

**DATE:** AUGUST 10, 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  
BRIAN BRAHM, HIGHWAY SUPERINTENDENT

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Supervisor Peter called the August 10, 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 the passing of Jack Nelson, former Town Supervisor, and Ken Stokem, a dedicated community member. He asked for a moment of silence in remembrance of both.

### **Briefing on Agenda**

The Supervisor summarized all resolutions on the agenda. He noted that a medical emergency had occurred for the band scheduled to play at the town park on August 8, 2023; therefore, a substitution was needed (2023-229). All other resolutions were self-explanatory.

**Board/Public Comment:** There were no comments made regarding the resolutions.

**Review of Abstracts of Claims and Budget Amendments:** The Board reviewed claims #23-1146 to #23-1329 on Abstract No. 2023-08 in the amount of \$1,384,112.76 including the claims paid prior (\$132,716.91).

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

### **Adoption of Resolutions**

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

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 A WITHDRAWN resolution is so noted and italicized.**

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

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

**2023-229** Ratify and affirm amending resolution 2023-126 as adopted on March 9<sup>th</sup> to reflect change in performers as follows: Authorize Supervisor Peter to contract with musicians to perform at the 2023 Music in the Park as follows:

~~Jarred~~ Double Barreled August 8<sup>th</sup> (rain date 8/9/23) \$500.00  
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:**

**2023-230** 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:**

**2023-231** **WHEREAS**, for reasons of efficiency and economy the Town of Schodack previously determined that there was a need for standardization in the purchase of radio read water meters for Town water districts, and standardized said items to be compatible with Neptune water meters now in service and further standardized said items to be compatible with water meters used by the Town of Schodack, and

**WHEREAS**, Ti Sales is a Level I certified distributor for Neptune and is the exclusive supplier of Neptune Technology Group Inc. products in the upstate New York market area from which a quote was received on June 5, 2023 from Ti-Sales Inc.,

**NOW, THEREFORE BE IT RESOLVED** to authorize purchase of a MRX920V4 Neptune Mobile Data Collector with RF Data Logging feature which is

compatible with the Town's Neptune water meters., plus 600 Neptune 360 Advanced Module Annual Subscription for AMR and Neptune 360 Advanced AMR Software Set-up and training in an amount not to exceed \$17,318.30 as per quote QTE0063144 dated June 5, 2023. [ARPA funding]

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:**

**2023-232** Authorize Paul W. Peter, Justice to attend New York State Magistrates Association Fall Conference October 1 through October 4, 2023 at Syracuse, New York with registration fee of \$75.00, lodging (meals included) not to exceed \$791.00 and travel costs (mileage/parking) not to exceed \$207.00 for a total estimate not to exceed \$998.00. [A1110.4 This is a budgeted item]

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

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:**

**2023-233** Amend resolution 2023-03 as adopted January 12, 2023, to cancel the Regular Town Board meeting for August 24, 2023.

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:**

**2023-234** BE IT RESOLVED, that the Town of Schodack hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

		Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	<b>Not Submitted Record of</b>
Title	Name					

						Activities or T/S
<b>Elected Officials</b>						
Town Justice	Ryan Mullahy	7	1/1/23- 12/31/26	N	TBD	Not submitted
Town Board Member	Michael Kenney	7	1/1/20- 12/31/23	N	TBD	Not submitted
<b>Appointed Officials</b>						
Zoning Board Member	Laura White- Rivers	7	1/12/23- 12/31/24	N	TBD	Not Submitted

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

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:**

**2023-235** Authorize ESCO Heating and Cooling to remove a heat pump in the 1st floor hallway and install a new 19,000 BTU heat pump in an amount not to exceed \$10,500.00.

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:**

**2023-236** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-1146 to 23-1329 on Abstract No. 2023-08, in the amount of \$1,384,112.76 including the claims paid \$132,716.91.

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:**

**2023-237** Authorize the July 2023 budget modifications, interfund loans and interfund transfers as provided in document dated August 2023 and recommended by the Comptroller.

**BUDGET MODIFICATIONS**

	<b>Fund/ Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>2023</b>				
<b>54</b>	A-960-3120.1011	Police Grant - Rens Co DWI Crack Down	223.60	
	A-509-2260.9999	Police Safety Services - Other Gov'ts	223.60	
	To modify the budget for DWI Crack Down grant awards			
<b>55</b>	A-960-3120.1012	Police Grant - PTS	945.65	
	A-509-4320.9999	Federal Aid Public Safety	945.65	
	To modify the budget for PTS grant awards			
<b>56</b>	A-960-7110.1001	Parks - Rensselaer County Work	446.00	
	A-960-7110.1000	Parks - Personal Services		446.00
	To modify the budget for Park Manager work at RensCo Park			
<b>57</b>	A-960-7110.2000	Parks - Equipment	24,067.19	
	A-509-5031.9999	Parkland Funds	24,067.19	
	To modify the budget for Move Strong exercise equipment for Town Park			
<b>58</b>	B-960-8340.2000	Trans & Distribution - Equipment	649.15	
	B-509-2655.9999	Minor Sales	649.15	
	To modify the budget to cover water meter sales			
<b>59</b>	DB-960-5130.1400	Machinery - Police Work	56.76	
	DB-960-5130.1000	Machinery - Personal Services		56.76
	To modify the budget for work on Department vehicles			
<b>60</b>	DB-960-9060.8100	Highway - Retiree Health Insurance	20,000.00	
	DB-960-5110.1000	Highway - Genl Road Personal Services		20,000.00
	To modify the budget for Highway Retiree Health Insurance			

61	SM-960-4540.4000	Ambulance District - Contractual	8,500.00	
	SM-599-9999.9999	Ambulance District – Fund balance	8,500.00	
	To modify the budget for Nassau Ambulance increased payment and LOSAP payment			
62	SW3-960-8340.1000	Maple Crest Water District - Personal Services	47.18	
	SW3-960-8340.1100	Maple Crest Water District - Overtime		47.18
	To modify the budget for Operator Time in District			
63	SW3-960-8340.2000	Maple Crest Water District - Equipment	283.50	
	SW3-960-8340.4000	Maple Crest Water District - Contractual		283.50
	To modify the budget for 1522 Maple Crest meter head replacement			

#### INTERFUND LOANS

<u>Fund/ Department #</u>		<u>Debit</u>	<u>Credit</u>
<b>2023</b>			
L5	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		
	5 Ayes 0 Noes. <b>MOTION CARRIED.</b> Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, C. Peter. Noes – 0.		

#### Open Discussion

**Road Program/Paving:** S. Peter explained that all roads that were scheduled for paving in 2023 had been completed. It had been noted earlier in the year that Edinburgh Drive was in desperate need of paving; however, it had not been selected for 2023 due to the size of the road. He had spoken to B. Brahm and asked him to research cost options for either repairing or repaving the road. The cost options were as follows: to shim coat the top portion of the road would be \$20,000.00 to \$30,000.00; to shim coat the entire road would be \$70,000.000 and to pave the entire road would be \$125,000.00. He noted that there are available funds in the fund balance, the Highway Budget and ARPA funds that could be used. He asked the opinion of the board regarding shim coat the road now and add it to the road program for 2024. C. Bult recommended paving the road now as the price was not guaranteed for 2024 and it may drastically increase. S. Peter agreed. He asked the board for authorization for he and B. Brahm to review the costs and put figures together. All board members agreed.

**Road Striping:** S. Peter stated that the company used for road striping in 2022 was not responding to the town. He asked the Comptroller if the project needed to go out for bid. P. Harter explained that, per the procurement policy adopted by the town, a Request for Proposal should be sent out and three bids are needed if a company cannot be found on state contracting.

C. Bult asked how the paint was holding up for the roads that were striped in 2022. B. Brahm said it was aging. He was not sure that the company that Rensselaer County contracted with used the best quality paint.

S. Peter noted that the budget for striping for 2023 was \$10,000.00. He asked what roads B. Brahm was interested in doing. B. Brahm said Phillips Road, Boyce Road, Clove Road (depending on the stability of the road, especially where it had an issue with sliding) and Reno Road. He added that the roads in the Battisti Water District would need to be paved following the water infrastructure upgrade.

**Roll-Off Transmission:** S. Peter said B. Goodall had obtained quotes for the transmission in the roll-off truck which was experiencing issues with it popping out of gears 3 and 7. It had been previously discussed to repair the transmission; however, based upon cost, it was determined that it would be better to replace it. The quotes that had been received were as follows: \$5,389.17 to repair the current transmission (W&W Truck Transmission Repair Service Inc.); \$7,433.15 for a remanufactured transmission (W&W Truck Transmission Repair Service Inc.); \$8,258.15 for a new transmission from W&W Truck Transmission Repair Service Inc. or \$11,010.90 for a new transmission from H L Gage. S. Peter noted that based upon the minimal difference between a remanufactured and a new transmission, he felt a new one would be the best option. C. Bult mentioned that the H L Gage quote included replacing the clutch but not the W&W Truck Transmission Repair Service Inc. He felt it would be worthwhile to replace it with the transmission. He asked that a new quote be obtained for the new transmission from W&W Truck Transmission Repair Service Inc. to include the clutch replacement. He added that he would be amenable to ratify and affirm the resolution authorizing the replacement as to not hold up the progress at the Transfer Station. B. Goodall mentioned that they could use the roll-off from the Town of Nassau while the truck was out of service.

**Recycling Budget (A8189.4):** B. Goodall informed the board that the \$25,000.00 which had been allotted for recycled materials had been exhausted. He had not anticipated the large rate increase which they had experienced for 2023. To offset costs, he had decided to hold off the chipping of the brush pile and would not be purchasing a new container. C. Bult asked if A8160.4 (Transfer Station Garbage) had adequate funds. B. Goodall said yes.

**Land Acquisition – Tillman:** S. Peter said a letter had been received from V. Tillman of 15 Fairlawn Ave. expressing interest in purchasing a portion of town property located behind her house. Ms. Tillman explained that she returned to her home in May and discovered that a separate piece of property had been purchased by her neighbor through the Rensselaer County Auction. She was seeking to purchase 2 acres from the town to add a buffer between her and the neighbor. She added that the property was landlocked. S. Peter had investigated the matter, discovering that the property had been held as an easement for drainage. He noted that Atty. Langlois was reviewing the easement to determine if the sale could proceed.

**Pickleball Petition:** S. Peter explained that a petition for the installation of a Pickleball Court had been received. He was working with the Laberge Group to determine the feasibility for such recreation opportunities for the former Drumm Property, located next to the Town Hall or for partnerships at other locations. M. Ruthman noted that there was potential for an area, as a part of the proposed construction of Van Hoesen Station (off Route 9), which would be dedicated to the town. He felt this would be a possible location for the Pickleball Court(s).

### **Public Comment**

**Edinburgh Drive Paving:** B. Clancy of 20 Edinburgh Drive addressed the board regarding the poor condition of said road. He explained that the road, when constructed, had two courses of pavement laid on the lower portion of Edinburgh and only one course on the upper. Over the years, the town had attempted to patch the numerous potholes on the road; however, those repairs had been torn up during the winter snow plowing.

P. Eliopoulos of Edinburgh Drive expressed his concern over the deteriorating surface of the road. He noted that he regularly walked his dog on the road and was surprised that no one, including the kids who ride their bikes/skateboards on the road have not been injured due to the potholes. He stated that the road was dangerous and, based upon the taxes that the residents of the road pay, he asked the board to do the right thing and repave it.

S. Peter said he appreciated all the concerns about the condition of the road and he agreed that it needed improvement; however, it was custom for the board to determine the roads to be resurfaced based upon need and not the socio-economic status of the residents. He understood that some pay more taxes than others, but all residents should be equally considered. He noted that the Highway Department was efficient with the resources that they are allotted and tried to address all issues as they arise. He added that the board was working to remedy the situation and find the funds to pave the road.



**Police Firing Range:** T. Plante of 3808 US 20 mentioned that an agreement had been reached with a previous Supervisor for notification to be made to him ten days prior to the use of the shooting range located behind his house. He noted that this was not occurring. He expressed his displeasure at the lack of advanced notice from the Police Chief, which included incidents of notice ranging from 24 minutes up to 1.5 days. He said he was happy to see the police being trained; however, he felt the town was not abiding by the previous agreement and requested that they comply.

**Crosswalks at The Spinney:** M. Ruthman of the Spinney Group said he had met with B. Brahm, Highway Superintendent, regarding the installation of crosswalks at The Spinney. He noted that the development was located on either side of Pond View Road and crosswalks would allow residents access to all conveniences within the development. He added that the project would be covered by the Spinney Group. All that was needed from the Town would be approval. B. Brahm said he had spoken to R. Laberge who was aware of the project and no issue was found. He recommended that the plan be reviewed by the Attorney prior to approval.

### **ADJOURNMENT**

As there was no further business before the Board, C. Kenney made a motion to adjourn the 08/10/23 Town Board meeting at 7:57 p.m., seconded by C. Swartz. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk

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