

DATE: APRIL 27, 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:

Supervisor Peter called the April 27, 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.

Presentations

Castleton Library: M. Tacke, Castleton Library Director, thanked the board for their continued support and informed them of a proposition that would be placed on the ballot for the upcoming Schodack Central School District Budget vote. The proposition would authorize the voters within the school district to be taxed annually for operation costs for the library. If approved, the tax would be seen as a separate line on the school tax bills. The library would still maintain a relationship with the Town but would seek a funding request for 2024 which would be cut by 50 percent. If the proposition was not approved, the 2024 request would be an increase of 5-10 percent from the 2023 request. The proposal was initiated by the NYS Board of Regents who recommend that libraries seek direct voter funding rather than Town funding. The added funding would allow for a change in staffing hours, the addition of Sunday hours, the hiring of a fulltime Librarian and other necessities to meet the needs of the community. Ms. Tacke noted that there would be no change in how the library was governed. She added that anyone who was interested in learning more about the proposition could attend two informational meetings on May 8th at either 1:00 p.m. or 6:00 p.m. She encouraged all to attend and voice any questions or concerns.

Van Hoesen Station Update: M. Ruthman of the Spinney Group gave an update on the proposed Van Hoesen Station to be constructed off Richwood Drive. The project had been before the Planning Board, received a negative declaration under SEQR on October 3, 2022, a recommendation from the Planning Board to go before the Town Board for a zoning change to a PD-2 on November 21, 2022, a presentation was made to the Town Board on December 29, 2022 and a public hearing took place on January 26, 2023. Based upon the public hearing

and recommendations from the Town and Planning Boards, the density was reduced from 200 units to 180 units, consisting of 120 apartments, 46 townhouses and 14 single family homes. The project would encompass 14 acres with potential for an additional four acres to be purchased and dedicated to the town as a park, along with sidewalk installation down US 9 to the site location. He noted that the latest proposal incorporated some recommendations; however, it was not feasible to reduce the density by fifty percent. It had been reduced by forty percent but any further and the project would not be financially possible. He added that the project still maintained a low density, met the needs of the comprehensive plan, would bring jobs to the area and be community oriented. He asked that the board consider holding a second public hearing to allow the project to move back to the Planning Board for site plan review. Atty. Langlois asked if all units would be rentals. M. Ruthman said yes.

Review of Resolutions

S. Peter summarized the resolutions. He noted that there was an error in the listing of bands for the Music in the Park Series that needed to be amended (2023-163) and during the last heavy snowstorm, trees and branches came down in the Woodlawn Cemetery, requiring the use of the woodchipper for the cleanup (2023-165).

Board Comment: None.

Public Comment: None.

Adoption of Resolutions

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

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

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

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

2023-163	Amend resolution 2023-126 as adopted March 9, 2023 as follows:		
	Authorize Supervisor Peter to contract with musicians to perform at the 2023 Music in the Park as follows:		
	Gone Grey	May 30 th (rain date 5/31/23)	\$ 500.00
	Peaceful Country Band	June 6 th (rain date 6/7/23)	\$ 575.00
	Triskele	June 13 th (rain date 6/14/23)	\$ 950.00
	Eric Peter Band	June 20th (rain date 6/21/23)	\$ 800.00
	Rocky and the Moosemen	June 20 th (rain date 6/21/23)	\$ 1,200.00
	Yankee Doodle Band	June 27 th (rain date 6/28/23)	\$ 600.00
	Kyle Bourgault Band	August 1 st (rain date 8/2/23)	\$ 800.00

Jarrold	August 8 th (rain date 8/9/23)	\$ 500.00
Sundown Express	August 15 th (rain date 8/16/23)	\$ 500.00

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

S. Peter read the proclamation before being voted upon.

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:

2023-164 **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, Patricia Loomis 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 Senior Justice Court Clerk in the Town of Schodack, and

WHEREAS, Trish has been a lifelong resident of the Town of Schodack and graduated from Maple Hill High School Class of 1984, and

WHEREAS, Trish began her career working in private sector first at Resurrection Nursing Home and then at Fleet Norstar Bank in the Village of Castleton, often juggling her responsibilities as a loving and caring mom of two young boys, and

WHEREAS, Trish enhanced her career on November 18, 1997 when she began her position as part-time Clerk in Justice Court, serving in that position until April 12, 1998, continuing to enrich her career she was appointed full-time Deputy Town Clerk effective April 4, 1998, and served alongside Donna Conlin until October 10, 2000 when she was appointed Temporary Court Clerk effective October 10, 2000 and subsequently appointed to full-time Justice Court Clerk effective October 12, 2000 and Village of Castleton Court April 2006 through April 2014, and

WHEREAS, continuously serving as Court Clerk Trish rose to the rank of Senior Justice Court Clerk in 2003 for the Town of Schodack in one of the busiest and most competent court in Rensselaer County, and

WHEREAS, Trish as Senior Clerk dedicated countless hours over her career sharing her wisdom and expertise training her Assistant court clerks and being a member of the New York State Association of Magistrates Court Clerks for 20 plus years, and

WHEREAS, she has worked efficiently and effectively alongside of Court Officers William Dikant, William Gonzales and Joel Montross and has assisted Special Prosecutor Philip Danaher, and

WHEREAS, Trish has served faithfully in this role under Justice Paul Peter and Justices: James Bult, Alex Shannon, Bruce Wagner and Ryan Mullahy and Supervisors: Michael Glavin, Joseph McCabe, Eileen Natoli, Beth Secor, Dennis Dowds, David Harris and Charles J. Peter until her retirement on May 5, 2023, and

WHEREAS, Trish has demonstrated her love of family by being a loving partner to her soul mate, Kenneth Holmes; dedicated mother to Justin and Steven; attentive step-mother to Sonja and Whitney; proud Mimi to Sophia, Julia and Augustine and devoted puppy-mommy to Magnolia, and

WHEREAS, it surely comes as no surprise she often shares her love of their classic 1964 Ford Galaxy 500 and their Harley Davidson motorcycle cruises with her coworkers and friends and vacationing in Lake George with her family.

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Patricia Loomis, 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 27th day of April, 2023 to acknowledge and honor Patricia Loomis, upon her retirement, for her 25 plus years of service to the Town of Schodack. 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. 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:

2023-165 Ratify and affirm pursuant to Section 165-a of the General Municipal Law, authorizing the use of the woodchipper on April 19, 2023 at Woodlawn Cemetery to chip debris from heavy wet snow that took down several large trees and branches.

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

Open Public Comment

M. Brunner of 1692 Julianne Drive thanked Mr. Ruthman for the update on Van Hoesen Station but expressed concern for the additional traffic that would occur with the proposed construction. S. Peter said he understood her concern and noted that the addition of a traffic control device at the intersection of Richwood Drive and US 9 had been proposed to assist with the ingress and egress from Richwood Drive. Mrs. Brunner said she was more concerned about the construction vehicles on Richwood Drive as the road was already in rough shape. She felt it would only become worse. S. Peter said a second entrance was requested; however, there was no location for said entrance. He added that a road bond would be discussed prior to construction but agreed that Richwood Drive, directly off US 9, had deteriorated considerably due to the use of more salt as a result of shading on the road during the winter. Mrs. Brunner also expressed concern that the plans for Van Hoesen Station did not adequately show the clearing that had been done on the property during timber harvesting. As it stood, there was no buffer between the proposed site and the Richwood Development.

Board Discussion

Road Program: S. Peter informed the board that quotes had been received from Valley Paving and HMA Contracting Corp. for the road program, with the many of the lowest quotes coming from Valley Paving. The total projected cost was \$750,000.00 for paving and \$250,000.00 for chip sealing. He noted that the cost was at the 2023 budget limit and asked the board to consider making more B Funds available for other roads if needed. He added that the condition of the Town Hall Parking Lot was getting worse. He asked the board to consider allocating funds either this year or budgeting for 2024 to have it repaved.

Old Post Road Golf Club: S. Peter noted that the owner of the Old Post Road Golf Club had an application before the Planning Board for a housing development at the golf course, which included amendments to the previously proposed water and septic.

Open Positions: S. Peter stated that resumes had been received for the Part-time Park Attendant position. The board was in the process of structuring the hours for the Attendant to assist at the Transfer Station as well as at the park. He had also spoken to K. Konig, Director of Buildings and Grounds, about setting parameters on the exact hours that the pavilion is available for rental. Currently, the hours were from 8:00 a.m. to dusk, making it difficult for the park staff on weekends.

Viking Gym: S. Peter attended a meeting with representatives from the Rotary Club, Top Form and the Kiwanis. It was decided that the funding contribution from the Rotary Club for the construction of the Viking Gym would be \$1,500.00 each year for 3 years. C. Bult said he had spoken with K. Konig, Director of Buildings and Grounds, regarding the proposed location for the gym. He was concerned that the location was too far out and recommended that it be moved closer to the parking lot, on the other side of the creek. S. Peter agreed that a change of location was advisable to increase visibility and more sun. He asked what funding level the board members were comfortable spending as the total cost of the project was estimated at \$20,000.00. It had previously been discussed splitting the purchase of

equipment between a few years and wondered if that was still desired. C. Bult noted that parkland funds were available and felt it would be best to do the project all at once, to prevent multiple years of construction. C. Rex agreed as it was a healthy investment for the community. S. Peter added that he was still looking into the construction of a splash pad within the town. He and K. Konig had visited the Wiltons Gathering Park on a Monday and observed the park full of attendees who were utilizing the pickleball courts and splash pad.

FAST NY Grant Program: S. Peter explained that the FAST NY Grant would allow property owners to clear sites and prepare them for future development. The town had been approached by an applicant seeking the ability to apply for said grant for a site located on US 9 by exit 12 of I-90. Under the program requirements, the applicant would need to partner with the Town as a sponsor.

Noise Ordinance: S. Peter said Atty. Langlois and D. Calarco from the Zoning Board of Appeals were reviewing the Noise Ordinance from the Town of Colonie and using it as a template to draft the next edition of the law for Schodack.

Battery Moratorium: S. Peter stated that, on the advice of counsel, the board would be reviewing the Solar Law in conjunction with the battery moratorium. As the Solar Law stood, decommissioning bonds could be in the form of a letter of credit or bond rather than cash. A concern was brought up regarding the business who constructed a solar facility going out of business and how the decommissioning funds would be obtained. Atty. Langlois recommended that the law be amended to exclude letters of credit as well as any other necessary changes. He welcomed any input from the board members.

State Liquor Authority Application – Birch Hill at Stable Gate: S. Peter noted that an application for a liquor license had been received from Birch Hill at Stable Gate. They had received comments from one department but were still waiting to hear from others. He anticipated the resolution to be on the next agenda.

Zoning Code Update: S. Peter said he had spoken to R. Laberge to schedule the meetings for the proposed zoning code updates. Those dates would be announced in the future.

Transfer Station Roll-Off: S. Peter informed the board that the mechanics at the Highway Garage found an issue with the transmission and radiator in the roll-off truck from the Transfer Station. The projected cost for repair was \$5,000.00.

East Greenbush Library: S. Peter said he had met with the East Greenbush Library Director to discuss a strategic plan, including a funding calculation for future budget requests to help eliminate large increases.

Police Union Contract: S. Peter stated that the Memorandum of Agreement had been drafted and was in the review process.

Route 9 Water and Sewer Improvements: S. Peter noted that a few more easements were still needed before the project could be sent out for bid.

Executive Session

C. Swartz made a motion at 7:45 p.m. to enter into an executive session of the Board pursuant to Public Officers Law, Article 7 §105(1-f) to discuss personnel matters and Public Officers Law, Article 7 §105(1-e) to discuss contractual matters. Seconded by C. Rex.

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

S. Peter noted no further business would follow the executive session.

C. Rex made a motion at 8:24 p.m. to adjourn the executive session. Seconded by C. Bult.

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 4/27/23 Town Board meeting at 8:24 p.m., seconded by S. Peter. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk

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