

**DATE:** AUGUST 25, 2016

**KIND OF MEETING:** TOWN BOARD

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DONNA L. CONLIN

**PRESIDING OFFICER:** DENNIS E. DOWDS

**MEMBERS PRESENT:** JAMES E. BULT  
MICHAEL KENNEY  
SCOTT SWARTZ  
TRACEY REX

**MEMBERS ABSENT:**

**ATTORNEY:** DAVID GRUENBERG

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Supervisor Dowds called the August 25, 2016 Town Board Workshop Meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Even though there were no discussion items on the published agenda, the Supervisor took this opportunity to update the Board on several issues that occurred since last Friday.

**Schedule of Meetings:** The Supervisor recommended that they do not post a 2<sup>nd</sup> meeting for August next year. He reviewed the agendas for the last three years and found that there were few items of discussion.

**Sewer District 6 Extension:** The owner of My Place wants to connect to the town's sewer line so they will be doing an extension to Sewer District 6. Mr. Galib recently came to the Town Hall with a check for \$20,625.00. Approximately \$10,000.00 of that is for the connection fee for the Town of East Greenbush, which met with their approval, and the balance is for the engineering, legal and connection fees for Schodack.

**Schodack Central School District Sewer Line:** The agreement has been signed by the school district and the town. The next step is for the engineer (Laberge) to develop the design and plan. Then it will be submitted to the State Education Department (SED). Even though SED has given their preliminary approval, the final approval is not given until the specific design plans are submitted to them for their review.

**Taser Policy:** The Board briefly discussed Taser policies. The Chief submitted one to the attorney for review and another was forwarded from the insurance company for review. A. Gruenberg said he had some concerns with having a policy that is too detailed. The policies he reviewed essentially pre-supposes that a rational situation is unfolding and in reality, it is more likely to be a rapidly escalating situation. He felt that guidelines were certainly necessary, but if they are too specific it could ultimately jeopardize the Town's position for using the Taser. C. Rex felt that repetitive training should be given so the officers would react instinctually.

**Employee Handbook:** A. Gruenberg will be reviewing the Employee Handbook so he can guide the Board from a legal perspective when they meet to finalize it.

**Police Department:** A request for a new vehicle has been put in the Board's agenda packets for review. Discussion will be held at the September meeting.

**Drumm property:** A. Gruenberg contacted Patroon Abstract to do the title search (see 8/11/2016 minutes-resolution [2016-198]). S. Dowds said they have solicited quotes from three companies regarding the survey and the costs range between \$4000 - \$5500.

**Dunkin' Donuts Sewer:** C. Swartz asked the status of the Dunkin Donuts sewer issue. S. Dowds replied that he has spoken with Ron Laberge and recommended that he speak directly to the owner of Dunkin' Donuts, David Leal. He explained that there were items on the engineer's punch list that did not get done, so the town will do them and take the money out of their (Leal's) escrow account. C. Swartz felt the biggest problem was adjusting the PH so it is at an acceptable number. S. Dowds agreed but said that was not part of the escrow agreement. It is a separate item. C. Bult agreed with C. Swartz and said the Board's major concern is the PH level of the effluent and asked if there has been any movement on correcting that situation. S. Dowds said no, which is why he asked Mr. Laberge to contact Mr. Leal, hoping they could resolve the issue. His thought was to try to avoid having the town issue an "Order to Remedy" and potential litigation. C. Kenney said when this was beginning the Town specifically said the effluent going into the system had to be acceptable to the Town of East Greenbush and that it would not cause any damage to our current infrastructure and it appears that is not the case. The Supervisor Dennis said the PH readings have been 5.2 – 4.5 and the code mandates that it has to be a minimum of 5.5. Essentially, they have to put equipment on the premises to make sure the PH is raised before it goes into the system. C. Kenney said if it continues as it is, it could cause problems with the pump station on Miller Rd. and that could be very costly to the Town. If that happens, it will be very costly. C. Bult said since we are now the owners of the sewer line, we may have to stop accepting flow from them until the issue is corrected. S. Dowds agreed and added that he hoped that Mr. Leal will be responsive to their requests; otherwise we will end up in court. C. Swartz asked if the money in escrow could be used to repair pumps if needed. S. Dowds said he didn't know; that is not in the punch list and there may not be enough money to do that anyway. He said he will contact Mr. Leal, directly, and advise the Board regarding the outcome of that discussion.

**Transfer Station:** C. Bult asked if there have been any responses regarding the Transfer Station study. S. Dowds said no. C. Bult said he would like the information before they begin budget discussions.

## **EXECUTIVE SESSION:**

Upon the request of the Supervisor, C. Swartz made a motion at 7:18 p.m. to enter into Executive Session at to discuss specific appointments in the Planning and Building Departments. Seconded by C. Rex.

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

C. Bult made a motion at 7:50 p.m. to adjourn the executive session. Seconded by C. Kenney.

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

## **ADJOURNMENT**

As there was no further business before the Board, C. Kenney made a motion to adjourn the 08/25/16 Town Board meeting at 7:50 p.m., seconded by C. Swartz. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin  
Schodack Town Clerk

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