. Peter said the section of code for refuse vehicles was mirror from other municipalities. It was not the goal of the code to prosecute individuals but rather allow the Police and Code Enforcement to enforce the law. He noted that if there were issues with trucks coming earlier, he asked that his office or the police be notified so it could be addressed. Mr. Murphy mentioned that his neighbor had a track on his property for an ATV and asked if they could be restricted from using it during quiet hours. S. Peter said it would be a challenge as the law was broad and was limited in coverage of ATV use; however, he felt it had enough weight to be held up in court, if needed.

M. Brunner of 1692 Julianne Drive asked the definition of a neighborhood. S. Peter said it was a general term which could be defined in many ways. It could refer to a development or the town, depending on the impact of the noise. Mrs. Brunner said she was encountering an issue with Amazon employees playing loud music in their cars and asked what the process was for reporting it. S. Peter said the town board was in the process of adjusting the Police Department hours from 8 a.m. to 7 a.m., which would allow for a quicker response. He added that reports can also be made to Code Enforcement, who intern can contact the company to ensure compliance. Mrs. Brunner expressed concern that added complaints may place an added cost on taxpayers. She noted that a significant increase was seen on their property tax bill for the Schodack Valley Fire District. S. Peter assured her there would be no added

cost as the Police and Code Enforcement would already be on duty. Currently, the building department was at a lull in activities for the winter. As they move into their busy season, the situation may need to be addressed. Mrs. Brunner asked, regarding the music at Amazon, would the individual or the company be responsible for violations and/or fines. Atty. Langlois said potentially both could be responsible. S. Peter reiterated that it was not the goal of the law to burden the court with fines. The main purpose was to allow the Police to stop the disruption and enforce the code.

D. Calarco of 1320 Schodack Valley Road expressed concern with the draft of the local law as it was very subjective. He presented the board with an example of a noise ordinance from the Town of Colonie and recommended the town amend the draft to model that code as it had been challenged in court and held up.

H. Sparazza of 2337 Payne Road thanked the board for their efforts to amend the code as it had been an ongoing issue for him and his neighbors. He mentioned that he had come before the board three years ago with no resolve; however, since S. Peter had come in, he felt it would finally be addressed. He said he had spoken with S. Feldman, owner of Birch Hill, who assured him that added sound proofing and an adjustment to the location of speakers within the barn would help to reduce the affect of the noise. He expressed concern with the lack of decibel levels within the law. He stated that, according to a study, a decibel level of 45 was considered normal for a residential neighborhood at night and 55 during the day. Levels around 65 were considered harmful and 75 were considered painful. He felt that setting a standard level would be best as individuals have varying levels of sensitivity. He said he was in favor of the law as it was written but felt a modification may be needed in the future.

V. Feldman of 2342 Payne Road said that she was the owner of the winery and clarified that the venue which held weddings on Payne Road was actually Birch Hill. She noted that the venue, which was owned by her family, was fine with the ordinance and the time frame set for quiet hours. She expressed concern with the lack of specificity for decibel levels for noises and felt a qualitative not quantitative approach was needed for enforcement. She asked what the penalty would be after three violations. S. Peter noted that the fines would be capped and fines would remain at the third level for offenses beyond the three violations. No jail time would be included.

Hearing no further board or public comments, C. Bult made a motion to close the public hearing at 8:02 p.m. Seconded by C. Rex. All in favor.

**Public Hearing**  
**Proposed Local Law 4-2023**  
**Amend, Repeal and Replace Chapter 90 – Building Code Administration**

C. Swartz made a motion to open the public hearing for proposed local law #1-2023 to order at 8:02 p.m. Seconded by C. Kenney. All in favor.

The Town Clerk summarized the Affidavit of Publication seeking public comment on Proposed Local Law No. 4 of 2023, amending Chapter 90 entitle Code in the Town of Schodack by deleting, repealing Chapter 90 and replacing it with a new chapter to provide for

administration and enforcement of the New York State Uniform Fire Prevention and Building Code. The legal notice was posted on the Town Clerk's signboard, the Town's website and published in *The Record* on January 30, 2023.

Hearing no board or public comment, C. Rex made a motion to close the public hearing at 8:03 p.m. Seconded by C. Bult. All in favor.

### **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.**

**2023-93**      **Withdrawn:** ***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 February 9, 2023 at 7:05 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 3 of 2023 Amending **Chapter 151 entitled Noise in the Town of Schodack, and***

***WHEREAS**, notice of said public hearing was duly posted on the Town Clerk's Sign Board on January 30, 2023 and advertised in the January 30, 2023 edition to THE RECORD, official newspaper of the Town, and*

***WHEREAS**, said public hearing was held on February 9, 2023 at 7:05 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 local law or any part thereof, it is hereby*

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

***NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 3 of 2023 (P3-2023) to be known as Local Law 1 of 2023 Noise in the Town of Schodack, and*

***BE IT FURTHER RESOLVED**, that the Town Clerk, be and is hereby directed to enter said local law into the Code of the Town of Schodack and to give due notice to said local law to the Secretary of State.*

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:**

2023-94

**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 February 9, 2023 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 4 of 2023 Amending **Chapter 90 entitled Building Code Administration in the Town of Schodack, and**

**WHEREAS**, notice of said public hearing was duly posted on the Town Clerk's Sign Board on January 30, 2023 and advertised in the January 30, 2023 edition to THE RECORD, official newspaper of the Town, and

**WHEREAS**, said public hearing was held on February 9, 2023 at 7:15 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 local law or any part thereof, it is hereby

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 4 of 2023 (P4-2023) to be known as Local Law 2 1 of 2023 Building Code Administration in the Town of Schodack, and

**BE IT FURTHER RESOLVED**, that the Town Clerk, be and is hereby directed to enter said local law into the Code of the Town of Schodack and to give due notice to said local law to the Secretary of State.

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:**

2023-95

**WHEREAS**, pursuant to the franchise agreement between Time Warner Cable ("TWC") (now known as Charter Communications) and the Town of Schodack, TWC/Charter pays the Town a fee for a special franchise to operate its cable television business in the public right-of-way, and

**WHEREAS**, for the year 2022 TWC/Charter paid the Town of Schodack \$93,383.92 in franchise fees, and

**WHEREAS**, TWC/Charter was levied a total of \$2,945.93 in Town taxes on five special franchise properties, and

**WHEREAS**, Section 626(1) of the Real Property Tax Law of the State of New York provides that the amount paid as a franchise fee is to be deducted from the taxes levied on a special franchise, and

**WHEREAS**, Section 626(2) of the Real Property Tax Law provides that the person responsible for collecting the franchise fee shall deliver to the Town of Schodack a certificate showing the amount of the franchise fee paid for the year ending on the date set forth in the certificate, and

**WHEREAS**, upon receipt of the certificate, the law requires the Town of Schodack to enter a credit on the tax roll in the amount shown on the certificate, and

**WHEREAS**, Rensselaer County Bureau of Finance is responsible for entering the credit on the tax roll, and

**WHEREAS**, pursuant to Section 626, the TWC/Charter Tax Department returned the Town's Special Franchise tax bill, and

**WHEREAS**, TWC/Charter is required to make a request in order to receive a credit on the tax roll, and

**WHEREAS**, the Town has received a request for the credit on property taxes assessed in 2023 from the franchise fees paid during 2022,

**NOW, THEREFORE, BE IT RESOLVED** to authorize payment of \$2,945.93 to Rensselaer County Bureau of Finance based on the 2022 TWC/Charter Utility report on said franchise properties assessed within 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, seconded by C. Swartz:

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

**2023-96** Amend resolution 2022-347 as adopted on December 8, 2022 as follows: Amend resolution 2022-055, as adopted on January 6, 2022, to reflect and not to exceed amount of **\$16,500.00** as follows: Appoint Girvin & Ferlazzo, P.C. as Labor Counsel to the Town, pursuant to retainer agreement dated January 3, 2022. This authorization shall not exceed ~~\$40,000.00~~ **\$26,500.00** without further board approval. [A-fund fund balance]  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. Noes – 0.

**2023-97**      **Withdrawn:** *Authorize Supervisor Peter to execute and administer a shared services agreement by and between the Town of Schodack and Rensselaer County dated January 1, 2023.*

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:**

**2023-98**      Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2022 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.  
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:**

**2023-99**      Authorize Supervisor Peter to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub 654a copier on the third floor at the Town Hall, ID # 770GF, for the period February 2, 2023 to February 1, 2024 for \$1,166.88 annually. Contract includes 168,000 copies annually with an overage charge of \$0.00767 per copy.  
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:**

**2023-100**      Authorize Supervisor Peter 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 Justice Court, ID#227FN, combined contract, for the period February 24, 2023 to February 23, 2024 for \$591.02 annually. Contract includes 30,660 copies annually with an overage charge of legal \$0.01932 per copy.  
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:**

**2023-101**     **WHEREAS**, pursuant to the requirement of the New York State Alcoholic Beverage Control (ABC) Law, an applicant for a license to sell alcoholic beverages at retail for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

**WHEREAS**, notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the ABC Board, and

**WHEREAS**, the Town of Schodack has on the 30<sup>th</sup> day of January, 2023 received notice that Ryan Hoffman, owner of the business known as Pizza Trail, LLC is applying for an on-premises liquor license, and

**WHEREAS**, the Town Clerk circulated a notice of said application to the Schodack Town Board, the Schodack Police Department and the Schodack Building Department and no adverse comments or recommendations of any kind were received,

**WHEREAS**, pursuant to Alcohol Beverage Control Law §64(2A), an applicant must give the municipality thirty (30) day notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement;

**NOW THEREFORE BE IT RESOLVED**, by the Town Board of the Town of Schodack, that with respect to the application submitted by Ryan Hoffman doing business as Pizza Trails at 1685 US Rt. 9, Schodack, New York for a license to sell alcoholic beverages at retail for on-premises consumption, the Schodack Town Board does express a favorable opinion, and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Schodack hereby waives the thirty (30) day notice period in regard to Pizza Trails LLC at 1685 US Rt. 9, Schodack, New York allowing an earlier submission of the liquor license application.

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:**

**2023-102**     Authorize refund of building permit fee in the amount of \$250.00 to SG Dharma Bums LLC for Building Permit Application, as Valarie Feldman, withdrew her request of a certificate of compliance inspection.



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:**

**2023-103** Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 5 of 2023 to amend Chapter 219 of the Schodack Town Code to permit residential garages in Highway Commercial Zones in the Town of Schodack. Said hearing to be held on Thursday, February 23, 2023 at the Schodack Town Hall at 7:05 p.m.

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:**

**2023-104** Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 6 of 2023 to amend Chapter 175 entitled Water Regulations of the Schodack Town Code in the Town of Schodack. Said hearing to be held on Thursday, February 23, 2023 at the Schodack Town Hall at 7:15 p.m.

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:**

**2023-105** **WHEREAS**, Laberge Group, a duly licensed Engineering firm permitted to practice in the State of New York had previously been retained to prepare Contract Documents for the Water Plant Bridge(Project) which will install a replacement bridge span for that destroyed in July 2021, as well as remove the temporary bridge span, and

**WHEREAS**, Laberge Group has prepared the required Contract Documents necessary for the Projects, and

**WHEREAS**, the Board does hereby accept and approve the Contract Documents for bidding, and

**WHEREAS**, the Contract Documents inform potential bidders that the Town has not yet received all required governmental approvals and the Town will not be responsible for any costs incurred by any Bidder if the Town is unable to award the Project, and the

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is authorized to advertise for construction bids for the Project using the Contract Documents approved by the with a bid opening date of March 9, 2023 at 11:00 A.M.

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

S. Peter read the resolution prior to the vote.

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:**

**2023-106** **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**, Laura Nardone Palmer has distinguished herself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to her position of Assistant Comptroller in the Town of Schodack, and

**WHEREAS**, Laura grew-up in Peekskill, New York and attended Hendrick Hudson High School, and

**WHEREAS**, Laura became a long-time resident of the Town of Schodack shortly after graduating from Siena College where she had studied accounting, and

**WHEREAS**, Laura began her career in the capital district as a full-time Tax Officer with Key Bank, NA, and

**WHEREAS**, in 2000 and 2001 Laura Palmer served the Town of Schodack as a Budget Officer, and

**WHEREAS**, on December 23, 2002 the Town Board of the Town of Schodack authorized the hiring of Laura Palmer as Comptroller in Training, and

**WHEREAS**, Laura assumed the position of Comptroller in Training on January 1, 2003 and position of Assistant Comptroller on January 1, 2004 as has served faithfully in this role under Supervisors: Eileen Natoli, Beth Secor, Dennis

Dowds, David Harris and Charles Peter, until her retirement on February 16, 2023, and

**WHEREAS**, from early on, Laura demonstrated her commitment to the community by serving as a member of Sacred Heart Church, and

**WHEREAS**, Laura has been known for practically living at Town Hall, often arriving well before anyone else and staying late to tie-out the latest excel sheets she has been working on, making sure every service tap, curb box, nut, bolt and appurtenance are properly assigned to the fund it should be, and

**WHEREAS**, Laura has demonstrated her love of family by being the proud mother of Ryan, Michaela and Mathew, mother-in-law to Katie, Joe and Angela and super proud Oma to Michael and Patrick, Carmella and Jonathan and a loving and devoted wife of Keith ("Tee"), and often shares her love for family, gatherings, desserts and gardening with her coworkers and friends,

**WHEREAS**, it surely comes as no surprise, she will greatly miss her fellow employees, along with having snacks readily available in her drawer, reading contracts and analyzing map, plans and reports

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislative Body of the Town of Schodack is moved to honor Laura Nardone Palmer, who has given herself to this community in so many ways and distinguished herself throughout her career bringing great pride to her family, her peers, her associates and her 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 9<sup>th</sup> day of February 2023 to acknowledge and honor Laura Palmer, upon her retirement, for her 20 plus years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to her.

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. Kenney:

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

**2023-107** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-0107 to 23-0266 on Abstract No. 2023-02, in the amount of \$2,088,368.09, including the claims paid \$58,884.10.

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:**

**2023-108** Authorize the January 2023 budget modifications, interfund loans and interfund transfers as provided in document dated February 2023 and recommended by the Comptroller.

**BUDGET MODIFICATIONS**

	<b>Fund/ Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>2022</b>				
<b>180</b>	A-960-1410.4000	Town Clerk - Contractual	347.60	
	A-960-1410.1000	Town Clerk - Personal Services		347.60
	To modify the budget for Town Clerk mileage reimbursement			
<b>181</b>	A-960-5010.4000	Supt of Highways - Contractual	208.69	
	A-960-5010.1000	Supt. Of Highways - Personal Services		208.69
	To modify the budget for increased gas costs			
<b>182</b>	A-960-5132.4000	Town Garage - Contractual	8.27	
	A-960-1990.4000	Contingency - Contractual		8.27
	To modify the budget for purchase and installation of Highway Garage new phone system			
<b>183</b>	B-960-8010.4000	Zoning - Contractual	7.60	
	B-960-8010.1000	Zoning - Personal Services		7.60
	To modify the budget for Code revision encumbrance			
<b>184</b>	B-960-8160.4000	Refuse & Garbage - Contractual	590.34	
	B-960-8030.4000	Research - Contractual		155.66
	B-960-8160.1000	Refuse & Garbage - Personal Services		434.68
	To modify the budget for Bethlehem Hazardous Waste day - 5 residents			
<b>185</b>	DB-960-5140.4000	Brush & Weeds - Contractual	631.39	
	DB-960-5130.1000	Machinery - Personal Services		631.39
	To modify the budget for Increased Fuel Costs			
<b>186</b>	DB-960-5142.4000	Snow Removal - Contractual	1,289.21	

DB-960-5130.1000	Machinery - Personal Services	1,289.21
To modify the budget for Increased Fuel Costs		

<b>187</b>	DB-960-9060.8100	Medical Insurance - Retiree	1,929.95
	DB-960-9060.8000	Medical Insurance - Employee	1,910.41
	DB-960-9040.8000	Workers Comp - Employee	19.54
To modify the budget for retirements of Highway Department employees			

<b>188</b>	EW-960-8320.4000	Enterprise Water - Contractual	291.31
	EW-960-8320.2000	Enterprise Water - Equipment	291.31
To modify the budget for Well issue service call and Amazon hookup			

#### BUDGET MODIFICATIONS

	<b>Fund/ Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>2022</b>				
<b>189</b>	SS5-960-9795.7000	E Sch Treatment & Disp - I/F loan Interest	16.00	
	SS5-960-9795.7100	E Sch Treatment & Disp - I/F loan Interest	9.00	
	SS5-960-9795.7660	E Sch Treatment & Disp - I/F loan Interest	60.00	
	SS5-960-9040.8000	E Sch Treatment & Disp - Workers Comp		85.00
To modify the budget for Interfund Loan from A Fund to SS5 to payoff BAN's				
<b>190</b>	SS6-960-8130.4000	Ext 10 Sewer District - Contractual	12,415.34	
	SS6-960-1990.4000	Ext 10 Sewer District - Contingency		3,950.00
	SS6-960-8130.1000	Ext 10 Sewer District - Personal Services		6,827.47
	SS6-960-9060.8000	Ext 10 Sewer District - Medical Insurance		1,637.87
To modify the budget for recording payment to E.G. for sewer services				
<b>191</b>	SS8-960-8130.4000	Sch Landing Treatment & Disp - Contractual	108.17	
	SS8-960-8130.1000	Sch Landing Treatment & Disp - Personal		108.17
To modify the budget for employee time in district and increased electricity costs				
<b>192</b>	SW1-960-8310.4000	Clearview District - Contractual	14.00	
	SW1-960-8310.4009	Clearview Source - Contractual	73.75	
	SW1-960-8320.4000	Clearview Source - Contractual	127.62	
	SW1-960-8340.4000	Clearview Transmission - Contractual	23.83	

	SW1-960-9060.8009	Clearview Source - Medical Insurance	239.20
	To modify the budget for Clearview Source/District Chlorine issues		
193	SW3-960-9795.7000	Maple Crest Water - I/F Loan Interest	6.00
	SW3-960-9040.8000	Maple Crest Water - Workers Comp	6.00
	To modify the budget for Interfund Loan from A Fund to SW3 to payoff BAN's		
194	SWC1-960-8340.4000	Consolidated Water - Contractual	104.35
	SWC1-960-1990.4000	Consolidated Water - Contingency	104.35
	To modify budget for Amazon Hydrant repair		
	5 Ayes 0 Noes. <b>MOTION CARRIED.</b> Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. Noes – 0.		

### **Open Discussion**

**Van Hoesen Station, PD-2:** S. Peter asked that the board submit any suggestions they had for Van Hoesen Station.

**Park Activities:** S. Peter announced that the Easter Egg Hunt at the Town Park would take place on April 1<sup>st</sup> with a rain date of April 8<sup>th</sup>. He mentioned that he was working with K. Konig to establish an ideal location for the projector and screen for the movie night events. It was the plan to hold four events, two in the spring and two in the fall. The next step would be to purchase the license for the use of the movies.

**Chief of Police:** S. Peter stated that P. Natale had accepted the Chief of Police position and would be at the February 23<sup>rd</sup> meeting for his swearing in ceremony.

**Volunteer Firefighter/Ambulance Tax Exemption:** S. Peter said Rensselaer County had not passed a local law for the proposed tax exemption as of yet and he was unsure how the town should proceed. Atty. Langlois said the town board could pass the local law that had been presented at the public hearing, so long as there were no major changes. C. Bult said he had heard that NYS was in the process of amending their previous local law regarding the exemption due to the vagueness of the guidelines.

**Open Positions:** S. Peter noted that interviews had been conducted for the Assistant to the Assessor position. Following the final interview on February 10<sup>th</sup>, the board would make their decision and have a resolution for the next meeting.

**Viking Gym:** S. Peter said he had met with members of the Rotary Club to discuss the progress of the Viking Gym. He noted that they had secured funding and were in the process of obtaining quotes. They had veered from the original construction to now include wood and pre-engineered equipment.

### **Executive Session**

C. Bult made a motion at 8:23 p.m. to enter into an Executive Session of the Board pursuant to Public Officers Law, Article 7 §105(1-e) to discuss contract negotiations. Seconded by C. Kenney.

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

S. Peter said there would be no further business following the executive session.

C. Swartz made a motion to adjourn the Executive Session at 8:49 p.m., seconded by C. Rex.

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. Bult made a motion to adjourn the 02/09/23 Town Board meeting at 8:49 p.m., seconded by C. Kenney. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk

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