

**DATE:** JUNE 8, 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  
BRUCE GOODALL, DIRECTOR OF TRANSFER STATION  
OPERATIONS  
WILLIAM RYAN, ESQ., SPECIAL DISTRICT COUNSEL  
RICHARD LABERGE, TOWN ENGINEER

---

Supervisor Peter called the June 8, 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 asked to deviate from the agenda to consider a resolution honoring Ethan Maier on being awarded the rank of Eagle Scout.

**Adoption of Resolution (Adopted out of Sequence)**

The resolution 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 A WITHDRAWN resolution is so noted and italicized.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. Peter read the proclamation before it was 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:**

**2023-196) WHEREAS**, Ethan Maier, son of Kurt and Regina Maier, on the 4<sup>th</sup> of June in the year two thousand twenty-three, was awarded the rank of Eagle Scout, the highest rank a boy can achieve in scouting; and

**WHEREAS**, Ethan started his journey in scouting as a Bobcat in 2011, with Pack 253, and

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

**WHEREAS**, Ethan is a member of Boy Scout Troop 53, and has earned 28 Merit Badges in his 7 years of Boy Scouting, and

**WHEREAS**, Ethan has served the troop as Senior Patrol Leader, Patrol Leader, Quartermaster, Instructor and is now registered as Assistant Scoutmaster, and

**WHEREAS**, as his Eagle Scout project, with the assistance of other Scouts, Scout leaders, and family and friends, cleared an area for handicap access near a pond, build a handicap picnic table and a bench, at The Stride Center, in Chatham, New York, and

**WHEREAS**, Ethan is a senior at Maple Hill High School, where he is a member of the Wrestling Team, and will be attending UAlbany this fall to study Emergency Preparedness, Cybersecurity & Homeland Security, and

**WHEREAS**, Ethan participated in Drama Club and is an active volunteer with Kiwanis.

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

**BE IT FURTHER RESOLVED** that Supervisor Peter will transmit a copy of this resolution, suitably engrossed to Ethan Maier.

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

Following the resolution vote, Rensselaer County Legislator W. Gendron presented Ethan with a proclamation for his achievements. A brief recess followed.

### **Public Hearing Battisti Water District #10, Cost of Improvements Amendment**

C. Bult made a motion to open the public hearing for the proposed Battisti Water District #10 at 7:07 p.m. The motion was seconded by C. Kenney.

The Town Clerk summarized the Affidavit of Publication seeking public comment to consider increasing the maximum cost of the improvements for Battisti Water District No. 10 to

\$2,735,010.00 pursuant to Section 209-h of the Town Law of the State of New York. The legal notice was posted on the Town Clerk's signboard on May 19, 2023 as well as on the Town's website and published in *The Record* on May 22, 2023.

R. Laberge stated that the purpose of the public hearing was to increase the maximum expense for the construction of Battisti Water District No. 10. He followed with a brief background on the formation of the district which included a map, plan and report which outlined four scenarios for cost to the residents, based upon the receipt of grant funding. Thankfully, the district was able to obtain three funding sources, including the Community Development Block Grant (CDBG), NY Water Grant and American Rescue Plan Act funds (ARPA). He noted that the CDBG and NY Water Grant funding was higher than projected, allowing the decrease in the total cost to the district users. He added that construction had begun on the project, following the bidding process; however, a requirement of the NY Water Grant was to have a revised bond resolution to reflect the loan cost of \$376,010.00.



**Water District No. 10 (Battisti)**  
**Projected Funding Scenario Debt Service Per Typical User**  
**June 2023**

Alternative No. 2 (Looped System) - \$2,735,010 Capital Cost							PROJECTED
Funding Source	Loan Rate	Loan Term, yrs.	Funding Scenario:				FINAL
			A	B	C	D	
CDBG	--	--	--	--	\$750,000	\$750,000	\$1,250,000
NYS Water Grant	--	--	--	\$1,074,000	--	\$624,000	\$709,000
ARPA Funds	--	--	--	--	--	--	\$400,000
Conventional Loan	5%	30	\$1,790,000	\$716,000	\$1,040,000	\$416,000	\$376,010
Debt Service	--	--	\$116,442	\$46,577	\$67,653	\$27,061	\$24,459
Equivalent Dwelling Units:	58.25	Per Parcel Debt Service:	\$1,999	\$800	\$1,161	\$465	\$420

J:\2022034\Meetings\Town Board Meeting June 6, 2023\Battisti Revised User Cost May 2023 Debt Service Only

Atty. Ryan explained that a petition had been filed by the residents of the Battisti Water District following the abandonment of said district by the previous owner. In the map, plan and report that was subsequently created by the Laberge Group, the capital costs for the project and operations and maintenance exceeded the threshold allowance as set by the NYS Comptroller requiring the town to apply for approval and seek funding to offset. Once the district was created and grant funding was received the town now needed, under Town Law

§ 209-h, to make a new application due to the increased cost of the project, even though the total cost for the first year to residents of the district would decrease from \$1,040.00 to \$651.00. He added that the action was subject to permissive referendum. If a petition is not received within thirty days of the notice being published, the action can then be approved.

Carol Rochester of 27 Orchard Road asked if the cost will increase after the first year. Atty. Ryan explained that, under Town Law Articles 12 and 12A, the map, plan and report is required to outline the first-year costs; however, they typically decrease after that. R. Laberge added that if the district needed to borrow money to make further improvements in the future, the cost may change. As for the operations and maintenance (O&M) costs, the district would be buying water from the Clearview Water District which could potentially increase based upon the cost of water and personnel. In the event others join the district, a decrease could also be seen. Ms. Rochester asked why the district could not use the well field that was owned by Mr. Keller, rather than buy water from Clearview. R. Laberge said the well field was assessed and it did not have adequate pressure. It was the most economical decision to connect to Clearview, which had adequate pressure and would allow for the installation of fire hydrants. He added that the system would have two connections, one on Van Hoesen Road and one on Route 9. This would create a loop system in which, in the event of a water main break, water could be fed from a different direction.

Brandon Lapp of 1625 Van Hoesen Road asked if the residents would be responsible for the cost of the meters and pressure valves. R. Laberge said in the original map, plan and report, the homeowner was responsible for the \$900.00 to install meter and pressure reduction valve to protect the plumbing within the home; however, due to the funding received, the cost was absorbed by the project. He added that American Evergreen would coordinate with residents for the installation of the new service line from the new shut-off valve and copper service. He noted that four homes located on Van Hoesen Road had their service come into their homes from the back of their property, running through the back yards of neighbors. As this posed a major legal issue of property line, it was decided that those services would be rerouted to the front of the homes on Van Hoesen Road.

Hearing no further board or public comments, C. Bult made a motion to close the public hearing at 7:28 p.m. Seconded by C. Kenney. All in favor.

**Public Hearing  
Proposed Local Law 8-2023  
Amend Chapter 151 - Noise**

C. Swartz made a motion to open the public hearing for proposed local law #8-2023 to order at 7:28 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. 8 of 2023 Amending Chapter 151 entitled Noise in the Town of Schodack. The legal notice was posted on the Town Clerk's signboard and the Town's website on May 29, 2023 as well as published in *The Record* on May 31, 2023.

S. Peter explained that he had worked with counsel to create the latest draft of the Noise Ordinance, which included language from the Town of Colonie code. The law included general prohibition as well as decibel levels for certain situations, allowing authorities to enforce the law.

Hearing no board or public comments, C. Kenney made a motion to close the public hearing at 7:30 p.m. Seconded by C. Bult. All in favor.

### **Review of Resolutions**

S. Peter gave a brief overview of the resolutions on the agenda. He explained that resolution 2023-201 was added to oppose proposed legislation amending the election law to require local elections to move to an even year. Following approval, the Town Clerk would be directed to forward certified copies of the resolution to Governor Hochul, Senator Ashby and Assemblyman Bendett. All other resolutions were self-explanatory.

**Board Comment:** S. Peter stated that due to rising costs for tire disposal and individuals bringing tires from commercial businesses to the Transfer Station, an amendment to the 2023 Rules and Regulations was deemed necessary (2023-197). The change would limit the number of tires allowed to be brought annually to the facility by a resident. He added that future discussion would be needed regarding the fee for tires. C. Swartz asked the definition of a “dirty tire”. B. Goodall explained that the company who takes the tires instituted the rule as some tires were coming in with soil and rocks. If the Transfer Station took said tires, it would be their responsibility to clean them before the company would accept them. C. Bult asked if the amendment would help to address the issue at the Transfer Station. B. Goodall said yes. He noted that, at times, truck loads of tires had come in, swamping his staff. This would eliminate that.

C. Bult questioned why the audit reports had not been sent to the board for resolution 2023-195. P. Harter apologized as he thought it had been. He noted that there were no issues found and procedures were being followed by the Building Department and Town Clerk’s Office. C. Bult asked if there was any urgency in passing the resolution as he would like to review the reports prior to voting. P. Harter said no. It was the consensus of the board to withdraw resolution 2023-195.

**Public Comment:** None.

**Review of Abstracts of Claims and Budget Amendments:** The Board reviewed claims #23-0791 to #23-0923 on Abstract No. 2023-06 in the amount of \$271,123.93 including the claims paid prior (\$47,479.27).

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

- 2023-187** Ratify and affirm authorizing Supervisor Peter to execute and administer Change Order Number Q0929-004 dated May 25, 2023 with Schindler Elevator to update Fire Recall System for a cost not to exceed \$23,986.00.  
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:**

- 2023-188** Ratify and affirm monthly expenditure with Spectrum Cable of a monthly cost of \$110.00 for a dedicated internet connection for the Fire Recall System.  
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:**

- 2023-189** **WHEREAS**, a map, plan and report had originally been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York, and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Battisti Water District No. 10 in the Town of Schodack, County of Rensselaer, State of New York had previously been filed in the town clerk's office; and

**WHEREAS**, said map, plan and report was prepared by Laberge Group Ltd., competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed water district and the general plan of the proposed water district; and

**WHEREAS**, by resolution dated July 9, 2020 the Town Board of the Town of Schodack approved the creation of Battisti Water District No. 10 with the maximum cost of improvements equaling \$1,790,000; and

**WHEREAS**, on November 17, 2021, the town board of the Town of Schodack received approval from the Office of the State of Comptroller to create Battisti Water District No. 10 with the maximum cost of improvements to equal \$1,790,000; and

**WHEREAS**, thereafter on December 9, 2021 the Town Board of the Town of Schodack resolved and determined to establish Battisti Water District No. 10; and

**WHEREAS**, the resolution and determination establishing Battisti Water District No. 10 was recorded in the Rensselaer County Clerk's Office on January 11, 2022; and

**WHEREAS**, after the final resolution and determination establishing Battisti Water District No. 10 was recorded in the Rensselaer County Clerk's Office it was determined that the maximum cost of the improvements for the project increased from \$1,790,000 to \$2,735,010; and

**WHEREAS**, in connection with the increase in the maximum cost of the improvements for Battisti Water District No. 10 the Laberge Group, Ltd., competent engineers, prepared an addendum to the original map, plan and report; and

**WHEREAS**, within the original map, plan and report filed in connection with the creation of Battisti Water District No. 10, the annual user costs for the typical property equaled \$696; and

**WHEREAS**, although the maximum cost of the improvements has increased to \$2,735,010, the first year annual cost for the typical property within Battisti Water District No. 10 is decreasing from \$696 to \$651; and

**WHEREAS**, the current threshold amount established by the New York State Office of the State Comptroller for the creation of water districts or extensions does not require Comptroller approval if the first year annual costs to the typical property is less than \$1040; and

**WHEREAS**, despite the increase in cost to the improvements the proposed first year annual cost of \$651 to the typical property owner within Battisti Water District No. 10 is less than the threshold amount of \$1040 established by the Office of the State Comptroller; and

**WHEREAS**, the town board of the Town of Schodack scheduled a public hearing pursuant to Section 209-h of the Town Law to be held on June 8, 2023 at 7:05 p.m. at Schodack Town Hall, 265 Schuurman Road, Castleton, New York 12033; and

**WHEREAS**, at the designated time and place the town board of the Town of Schodack conducted the public hearing at which time all interested parties were heard; and

**WHEREAS**, the public hearing was thereafter closed.

**NOW, THEREFORE, IT IS RESOLVED AND DETERMINED:**

1. That it is the public interest to authorize the increase in the maximum cost of the improvements for Battisti Water District No. 10 from \$1,790,000 to \$2,735,010; and it is further
2. That the permission of the Office of the State Comptroller is not required to approve the increase in the cost to the improvements inasmuch as the cost to the typical property in the amount of \$651 is less than the threshold amount of \$1040 as determined by the Office of the State Comptroller for 2023; and it is further
3. That this resolution is subject to permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

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:**

**2023-190** **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 June 8, 2023 at 7:10 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 8 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 May 29, 2023 and advertised in the May 31, 2023 edition to THE RECORD, official newspaper of the Town, and

**WHEREAS**, said public hearing was held on June 8, 2023 at 7:10 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 8 of 2023 (P8-2023) to be known as Local Law 6 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.

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:**

**2023-191** Authorize Supervisor Peter to execute and administer an easement on tax Map No. 199.-6-10 in consideration of \$4,300.00 to install a sewer line along the front of their property near their well site.

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:**

**2023-192** Authorize Supervisor Peter to execute and administer the Annual Certification - Section 8 Housing Choice Voucher 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 S. Peter:

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

**2023-193** Authorize the agreement between the Town of Schodack and Verizon for seasonal charges for the 13 cellular telephones to be used for the Town of Schodack Youth and Recreation summer program at a cost of \$4.99 per phone per month, plus per minute \$0.25, and 200 text messages per phone. Verizon mobile to mobile and nights and weekends are unlimited. Estimated charges are approximately 1235 calls or \$75.00. Rates per NYS Contract No. PS63766. Service will incur a total of approximately 6 weeks of billing or approximately \$182.00 in charges Said phones to be utilized by the Camp Directors for the duration of the camp. (As budgeted A7310.4)

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:**

**2023-194** Authorize the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

**Assistant Directors:** Andrew Brunner, Jessica Dryzmala and Riley Donovan

**Assistant Directors and Summer School Coordinator:** Tara O'Grady-Day

**Art and Crafts Director:** Victoria Roberts

**Bus Aides:** Taylor Aubin, Gavin Haller, Dillon Halvax, Brynn Honsinger, Andrew Lensink and Ruby Theodore-Begany

**Facilities and Waterfront Director:** Patrick Austin

**Camp Nurses:** Andrea Cavagnaro and Heather Brewer

**Counselors:** Kate Ackerman, Anthonly Basile, Leila Bates, Tyler Bedell, Ben Brewer, Kate Brodzinski, Christopher Bulan, Zachary Chittenden, Adam Cogliandro, Brenden Creaser, Jake Donovan, Olivia Eaton, , Zachary Geottinger, Alyssa Gray, Deyanna Haughton, Kaiya Hibbs-Sanger, Henry Hickok, Eva Hirschhoff, William Kotary, Evan Laurenzo, Kaeden Leonidas, Austin Lensink, Stephen Macyowskie, Samantha Manning, Tyler Marino, Alyssa Martin, Kayla Morris, Avery Morse, Gianna Morse, Xavier Pearsall, Julia Reickert, Mason Smith, Layla Squires, Gerald Stalker, Abby Szklenka, Frank Thomas and Jack Wildermuth.

**EMT for the Park:** Rebecca Hall

**Lifeguard:**

**Site Directors:** Jillian Austin, Eric Beihler, Alysia Kolb and April Smith

**STEM Instructor:** Bryan VanVliet

**STEM Assistant:** Connor Mead

**STEM Counselor:** Callie Rae Haller and Jennifer Schank

**Special Needs Counselor:** Daniel Bently and Alexandra Stuto

**Summer Soccer Instructor:**

**Summer Volleyball Instructor:**

**Substitute Counselors:**

**Transportation Director:** Sarah Lussier

**WSI:** Tim Christiansen

[All at the Salary/Hourly rates per as set forth in resolution 2022-344].

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

**2023-195** **WITHDRAWN:** *WHEREAS, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and*

*WHEREAS, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,*

***NOW, THEREFORE, BE IT RESOLVED*** that the Town Board accepts the audit report submitted for Building Department Funds and Town Clerk Funds for the fiscal years 2022.

**2023-196**      **Previous adopted on pg. 127.**

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:**

**2023-197**      Amend 2023 Transfer/Recycling Station Rules and Regulations regarding tires as follows:

5c) **Tires (subject to limit of 10 tires total annually)**

Car and light truck	\$4.00 each or 2 punches
Tires with rims	\$6.00 or 3 punches
Large tires	*PRICED BY SIZE*

**\*\* Dirty tires will be subject to approval for acceptance by the Transfer Station Director or his Designee\*\***

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:**

**2023-198**      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 C308 copier at the Police Station, for the period June 4, 2023 to June 3, 2024 for \$635.22 annually. Contract includes 42,000 b/w copies and 3,000 color copies annually with an overage charge of \$0.00940 and \$0.08042 respectively per copy.

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 S. Peter:

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

**2023-199**      Amend resolution 2023-94 as adopted on February 9, 2023 to reflect an increase as follows: Amend resolution 2022-055, as adopted on January 6, 2022, to reflect and not to exceed amount of ~~\$16,500.00~~ **\$26,500.00** 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

~~\$10,000.00~~ ~~\$26,500.00~~ **\$36,500.00** 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.

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

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

**2023-200** Authorize Kerrie D. Joiner, Human Resource Manager to post internally the full-time position of Operator I/Operator II at the Highway Department and 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. 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:**

**2023-201** **WHEREAS**, the Town of Schodack from time to time has felt compelled to advocate and take a stance on issues of importance under consideration by various legislative bodies, whether local or national, which would have a direct impact on the Town of Schodack and its residents, and

**WHEREAS**, the New York State Legislature is currently considering amendments to the Town Law, the Village Law, the County Law, and the Municipal Home Rule law to require certain local elections outside of New York City to be moved from odd-numbered years to even-numbered years, and

**WHEREAS**, the justification for such amendments is stated as to achieve cost savings and to reduce voter confusion, and

**WHEREAS**, this proposed legislation, in our opinion, will only cause greater voter confusion by adding additional races to already crowded calendar of state and federal elections, and

**WHEREAS**, local races will cease to get a spotlight and be overshadowed by larger races for State or Federal offices, thus reducing voter engagement on critical matters of local importance, and

**WHEREAS**, the suggested cost savings will likely not be achieved due to the number of offices such as County Court Judge, Surrogate Court Judge, County Clerk, and Sheriff not being subject to this proposed legislation, and

**WHEREAS**, this proposed legislation is being considered and advanced at the end of session with little to no input from the local municipalities or the residents it impacts, and is opposed by the New York State Association of Counties;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Schodack affirms its support for the principles of Municipal Home Rule, the preservation of New York State Counties, Towns and Villages to establish and control their elected officials' terms of office and elections, and states its opposition to this legislation currently under consideration by the New York State Legislature, and

**BE IT FURTHER RESOLVED**, that the Town Clerk of the Town of Schodack is hereby directed to transmit certified copies of this Resolution to Governor Kathy Hochul, State Senator Jacob Ashby, and State Assemblyman Scott Bendett.

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:**

**2023-202** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-0791 to 23-0923 on Abstract No. 2023-06, in the amount of \$217,123.93 including the claims paid \$47,479.27.

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:**

**2023-203** Authorize the May 2023 budget modifications, interfund loans and interfund transfers as provided in document dated June 2023 and recommended by the Comptroller.

**BUDGET MODIFICATIONS**

Fund/ Department #		Fund / Department Name	Increase	Decrease
<b>2023</b>				
<b>36</b>	A-960-1220.1100	Supervisor - Overtime	99.49	
	A-960-1220.1000	Supervisor - Personal Services		99.49
To modify the budget for Supervisor Assistant 5/26 Overtime				

37	A-960-3120.1012	Police Grant - PTS	1,089.29	
	A-509-4320.9999	Federal Aid Public Safety	1,089.29	
	To modify the budget for PTS grant awards			
38	A-960-5010.1100	Supt. Of Highway - Overtime	18.38	
	A-960-5010.1000	Supt of Highways - Personal Services		18.38
	To modify the budget for Highway Secretary 5/13 overtime			
39	A-960-7110.1001	Parks - Rensselaer County Work	89.20	
	A-960-7110.1000	Parks - Personal Services		89.20
	To modify the budget for Park Manager work at RensCo Park			
40	A-960-7110.2000	Parks - Equipment	12,033.60	
	A-509-5031.9999	General Fund - Interfund Transfer	12,033.60	
	To modify the budget for Move Strong Equipment through Parkland funds			
41	B-960-8340.2000	Transmission & Distribution - Equipment	17.93	
	B-960-1990.4000	Contingency - Contractual		17.93
	To modify the budget for sale of water meters			
42	DB-960-5130.1400	Machinery - Police Work	1,121.01	
	DB-960-5130.1000	Machinery - Personal Services		1,121.01
	To modify the budget for work on Department vehicles			
43	SS5-960-9795.7000	Interfund Loan - BAN Interest	22.00	
	SS5-960-9795.7100	Interfund Loan - BAN Interest - Roll off	12.00	
	SS5-960-9795.7660	Interfund Loan - BAN Interest - Phase 1	86.00	
	SS5-960-9730.7000	BAN Interest		22.00
	SS5-960-9730.7100	BAN Interest - Roll off		12.00
	SS5-960-9730.7660	BAN Interest - Phase 1		86.00
	To modify the budget to properly for Interest on Interfund Loan - 2022 BAN payoff			
44	SS6-960-8130.4008	Sch Ctr Sewer - Dunkin Donuts Contractual	2,440.00	
	SS6-509-5031.9999	Sch Ctr. Sewer - Transfers	2,440.00	
	To modify the budget for reimbursement of Dunkin Donut expenditures - A Team Pump I# 22-289			

---

#### BUDGET MODIFICATIONS

<u>Fund/</u>				
	<u>Department #</u>	<u>Fund / Department Name</u>	<u>Increase</u>	<u>Decrease</u>
<u>2023</u>				
45	SW3-960-9795.7000	Interfund Loan - BAN Interest Phase 1	9.00	
	SW3-960-9710.7000	BAN Interest		9.00
To modify the budget to properly for Interest on Interfund Loan - 2022 BAN payoff				
<b>INTERFUND LOANS</b>				

	<u>Fund/</u>			
	<u>Department</u>		<u>Debit</u>	<u>Credit</u>
	<u>#</u>			
<u>2023</u>				
L3	A-391	Due From Other Funds	5,000.00	
	A-200	General Fund - Cash		5,000.00
	H050-200	Maple Hill Rd. Sewer - Cash	5,000.00	
	H050-630	Maple Hill Rd. Sewer - Due to Other Funds		5,000.00
To Transfer Funds from A to Capital Project H050-Maple Hill Rd sewer for Preliminary Project costs				
L4	A-391	Due From Other Funds	10,000.00	
	A-200	General Fund - Cash		10,000.00
	H052-200	Water Plant Bridge - Cash	10,000.00	
	H052-630	Water Plant Bridge - Due to Other Funds		10,000.00
To Transfer Funds from A to Capital Project H052-Water Plant Bridge for Preliminary Project costs				
5 Ayes 0 Noes. <b>MOTION CARRIED.</b> Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. Noes – 0.				

### Public Comment

A resident of Irish Hill Road expressed her concern of how the Building Department and Planning and Zoning Office handled complaints and issued permits.

### Open Discussion

**Memorandum of Agreement:** S. Peter stated that the Memorandum of Agreement for the Police Union Contract had been voted upon and passed. They were in the process of having the agreement instituted.

**Police Clerk:** S. Peter said the authorization to post for the Police Clerk position would be on the next agenda.

### 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). Seconded by C. Rex.

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. Swartz made a motion at 8:43 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.

### **ADJOURNMENT**

As there was no further business before the Board, C. Kenney made a motion to adjourn the 06/08/23 Town Board meeting at 8:43 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk