

**DATE:** MAY 8, 2014

**KIND OF MEETING:** TOWN BOARD

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DONNA L. CONLIN

**PRESIDING OFFICER:** DENNIS E. DOWDS

**MEMBERS PRESENT:** FRANCIS CURTIS  
JAMES E. BULT  
MICHAEL KENNEY  
SCOTT SWARTZ

**MEMBERS ABSENT:**

**ATTORNEY:** DAVID GRUENBERG

**COMPTROLLER:** JENNIFER MULLIGAN

**OTHERS PRESENT:** KENNETH HOLMES, HIGHWAY SUPERINTENDENT

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Supervisor Dowds called the May 8, 2014 meeting to order at 7:03 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

### **Departmental Reports**

The following monthly departmental reports were read and/or posted and filed in the Office of the Town Clerk: Town Clerk, Building Department, Transfer Station and Police.

### **Review of Abstracts of Claims and Budget Amendments**

The Board reviewed claims #14-0700 to #14-0836 on Abstract No. 2014-05, in the amount of \$569,231.28, including the claims paid (\$452,281.45) since the previous town board meeting.

### **Briefing of Resolution Agenda**

With respect to resolution [2014-124], S. Dowds explained that additional payment towards the indebtedness for the Clearview Water District and Maplecrest Water District was from excess proceeds held by NYS Environmental Facilities Corporation for the Water District 1 & 3 capital project. With respect to resolution [2014-128], the Supervisor said there was a combination of salaried and hourly employees. The managerial positions are considered Fair Labor Standards Act (FLSA) or exempt and the hourly employees are FLSA non-exempt. This is being done in compliance with the Affordable Health Care Act (Obamacare) to determine the number of Full Time Equivalent employees (FTE), which delineates the insurance rates. Resolution [2014-131] relates to an assessment grievance filed by Albert Clarke. Our legal representation in this matter, the Vincelette Law Firm, recommended that the assessment be reduced by \$10,000.00 from \$50,000.00. Originally, Mr. Clarke sought a \$20,000.00 reduction. Resolution [2014-132] is a similar situation. In this case, Mr. Person requested a 75% reduction in the assessment. Our attorney

recommended a 12% reduction to which Mr. Person agreed. With respect to resolution [2014-138], the Supervisor explained this begins the process of condemnation and removal of 19 Overlook Drive as requested by the Building Inspector. All other resolutions are self-explanatory.

### **Board Discussion on Resolutions**

With respect to resolutions [2014-131] and [2014-132], C. Curtis stated that the Board received the information late this afternoon and they haven't really had a chance to review it. Since the Assessor was not present to answer questions, he requested that they be withdrawn until the Board can get further information. C. Bult agreed. **Decision:** It was the consensus of the Board to withdraw both resolutions. C. Curtis asked if residents had to buy the meters noted in resolution [2014-136]. The Supervisor said no. It is a district expense. C. Curtis asked if the Highway Superintendent could offer more information relative to the used 2001 Ford truck. Mr. Holmes, the Superintendent of Highways, said this truck will replace 1996 Ford, which they bought used and it served the department very well. Because of its more infrequent use, he felt that a good used truck was a wise investment. He had both mechanics go over the vehicle and it is in excellent condition with only 45,000 miles. He thinks they could get another 8 – 10 years from this truck. He estimated that a comparable new truck would cost somewhere in the \$50,000.00 range. With respect to resolution [2014-138], Atty. Gruenberg said Chapter 99 addresses the repair or removal of a structure. He just called the Building Inspector, Gary Ziegler, and was told that he wants to focus solely on the removal; therefore, he suggested that the resolution be amended to reflect the intent. **Decision:** It was the consensus of the Board to remove the words "securing or" from paragraphs 3 and 4. The resolution will reflect this change. C. Bult said this was a very bad winter which created more damage than usual to the roads. He asked the Highway Superintendent if he thought there were any other measures that should be taken to protect any other roads beyond what was on the road program. Mr. Holmes said there are always more issues than money, but he tries to assess a good balance. He said if all monies haven't been expended, he would like to look at Rohloff Rd. and explained to the Board how it might be addressed. The Supervisor added that Miller Rd. has been paved and it looks very good. He noted that the paving of that road and drainage was completely paid for by The Spinney.

### **Announcements**

On behalf of the Board, the Supervisor congratulated the Town Clerk, Donna Conlin, for her recent designation of Town Clerk of the Year for New York State, which was bestowed upon her by the New York State Town Clerks' Association at their recent conference. He said she does a phenomenal job and appreciated her efforts.

### **Public Comment**

D. Spink, a resident of Birchwood Estates, (Richwood Drive area), said he presented a petition signed by 96% of the area residents requesting a change in the zoning of this area from Planned Development 3 to Residential a year ago. The area has been a residential community for 40 years and they felt that the current zoning was inappropriate. Further, when he presented the petition to the Town Board last May, they never received an acknowledgement that the Board would take their request under consideration. Personally,

he felt that this was not handled very professionally and wondered why the Board has not acted upon their request.

With respect to the Town Center Plan, he said he supported it, but felt the document was flawed. The improvements would only affect the portion of town at its northern edge, which is referred to as Nodes 1 & 2. He said the map on page 14 was very misleading as it did not accurately reflect the town, in particular the Rt. 9 corridor and location of Exit 12. He didn't understand why Nodes 3 & 4, which was most of the Rt. 9 corridor, was even in the plan, since the town center was to the north and didn't really impact the southern  $\frac{3}{4}$  of town. He and his wife have requested that the references to Nodes 3 and 4 on page 14 and other references to development and land use in areas outside of the proposed Town Center area be deleted from the document. With respect to the rezoning request, B. Spink added that the Zoning Board Chair, Mr. Calarco, wondered why the residents had not requested the zoning sooner. She felt that her area of town was being ignored.

K. Stokem said that the sharp curve on Old Post Rd. South is deteriorating and should be remediated. He noted that there are two openings on the Board of Directors for Schodack Island State Park and interested persons should contact C. Bult, Dan O'Dell or him.

J. Jensis asked the Comptroller the current town debt. She said she believed it was between 13 – 15 million dollars. He asked about the outstanding debt of the current town hall. The Comptroller said it was financed for 25 years in 2012 at the cost of 1.3 million and she believed that we pay down approximately \$50,000.00/annually in principal.

R. Lemka commended the Town Clerk on her recent honor. He felt that it was quite an accomplishment.

With respect to the road program, Mr. Lemka said  $\frac{1}{2}$  of Phillips Rd. was done a long time ago and is deteriorating. He suggested that the cracks be filled and the same type of treatment should be used for other roads on the program if it is less costly. With respect to zoning, he encouraged the Board to address changes to the zoning law and suggested that the Board give consideration to addressing the issue of solar panels which are becoming more prevalent. He talked about the limited public comment period at a recent Planning Board meeting. He said he brought his concerns to the Chair (who he felt was doing an excellent job) after the meeting and hoped his concerns were recognized.

With respect to the Town Center Plan, M. Sherwood said she had heard that the road diet was removed from the plan. S. Dowds said the paving of Route 9 & 20 should begin next week, and at this point, it will be striped as it is now (four lanes). C. Bult said the road diet was deferred to a later date if the project progresses. C. Bult explained that based on comments received during both the informational meeting and after, the Town Board sent a letter to the committee and asked them to revisit certain aspects of the plan, which they did. At next week's hearing, the Board will present a somewhat modified plan from what was initially offered. Ms. Sherwood asked if it will be available before the public hearing. The Board said yes. The Town Clerk believed the Director of Planning sent it to the webmaster this afternoon. J. Grimaldi said he saw the email sent by C. Kenney that was signed by the other board members asking NYSDOT to wait on the road diet for 4 – 6 years. Before that unilateral decision was made, he felt the residents should have been given an opportunity to offer their opinions at the upcoming public hearing and the information offered by real professionals should have been taken into consideration. He said he was in favor of restriping the road with two lanes with a center turn lane (road diet) and felt the Board did a disservice to the community. He felt the road diet would have made

the road safer, more pleasant, more beautiful and welcoming to the public. C. Bult clarified the Boards' actions. He explained that NYSDOT sent a letter to the Town demanding an answer by May 4<sup>th</sup> on how the road should be striped. The Board requested that no action be taken until after the public hearing on May 14<sup>th</sup>. The State said the request to wait on the decision until after the public hearing was not an option because they are starting the project next week and by the time the public hearing is held, it will be too late. He explained that although comments regarding the road diet were more evenly matched at the informational hearing, the Board members have received phone calls, written comments and petitions. He continued that they were not afforded the time to come to a conclusion so the Board could vote on the entire package as presented after everyone's concerns were taken into consideration. Mr. Stokem asked if any of the revisions in the town center plan was contingent upon the road diet in order to have the continued support of CDTC and NYSDOT. C. Bult said he didn't believe there will be any negative impact in terms of future funding because of the changes they suggested. C. Kenney agreed. C. Bult added that some of the concepts are more dependent than others on the road diet concept. However, by the time some of these things move forward, it should be about the same time NYSDOT said they were considering an actual reconstruction of the road as opposed to maintenance and preservation such as they are doing now. Hopefully, when that happens, they will incorporate sidewalks and some of the other things that would not be done with restriping the road. Mr. Stokem said it was unfortunate that circumstances put everyone in that spot and he may have acted the same way, given the short time frame. J. Jensis strongly suggested that the Town Center Plan should be placed on the November Ballot for a townwide referendum.

### **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. Curtis 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:**

**2014-123)** To approve the 2014 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on Kraft Road, Chadwyck Court, Partridge Drive and Hy Drive. In addition, crack sealed/surface treatments on Kraft Road, Sally K Lane, Prestwick Drive, Knickerbocker Road and Byers Estates: Johns Lane, East Drive, West Drive, Circle Drive and Josephine Lane.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

C. Kenney 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:**

- 2014-124)** Authorize the appropriation of reserves of bonded indebtedness, in addition to appropriations listed in Resolution No 2014-087, to be used towards 2014 debt service payments as follows: Clearview Water District No. 1 (SW1) \$2,891.55 and Maplecrest Water District No. 3 (SW3) \$8,954.16.  
4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, S. Swartz, D. Dowds. Noes – 0.

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

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

- 2014-125)** As recommended by Nadine Fuda, Director of Planning and Zoning, authorize the return of \$150.00 to Pamela Bryant from fees collected in connection with Planning Board #2014-4, as the applicant withdrew application prior to the meeting.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

C. Curtis made a motion to adopt the following resolution, seconded by S. Dowds:

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

- 2014-126)** Appoint Melissa Knight and Dawne M. Kelly as part-time Board of Assessment Review Secretaries with compensation of \$43.00 per meeting per 2014 Adopted Budget.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

- 2014-127)** Appoint Daniel Garvansites as a part-time Park Attendant, under the direction of Stuart McKnight, at the hourly rate set forth in resolution 2013-302, effective March 1 through December 31, 2014, as needed.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

- 2014-128)** Amend Resolution No. 2013-302, to adopt and include the following annual salaries for calendar year 2014:

Water Safety Instructor	3,000.00	
Camp Directors	3,400.00	
Pool and Summer School Director	3,000.00	
Camp Nurse	2,500.00	
Summer Soccer Director	800.00	
Arts and Crafts Director	2,000.00	
Transportation Director	2,800.00	
Traveling Nurse	25.00	/hr.
Assistant Directors	17.00	/hr.
Lifeguards	15.00	/hr.
Bus Aides	11.76	/hr.
Counselors	10.00	/hr.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M.

Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

- 2014-129)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Owner</u>	<u>Location</u>	<u>No. of Units</u>
Miller, Ed	Brookview Station Road	3
Miller, Sue	Brookview Station Road	2
Bunker Hill Farms, LLC		
c/o Margaret Hutchinson		1
Rainbow Trailer Park		
c/o Raymond Nalley		9

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M.

Kenney, S. Swartz, D. Dowds. Noes – 0.

C. Curtis 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:**

- 2014-130)** **WHEREAS**, a map, plan and report relating to the establishment of Town of Schodack Consolidated Water District 101, Ext. No. 3 prepared by Laberge Group, competent engineers, duly licensed by the State of New York, has

been filed with the Town Clerk of the Town of Schodack, in accordance with the requirements of the Town Law; and

**WHEREAS**, an order was adopted by the Town Board of the Town of Schodack on February 13, 2014, reciting the filing of the map, plan and report, the boundaries of the proposed extension, the improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office in said Town for public inspection, and all other matters required by law to be stated; and

**WHEREAS**, the order set March 13, 2014 at 7:00 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton, New York as the date, time and place of the public hearing to consider the map, plan and report, and to hear all persons interested in the subject, and to take action as required and authorized by law; and

**WHEREAS**, such order was published and posted as required by law; and,

**WHEREAS**, a hearing on the matter was held by the Town Board on the 13<sup>th</sup> day of March, 2014 at 7:00 p.m. and the matter being fully discussed and all interested persons having been duly heard; and,

**WHEREAS**, it having been duly resolved and determined following such hearing, that the Notice of Public Hearing was published and posted as required by law and is otherwise sufficient, that all property and property owners within the limits of the proposed district are benefitted thereby, that all property and property owners benefitted are included within the limits of the proposed district, and that it was in the public interest to establish said Town of Schodack Consolidated Water District 101, Ext. No. 3 and to grant, in whole, the relief sought, and it having been then and there duly resolved that establishment of said Consolidated Water District 101, Ext. No. 3 be approved, and that the permission of the New York State Comptroller is not required for Consolidated Water District 101, Ext. No. 3 and that the aforesaid Town Board resolution of March 13, 2014 having been adopted subject to permissive referendum, and a petition for a referendum not having been filed;

**NOW, THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED** that the Town of Schodack Consolidated Water District 101, Ext. No. 3 be created so as to include therein the following lands which are hereby established as the Town of Schodack Consolidated Water District 101, Ext. No. 3 and which lies wholly within the Town of Schodack, County of Rensselaer, State of New York, and is bounded and described in Schedule "A" attached hereto; and it is further,

**ORDERED, RESOLVED AND DETERMINED** that the Town Clerk is directed to cause a certified copy of this Order, Resolution and Determination to be recorded in the Office of the Clerk of the County of Rensselaer within ten (10)

days after the adoption thereof, and a certified copy thereof to be submitted to the Department of Audit and Control at Albany, New York as provided by §209-g of the Town Law; and it is further,

**ORDERED, RESOLVED AND DETERMINED**, that the establishment of the Town of Schodack Consolidated Water District 101, Ext. No. 3 as set forth in the map, plan and report be approved; and it is further,

**ORDERED, RESOLVED AND DETERMINED**, the requested improvement shall be constructed, and the necessary easements and lands be acquired, upon the required funds being made available and provided for, and such water district shall be known and designated as the Town of Schodack Consolidated Water District 101, Ext. No. 3 in the Town of Schodack and shall be bounded and described as set forth in Schedule "A" annexed thereto.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

**2014-131) WITHDRAWN:** *"WHEREAS, Albert Clarke (hereafter, "Clarke"), owns a parcel of land improved by a garage structure located in the Town of Schodack, and otherwise identified as tax map # 190.1-6-1 (hereafter, "the subject property"); and*

*WHEREAS, Clarke commenced judicial proceedings pursuant to Article 7 of the Real Property Tax Law (RPTL) seeking reductions of the 2013 real property tax assessments of the subject property; and*

*WHEREAS, the Town is represented by The Vincelette Law Firm; and*

*WHEREAS, counsel has recommended that these proceedings now be resolved by settlement; and*

*WHEREAS, the Town Board and the Town Assessor have reviewed the proposed settlement and find the terms of the proposed settlement to be in the best interests of the Town; now, therefore be it*

*RESOLVED, that the Town Board hereby approves the settlement, attached to and made part of this resolution; and, be it further*

*RESOLVED, that counsel is hereby authorized to sign the settlement on behalf of the Town Board."*

**2014-132) WITHDRAWN:** *"WHEREAS, George Person (hereafter, "Person"), owns two Parcels of vacant land located on Boyce Road in the Town of Schodack, and otherwise identified as tax map #s 191.-1-1.1 and 191.-1-1.2 (hereafter, "the subject property"); and*

*WHEREAS, Person commenced judicial proceedings pursuant to Article 7 of the Real Property Tax Law (RPTL) seeking reductions of the 2013 real property tax assessments of the subject property; and*

*WHEREAS, the Town is represented by The Vincelette Law Firm; and*

*WHEREAS, counsel has recommended that these proceedings now be resolved by settlement; and*



**WHEREAS**, the Town Board and the Town Assessor have reviewed the proposed settlement and find the terms of the proposed settlement to be in the best interests of the Town; now, therefore be it

**RESOLVED**, that the Town Board hereby approves the settlement, attached to and made part of this resolution; and, be it further

**RESOLVED**, that counsel is hereby authorized to sign the settlement on behalf of the Town Board.”

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:**

**2014-133)** WHEREAS, Sheila Golden, Director of Youth and Recreation, has recommended that the Summer Swim Program take place at the Sidney Albert Albany Jewish Community Center (SAAJCC) in Albany and stated the advantages of using this pool facility,

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves the use of the pool at the Sidney Albert Albany Jewish Community Center (SAAJCC) for the summer camp program, subject to review as to form by the Attorney to the Town.

BE IT FURTHER RESOLVED to authorize Sheila Golden, Director of Youth and Recreation to execute contract with Sidney Albert Albany Jewish Community Center (SAAJCC) for use of the swimming pool facility for Summer Recreation Program from July 7 to August 1, 2014 for the Schodack Youth and Recreation Department in an amount not to exceed \$4,800.00. A deposit of \$1,800.00 shall be payable by June 23, 2014 and the remaining \$3,000.00 shall be paid by July 28, 2014.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

**2014-134)** Authorize Supervisor Dowds to execute sales order with ADP to utilize ADP's payroll tax filing service.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

C. Kenney 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:**

- 2014-135)** Authorize Jennifer Mulligan, CPA, Comptroller to attend NYS Government Finance Officers Association's Government Finance Institute – The Fundamentals of Cash Management in the Public Sector on June 5, 2014 at an estimated cost of \$281.00. [This is a budgeted item.]  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

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

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

- 2014-136)** 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 East Greenbush, 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 from Ti-Sales Inc., for 55 meters at \$202.50 each meter totaling \$11,137.50 (of which 43 meters are to replace non radio read meters in the Doellner Circle and Timberledge area and 12 to be held in inventory) which are compatible with the Town's Neptune water meters.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

C. Curtis made a motion to adopt the following resolution, seconded by S. Dowds:

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

- 2014-137)** Authorize purchase of used 2001 Ford F350 truck VIN # 1FTWW32S21EB39267 for the Highway Department in an amount not to exceed \$13,340.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

C. Curtis made a motion to adopt the following resolution, seconded by S. Dowds:

**Discussion:** Atty. Gruenberg said when he initially drafted this resolution, he added the last paragraph, but upon reviewing the law further, that type of notice is not necessary, so he recommended that the last paragraph be deleted. The Board concurred with the suggestion and the resolution was amended to reflect same.

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

**2014-138) WHEREAS,** the Town Building Inspector has reported to the Town Board that a building or structure known as 19 Overlook Drive South (Tax Map 202.12-1-19) should be removed; and

**WHEREAS,** the Town Board wishes to proceed pursuant to Chapter 99 of the Schodack Code, relating to Unsafe Buildings

**NOW, THEREFORE,** be it resolved that the Building Inspector shall, pursuant to §99-2(B) forward a notice with the particulars required therein to the owner, directing the owner to commence the ~~[securing or]~~ removal of the buildings within 30 days and to complete such ~~[securing or]~~ removal within 60 days; and it is further

**RESOLVED,** that a copy of this notice shall be filed in the office of the Rensselaer County Clerk, pursuant to the provisions of §99-2(D); and it is further

**RESOLVED,** that a hearing shall be held before the Town Board in this matter on August 14, 2014 at 7 p.m., to determine whether the owner has complied with such notice, and to take such other and further actions as may be authorized by Chapter 99. ~~[and it is further]~~

~~**RESOLVED,** that the Town Clerk is directed to post the required notices of such public hearing in a timely fashion.]~~

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2014-139)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #14-0700 to #14-0836 on Abstract No. 2014-05, in the amount of \$569,231.28, including the claims paid (\$452,281.45) since the previous town board meeting.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. 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:**

**2014-140)** Authorize the following budget modifications, interfund loans and interfund transfers as recommended by the Comptroller:

<b>BUDGET MODIFICATIONS</b>				
	<b>Fund/ Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>34</b>	A-960-1315.1000	Comptroller - Personnel Services	12,600.00	
	A-960-1430.1000	Personnel - Personnel Services		12,600.00
<b>35</b>	A-960-5010.4000	Highway Super - Contractual	660.00	
	A-960-1990.4000	Contingency		660.00
<b>36</b>	B-960-8020.4000	Planning Contractual	1,224.49	
	B-509-2115.9999	Planning Fees	1,224.49	
<b>37</b>	DB-599-9999.9999	Appropriated Fund Balance		10,284.00
	DB-960-5130.2000	Machinery - Equipment		10,284.00
<b>38</b>	SWC1-960-8340.2000	Transmission & Dist.	4,481.00	
	SWC1-960-1990.4000	Contingency		4,481.00

**Interfund Loans – None.**

**Interfund Transfers – None.**

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

**Supervisor's Report**

- 1. Dunkin Donuts:** The project had a slight error regarding the hook-up location. The Supervisor was informed that it has been addressed and the 8" line will end at the old Town Hall end of the police station, which is where the hook-up will be. The project was not really delayed and is still scheduled for a June test date.
- 2. Casino:** Met with Jim Featherstonehaugh and Robert Horan regarding the Casino and Raceway bid for the Town of East Greenbush. Mr. Featherstonehaugh is looking for generic support from neighboring boards (municipal and school). The Supervisor said this will be discussed at the next meeting.
- 3. Town Center:** The Board will conduct a public hearing at 7:00 p.m. on May 14, 2014 at Green Meadow School.
- 4. Building Inspector Position:** The Supervisor informed the Board that Mr. Ziegler will be retiring on June 30, 2014. He will begin the process to have the position posted.

- 5. Planning Board:** Love Lutheran Church submitted another proposal to the Planning Board for engineering review.

C. Kenney asked Mr. Holmes how the new pumps were doing on Miller Rd. Mr. Holmes said they had to do some adjustments, but everything is working well. He does not anticipate any issues when Dunkin Donuts comes on line.

### **ADJOURNMENT**

As there was no further business before the Board, C. Curtis made a motion to adjourn the 05/08/14 Town Board meeting at 8:12 p.m., seconded by C. Kenney. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin  
Schodack Town Clerk/RMC/CMC

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