

**January 4, 2010**

**2010-001)** Authorize the approval of the Official Undertaking as to its form and manner of execution and the sufficiency of the insurance, as surety as prescribed by law.

**2010-002)** Regular meetings of the Town Board will generally be held at 7 p.m. on the second Thursday of each month, at the Schodack Town Hall at 265 Schuurman Road unless otherwise duly noticed, as follows:

January 14	July 8
February 11	August 12
March 11	September 9
April 8	October 14
May 13	November 4 (the first Thursday of the month)
June 10	December 9

Workshop sessions to more thoroughly review issues of importance to the Town will generally be held at 7 p.m. on the fourth Thursday of each month, at the Schodack Town Hall at 265 Schuurman Road unless otherwise duly noticed as follows:

January 28	July – to be announced
February 25	August 26
March 25	September 23
April 22	October 28
May 27	November -to be announced
June 24	December -to be announced for year-end close of business

**2010-003)** Full-time employees (non-union) shall be given the following holidays \* for the year 2010:

<u>Date</u>	<u>Holiday</u>
January 18	Martin Luther King, Jr. Day
February 15	President' Day
May 31	Memorial Day
July 5	Independence Day
September 6	Labor Day
October 11	Columbus Day
November 11	Veteran' Day
November 25	Thanksgiving Day
November 26	Day after Thanksgiving
December 24	Christmas Observance
December 27	Monday after Christmas

**2010-004)** Designate Transfer Station holidays for year 2010 as follows

<u>Date</u>	<u>Holiday</u>
February 16	President' Day*
June 1	Memorial Day*
September 7	Labor Day*
October 12	Columbus Day*
November 2	Election Day
November 11	Veteran's Day
November 25	Thanksgiving Day
November 26	Day after Thanksgiving
December 25	Christmas Day

\*Transfer Station is closed on Mondays, therefore, pursuant to the Collective Bargaining Agreement, Monday holidays will be observed on Tuesday.

**2010-005)** As the post of Deputy Supervisor was created by the Town Board during 2002, pursuant to §42 of the Town Law, Supervisor Dowds hereby appoints Kenneth W. Stinner, Councilman, as Deputy Supervisor.

**2010-006)** Designate the following banks as depositories for all Town funds for the calendar year 2010: Key Bank, N.A., Bank of America, MBIA, First Niagara, Pioneer and HSBC.

**2010-007)** Supervisor Dowds, being the Chief Fiscal Officer or the officer having custody of monies of the said Town of Schodack, has the authority to temporarily deposit or invest monies of the said Town of Schodack, not required for immediate expenditures, except proceeds of loans and monies the investment of which otherwise is provided by law, in special time deposit accounts or certificates of deposit issued by a bank or trust company located and authorized to do business in this State; provided, however, that such time deposit accounts or certificates of deposit be secured by a pledge of obligations of the State of New York or obligation of any municipal corporation, school district or district of the State of New York as authorized pursuant to the provisions of Section II of the General Municipal Law of the State of New York. Investment may also be made in obligations of the State of New York subject to conditions set forth in Section II of the General Municipal Law.

**2010-008)** Adopt the following annual salaries for the calendar year 2010:

Town Board Members (4)-each	\$10,000.00
Town Justices (2)-each	\$27,770.86
Court Officer	\$ 18.83/hour
Senior Court Clerk	\$ 19.13/hour
Assistant to Senior Court Clerk	\$ 13.24/hour
Assistant to Senior Court Clerk	\$ 13.05/hour
Supervisor	\$58,366.80
Secretary to the Supervisor	\$36,693.75
Comptroller	\$75,000.00

Assistant Comptroller	\$ 27.58/hour
Staff Accountant	\$47,380.00
Payroll/Personnel Clerk	\$26,265.00
Receiver of Taxes	\$32,960.00
Deputy Tax Receiver	\$ 14.63/hour
Tax Clerk	\$ 11.75/hour
Tax Clerk	\$ 11.25/hour
Budget Officer	\$ 6,567.29
Assessor	\$49,725.47
Assistant to the Assessor	\$31,048.63
Data Collector (as needed)	\$ 12.00/hour
Board of Assessment Review - Chair	\$ 450.00
Board of Assessment Review - (BAR)	
BAR Members (each)	\$ 375.00
BAR- Secretary	\$ 200.00
Town Clerk	\$52,903.09
Deputy Town Clerk	\$40,485.46
Deputy Town Clerk	\$31,048.63
Deputy Town Attorney/Special Pros	\$11,330.00
Records Management	\$ 22.24/hour
Buildings/Janitorial	\$ 17.25/hour
Police Chief	\$69,810.00
Police Officers (part-time)	\$ 17.50/hour
Police Dispatcher (part-time)	\$ 10.30/hour
Dog Control Officer	\$13,249.35
Highway Superintendent	\$57,003.83
Secretary to Highway Superintendent	\$ 15.44/hour
Secretary to Park	\$ 15.44/hour
Park Attendant (part-time)	\$ 12.00/hour
Director of Youth and Recreation	\$ 9,680.00
Historian	\$ 2,000.00
Director of Transfer Station Operations	\$46,134.44
Park Manager	\$ 17.50
Building Inspector	\$51,810.44
Building Inspector	\$49,715.20
Secretary Building Department	\$33,372.00
Registrar of Vital Statistics (2) - each	\$ 1,133.00
Director of Zoning & Planning/Zoning Enforcement Officer	\$43,775.00
Secretary to Director of Planning/Zoning	\$27,295.00
Zoning Board Attorney	\$ 9,293.10
Zoning Board Chairperson	\$ 1,545.00
Zoning Board Members	\$ 1,030.00
Planning Board Attorney	\$23,618.93
Planning Board Chairperson	\$ 4,120.00
Planning Board Members	\$ 2,575.00
Pee Wee Wrestling Instructors (2) - ea.	\$ 500.00

Summer Grounds	\$	12.36/hour
Wingman	\$	11.79/hour

- 1 Estimated allocation: Comptroller \$68,958.50; Capital Project Fiscal analyst - \$6,041.50
- 2 Board of Assessment Review – Chairperson- \$90/meeting; Members - \$75/meeting and Secretary - \$25/meeting
- 3 Director of Planning - \$17,072.25; Director of Zoning - \$11,381.50; Zoning Enforcement Officer - \$15,321.25 (Building Department)
- 4 Zoning Board Chairperson - \$128.75/meeting
- 5 Zoning Board Members - \$88.83/meeting
- 6 Planning Board Chairperson - \$196.16/meeting
- 7 Planning Board Members - \$122.62/meeting

- 2010-009)** Pursuant to the Article III, Section 29 (15) of the Town Law, Supervisor Dowds hereby appoints Dawne M. Kelly, as Confidential Secretary to the Supervisor, at the annual salary set forth in the Year 2010 adopted budget.
- 2010-010)** Pursuant to the Arts and Cultural Affairs Law, Supervisor Dowds hereby appoints Diane Hutchinson, Town Historian at the annual salary set forth in the Year 2010 adopted budget.
- 2010-011)** Appoint David Gruenberg as Attorney to the Town, remuneration as set forth in Year 2010 adopted budget (\$24,000).
- 2010-012)** Approve contract with Columbia-Greene Humane Society and authorize Supervisor Dowds to execute contract for calendar year 2010, subject to approval as to form by the Attorney to the Town.
- 2010-013)** Pursuant to Town Law§150 (2), appoint Dennis Dowds as Police Commissioner without additional compensation. Term to expire on December 31, 2010.
- 2010-014)** Appoint Kenneth Holmes as Superintendent of Highways. Term to run concurrent with the term of Supervisor and expires on December 31, 2011. At the Salary for the year 2010 as set forth in the Year 2010 adopted budget.
- 2010-015)** Appoint Bruce Goodall Director of Transfer Station at salary set forth in the Year 2010 adopted budget.
- 2010-016)** Appoint Bernhard Peter Police Chief at salary set forth in the Year 2010 adopted budget.
- 2010-017)** Recommend Roland Ferris be appointed to the Rensselaer County Fire Advisory Board. Oath is to be taken at Rensselaer County Clerk’s office. Term to expire December 31, 2012.
- 2010-018)** Appoint Walter Wheeler as Web-master for salary set forth in the Year 2010 adopted budget.

- 2010-019)** Appoint Karen A. Vecchione ADA Coordinator for the calendar year 2010.
- 2010-020)** Appoint William Dikant part-time Justice Court Officer for the calendar year 2010 at hourly rate set forth in the Year 2010 adopted budget.
- 2010-021)** Appoint David Calarco as Chairman of the Zoning Board of Appeals for the calendar year 2010.
- 2010-022)** Establish the mileage rate of 50 cents per mile pursuant to I.R.S. rate for the calendar year 2010.
- 2010-023)** Pursuant to Article III, §30 of the Town Law, the Receiver of Taxes hereby appoints Nancy Lawlor as Deputy Receiver at the hourly rate set forth in the Year 2010 adopted budget.
- 2010-024)** Designate **The Record** as official Town newspaper for the calendar year 2010.
- 2010-025)** Approve contracts and authorize Supervisor Dowds to execute contracts with Castleton Volunteer Ambulance Service, Inc., and Nassau Ambulance for provision of emergency medical services for 2010 as set forth in the Year 2010 adopted budget.
- 2010-026)** Appoint Gene Paul Martel as the Dog Control Officer for the calendar year 2010 pursuant to the Year 2010 adopted budget.
- 2010-027)** Appoint Sheila Golden as Director of Youth and Recreation for the calendar year 2010 at salary set forth in the Year 2010 adopted budget.
- 2010-028)** Appoint Karen Justus as Assistant to the Assessor at annual salary set forth in the Year 2010 adopted budget.
- 2010-029)** Appoint Kathleen A. Blake Affirmative Action Coordinator for the calendar year 2010.
- 2010-030)** Appoint Diane Lebrecht as Secretary to the Superintendent of Highways at hourly rate set forth in the Year 2010 adopted budget.
- 2010-031)** Appoint Laura Palmer as Assistant Comptroller on a part-time basis at the hourly rate set forth in the Year 2010 adopted budget.
- 2010-032)** Appoint Stuart McKnight to the position of Park Manager at the hourly rate set forth in the Year 2010 adopted budget.

- 2010-033)** Authorize Supervisor Dowds to execute contracts with Village of Castleton-on-Hudson, Castleton Fire Company, the Board of Commissioners of Nassau Fire District Number One, and the Board of Commissioners of the East Schodack Fire District for provision of fire and emergency services in each of the respective fire protection districts.
- 2010-034)** Appoint Jamie Wagner as Assistant to the Senior Court Clerk on a full-time basis at the hourly rate as set forth in the Year 2010 adopted budget.
- 2010-035)** Appoint Marie Church as Assistant to the Senior Court Clerk on a full-time basis at the hourly rate as set forth in the Year 2010 adopted budget.
- 2010-036)** Appoint Nadine Fuda as Director of Zoning and Planning/Zoning Enforcement Officer at annual salary as set forth in the Year 2010 adopted budget.
- 2010-037)** Appoint Melissa A. Knights, Secretary to Director Planning/Zoning, at annual salary as set forth in the Year 2010 adopted budget.
- 2010-038)** Appoint Jennifer L. Mulligan, CPA, as Comptroller at annual salary as set forth in the Year 2010 adopted budget.
- 2010-039)** Appoint Cherie Gitto as Staff Accountant at annual salary as set forth in the Year 2010 adopted budget.
- 2010-040)** Appoint Kathleen A. Blake as Payroll/Personnel Clerk at an annual salary as set forth in the Year 2010 adopted budget.
- 2010-041)** Appoint Roland D. Ferris as Data Collector on a part-time basis as deemed appropriate by the Assessor at an hourly rate as set forth in the Year 2010 adopted budget.
- 2010-042)** Appoint Sandra Schell, Elizabeth Swahlan and Michael Lubbers as part-time Tax Clerks at an hourly rate as set forth in the Year 2010 adopted budget.
- 2010-043)** Appoint members to the Public Safety Advisory Committee as follows: David Smith, Chair and Steven Kelly to three-year terms to expire on December 31, 2012. Chief Bernhard Peter, Dennis Dowds and Kenneth Holmes to a two-year to expire on December 31, 2011.
- 2010-044)** Authorize Supervisor Dowds to approve staff attendance at educational seminars if registration and expenses are deemed to be appropriately budgeted and do not exceed \$250 in the aggregate.
- 2010-045)** Pursuant to General Municipal Law Section 85, any checks written to the Town tendered as payment and returned for insufficient funds will have a \$20 fee imposed.

- 2010-046)** Appoint Nicole A. Thomas as part-time janitorial staff at an hourly rate as set forth in the Year 2010 adopted budget.
- 2010-047)** Appoint Stuart McKnight, Richard Eckel, Michael McDowel, Josh Walters, Jason Laurenzo, Thomas M. D. Jones, Alan Roehr Jr., Peter Zownir and Clark Roehr as part-time police officer at an hourly rate as set forth in the Year 2010 adopted budget.
- 2010-048)** Authorize Supervisor Dowds to execute New York State Office of Children and Family services, Individual Program Application, Agency Summary for Youth and Recreation for the Period of January 1 through December 31, 2010.
- 2010-049)** Appoint the following as Fire Marshals for 2010: Dawne M. Kelly - Town Hall; Stuart McKnight - Police Station; and Harry Duncan - Highway Garage.
- 2010-050)** Authorize Supervisor Dowds, Director of Planning and Zoning Fuda, Comptroller Mulligan and Town Councilman Bult to attend seminars for the Annual Meeting of the Associations of Towns February 15-17, 2010 with appropriate expenses to be borne by the Town.
- 2010-051)** Authorize Donna Conlin as the voting delegate, Jennifer Mulligan the alternate, for the Town of Schodack at the Annual Meeting of the Association of Towns.
- 2010-052)** Approve contracts and authorize Supervisor Dowds to execute contracts with the Castleton Public Library, East Greenbush Community Library, and Nassau Free Library as set forth in the Year 2010 adopted budget.
- 2010-053)** Town officials and/or personnel authorized by resolution of the Town Board to attend the Annual Meeting of the Association of Towns of New York State shall be reimbursed for expenses under Section 77-b of the General Municipal Law up to an amount of \$1,000. Such amount will reimburse all lodging, transportation, meals, and registration expenses. Those so authorized may obtain an advance of expenses as provided in subsection 6 of Section 77-b. Receipts must be obtained for all applicable expenses.
- 2010-054)** Appoint Robert W. Linville, Esq., as Attorney for the Planning Board and Zoning Board of Appeals at salary as set forth in the Year 2010 adopted budget.
- 2010-055)** Appoint Andrew Timmis as a member of the Planning Board. Term to expire on December 31, 2016
- 2010-056)** Appoint Edward Brewer as a member of the Zoning Board of Appeals. Term to expire December 31, 2014.

**January 14, 2010**

- 2010-057)** Appoint Philip Danaher, Esq., to act as Deputy Attorney to the Town (at no compensation) and to act as the Town/Traffic Prosecutor for Vehicle and Traffic matters at Schodack Justice Court at an annual salary as set forth in the Year 2010 adopted budget.
- 2010-058)** Appoint Louis Spada as a member of Zoning Board of Appeals. Term to expire on December 31, 2011. (to filled unexpired term, Bult vacancy)
- 2010-059)** Pursuant to Chapter 32 Section 1 of the Code of the Town of Schodack, appoint Peter D. Schweigert; Allison Signor; Gary Ziegler, Code Enforcement Officer; Jeffrey Arno, Police Officer; Christopher Oglesby; Detective James Morgan; Steven Kelly, and Matthew Carner to the Town of Schodack Fire Investigation Unit for the calendar year 2010.
- 2010-060)** **WITHDRAWN:** *"Pursuant to Town Law §103, Article 8 Supervisor Dowds appoints \_\_\_\_\_ as the Budget Officer for 2010 at salary set forth in the Year 2010 budget."*
- 2010-061)** Authorize the following individuals for appointment to the Winter Youth Recreation Program, as recommended by the Director of Youth and Recreation, Pee Wee Wrestling - Thomas Gibbons and Geoff Scheilding at salary as set forth in the Year 2010 adopted budget.
- 2010-062)** Request Rensselaer County Board of Elections to designate the following as official election polling places for the Town of Schodack:
- District 1 - Love Lutheran Church, Pheasant Lane
  - District 2 - Schodack Landing Firehouse, Firehouse Lane
  - District 3 - Emmanuel Reformed Church, Maple Hill Road
  - District 4 - East Schodack Firehouse, Route 150
  - District 5 - Castleton Elementary, Scott Avenue
  - District 6 - Edward Swartz Southern Tier Senior Center, Route 150
  - District 7 - South Schodack Firehouse, Bame Road
  - District 8 - Edward Swartz Southern Tier Senior Center, Route 150
  - District 9 - East Schodack Firehouse, Route 150
  - District 10 - Castleton Elementary, Scott Avenue
- 2010-063)** Authorize Supervisor Dowds to execute agreement on behalf of the Town of Schodack with the Rensselaer County STOP DWI program for the calendar year 2010.
- 2010-064)** Authorize Jennifer Mulligan, CPA, Comptroller and Cherie Gitto, Staff Accountant to attend NYS GFOA Annual Conference March 24 - 26, 2010 in Albany, New York. Cost of the Conference and Seminar is \$355 for the Comptroller's attendance March 24 - 26 and \$175 for the staff accountant's attendance on March 25 & 26, plus estimated mileage of \$57 for a total of \$587. All appropriate expenses to be borne by the Town.

Amended by [2010-185] on 5/13/10

- 2010-065)** Authorize Supervisor Dowds to execute an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub 600 copier on the third floor at the Town Hall, ID # 285CH, for the period February 2, 2010 to February 1, 2011 for \$287 per quarter. Contract includes 42,000 copies per quarter with an overage charge of \$0.00680 per copy.
- 2010-066)** Authorize Supervisor Dowds to execute a maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Muratec 2030D copier in the Court/Meeting room, ID#144CH, for the period February 2, 2010 to February 1, 2011 for \$436.00 annually. Contract includes 24,000 copies annually with an overage charge of \$0.01730 per copy.
- 2010-067)** Authorize Supervisor Dowds to execute a maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox Work Centre M20 copier in the Justice Ct., ID#938CH, for the period January 16, 2010 to January 15, 2011 for \$404.00 annually. Contract includes 24,000 copies annually with an overage charge of \$0.01680 per copy.
- 2010-068)** Authorize Supervisor Dowds to execute a maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox Work Centre 4150x copier in the Police Dept., ID#812CH, for the period January 26, 2010 to January 25, 2011 for \$471.00 annually. Contract includes 42,000 copies annually with an overage charge of \$0.01120 per copy
- 2010-069)** Authorize Supervisor Dowds to execute an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Xerox Work Centre 5225p copier on the second floor (Assessor & Receiver of Tax offices) at the Town Hall, ID # 973CH, for the period January 16, 2010 to January 15, 2011 for \$101.00 per quarter. Contract includes 7,500 copies per quarter with an overage charge of \$0.01344 per copy.
- 2010-070)** Authorize Supervisor Dowds to execute ASCAP license Agreement, subject to review and approval as to form by Attorney to the Town, and authorize payment of \$305.00 licensing fee to ASCAP.
- 2010-071)** Authorize Supervisor Dowds to execute contract extension for services from the Laberge Group to assist the Planning Board for 2010. Hourly rates for 2010 per Addendum No. 10 are as follows: Principal/project manager \$152.00, Project Engineer \$105.00, Assistant Engineer \$79.00 and Administrative Assistant \$55.00.
- 2010-072)** Authorize Supervisor Dowds to execute Disposal Service Agreements with Covanta Energy Corporation for disposal of municipal solid waste (\$71.65 per ton) and disposal of tires (\$88.00 per ton) for calendar year 2010.
- 2010-073)** WHEREAS, the law firm of Hiscock and Barclay has provided legal service to the Town of Schodack for a period of more than five years, and

WHEREAS, Hiscock and Barclay currently represent the Town as special counsel on several matters which are currently at a critical stage, and

Amended by [2010-088] on 1/28/10

WHEREAS, the substitution of new counsel in those matters would create problems in continuity in the event the Town hired new counsel, and

WHEREAS, Hiscock and Barclay has also indicated its intention to represent EPCOR Power Castleton LLC (hereinafter referred to as "EPCOR") in a tax certiorari proceeding against the Town of Schodack for the Castleton Generating Plant it owns and operates located at 1902 River Road (SBL No. 198.12-1-3.2), creating a clear conflict of interest for the firm, and

WHEREAS, Hiscock and Barclay has requested a waiver of said conflict of interest, permitting it to continue to perform legal work for the Town while representing EPCOR in an action against the Town,

NOW, THEREFORE, BE IT RESOLVED that Supervisor Dowds is authorized to execute a Qualified Waiver of said conflict of interest dated January 7, 2010 for a period ending December 31, 2010.

- 2010-074)** Approve the attached Transfer Station Fee schedule, to be effective January 15, 2010.
- 2010-075)** Authorize partial Payment Estimate No. 6, contingent on all appropriate M/WBE requirements being met, for the work completed by Stephen Miller General Contractors, Inc., Contract No. 5G General Construction in the total amount of \$31,672.85, less retainage of five percent (5%) in the amount of \$1,583.64 less liquidated damages in the amount of \$7,400.00 for a total payment not to exceed \$22,689.21.
- 2010-076)** Authorize partial Payment Estimate No. 5 for the work completed by J. A. Bradley, Contract No. 5E Electrical Work, in the total amount of \$9,750.00, less retainage of five (5%) in the amount of \$487.50 less liquidated damages in the amount of \$4,800.00 for a total payment not to exceed \$4,462.50.
- 2010-077)** Authorize Supervisor Dowds to execute Change Order No. 1 dated January 11, 2010 for Contract No. 8G-General Construction Water System Improvements to Water District Nos. 1 and 3 (Jersen Construction Group, LLC, Contractor) to increase said contract by an estimated total amount of \$44,460 and decrease said contract by an estimated total amount of \$47,700 thereby, resulting in a net decrease in the amount by \$3,240.
- 2010-078)** Authorize Partial Payment Estimate No. 2 for the work completed by Jersen Construction Group, LLC Contract No. 8 Water District Nos. 1 & 3 in the total amount of \$120,011.20, less retainage of five percent (5%) in the amount of \$6,000.56, for a total payment not to exceed \$114,010.64 contingent upon receipt and approval of certified payrolls, M/WBE reports and ARRA reporting by the Town Comptroller.

- 2010-079)** Authorizing Supervisor Dowds to issue one or more Bond Anticipation Notes (BANS) in the aggregate amount of \$659,833 for the following purposes and relative amounts: (1) a BAN in the amount of \$609,833 to refinance along with other funds available to the Town, an existing BAN having a principal balance of \$616,333, the proceeds of which will be allocated for the purpose of water systems improvements including development of two production wells, design of a permanent pump station and related improvements, and (2) a BAN in the amount of \$50,000 to refinance, along with other funds available to the Town, an existing BAN having a principal balance of \$75,000, the proceeds of which will be allocated for the purpose of appraisals of real property within the Town of Schodack, which will be used to assist in the assessment of such real property for purposes of taxation.
- 2010-080)** Authorize Supervisor Dowds to execute the cash benefit election side letter agreement between the Town of Schodack and United Public Service Employee Union (UPSEU), subject to approval by Attorney to the Town as to form, pending execution of the document by UPSEU.
- 2010-081)** Authorize Supervisor Dowds to execute third party Collateral Pledge and Control Agreement – Collateral for Public Deposits between the Town of Schodack, First Niagara Bank and JP Morgan Chase.
- 2010-082)** 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 the Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	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>Elected Officials</b>					
Town Clerk	Donna Conlin	7	1/1/2008 – 12/31/11	N	22.93
Tax Receiver	Kathy Lubbers	7	1/1/2008 – 12/31/11	N	14.21
Town Justice	Bruce Wagner	7	1/1/2007 – 12/31/10	N	7.18
Town Board	Frank Curtis	7	1/1/2008 – 12/31/11	N	3.54
Town Board	Ken Stinner	7	1/1/2008 – 12/31/11	N	4.11
Town Justice	Paul Peter	7	1/1/2008 - 12/31/11	N	8.07
<b>Appointed Officials</b>					
Planning Board	Peter Goold	7	1/1/2005 – 12/31/11	N	3.29
Planning Board	John LaVoie	7	1/1/2007 – 12/31/13	N	.86
Planning Board	Denise Mayrer	7	1/1/2008 – 12/31/14	N	1.14

Board					
Planning Board	Paul Puccio	7	1/1/2006 – 12/31/12	N	.83

**2010-083) WITHDRAWN:** *“Authorize Budget transfers and amendments submitted by the Comptroller.”*

**2010-084)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-0001 to 10-0168 on Abstract No. 01-10, in the amount of \$193,829.51, including the claims paid (\$46,735.79) since the previous town board meeting.

**January 28, 2010**

**2010-085)** WHEREAS, Sylvester (Syl) Kedzierski was appointed to a position on the newly created Planning Board on August 13, 1981, and

WHEREAS, he was subsequently reappointed to four, 7-year terms serving the Town continuously for 28 years in his capacity as a member of the Planning Board until December 31, 2009, when he expressed a desire to pursue other interests, and

WHEREAS, Syl brought to his post a unique perspective as a great conversationalist, friend and neighbor, and

WHEREAS, Syl's positions with American Tobacco Company, owner/operator of KK's Ice Cream and military service, certainly molded and tailored his perspective, and

WHEREAS, Syl shared his knowledge with residents in a gentle, neighborly way, reviewing each project before the Planning Board with his insight and expertise, and

WHEREAS, Syl sought to advance planning initiatives within the Planning Board review process to ensure each project was environmentally sound and challenged applicants to be a “good neighbor,” and

WHEREAS, Syl has demonstrated his love of family and is proud of his daughter, Vera, his son-in-law, Gary, and his grandchildren Jake and Kesia,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack expresses its gratitude to Sylvester Kedzierski, for his 28 years of exemplary service as a member of the Planning Board and pauses in their deliberations to thank him for his service to the Town of Schodack, and

BE IT FURTHER RESOLVED, that the Supervisor present a copy of this Resolution to Sylvester Kedzierski on the occasion of his retirement from the Planning Board.

- 2010-086)** Authorize Supervisor Dowds to execute the Certificate of Substantial Completion for Contract No. 3B-Water Storage Reservoir (Schodack-Water Improvements) effective December 17, 2009.
- 2010-087)** Pursuant to Chapter 219, Article XVII Erosion and Sedimentation Control, of the Code of the Town of Schodack, Supervisor Dowds is directed to execute an agreement to authorize Richard Laberge, P.E., President of Laberge Group to execute the MS4 SWPP Acceptance Form on behalf of the Town of Schodack.
- 2010-088)** Amend resolution 2010-071 adopted on January 14, 2010 authorizing execution of a contract with Laberge Group to assist the Planning Board for 2010 to reflect rates for 2010 per Addendum No. 11 instead of Addendum No. 10.
- 2010-089)** Authorize Supervisor Dowds to ratify and affirm a retainer agreement with David Gruenberg, Esq., Attorney to the Town, for the years 2007, 2008, 2009, 2010 at a retainer fee of \$24,000 yearly payable monthly at the rate of \$2,000 upon the submission of a completed voucher.
- 2010-090)** Authorize Supervisor Dowds to ratify and affirm a retainer agreement with Philip Danaher, Esq., Town/Traffic Prosecutor for Vehicle and Traffic matters, for the year 2010 at a retainer fee of \$11,330 payable monthly at the rate of \$944.17 upon the submission of a completed voucher.

**February 11, 2010**

- 2010-091)** WHEREAS, it is the desire of the Schodack Town Board to act in accord with its longstanding traditions of honoring the achievement of those who have given so generously to their community by exemplifying the ideals and values cherished by this great town, and  
 WHEREAS, on Wednesday, October 28, 2009, a traffic accident occurred on Route 20 in the area of School House Road in Schodack, and  
 WHEREAS, at approximately 7:35 p.m., Schodack Police Detective James Morgan and Officer Michael Miller received a call from the Rensselaer County police dispatcher to respond to a traffic accident, reported as a roll over with one of the vehicles on fire, and  
 WHEREAS, Detective Morgan and Officer Miller were just leaving the scene of a car/deer auto accident a short distance away on Route 20, they were able to arrive within one minute of receiving the call, and  
 WHEREAS, upon their arrival, the officers observed what appeared to be a 2-car collision, a SUV over turned, completely engulfed in flames, concealing whether there was anyone inside, and the second vehicle, a small compact vehicle whose front end was beginning to be consumed by fire due to the

proximity of the two vehicles, and

WHEREAS, Officer Miller positioned his patrol vehicle to the east of the collision and immediately began directing traffic as it began to backup along Route 20, assisting Nassau Village Police Officer Thomas Jones, and

WHEREAS, Detective Morgan positioned his vehicle to the west of the collision to further protect the scene, and immediately went to the small compact vehicle in the middle of the east bound lane, observing it was occupied, he attempted to gain entry to render aid to the driver of the vehicle as it was becoming more and more consumed by fire, he requested Officer Miller to assist him. Both Officers unsuccessfully attempted to gain entry to the vehicle, they then ran around to the passenger side of the vehicle to attempt to gain access but were forced back due to the intense flames coming from the overturned SUV, and

WHEREAS, Officer Miller directed Officer Jones to get the fire extinguishers from the patrol vehicles and Officer Miller, Officer Jones and Detective Morgan utilized them to keep the fire suppressed until fire apparatus arrived, and

WHEREAS, Nassau Fire Assistant Chiefs Richard Elder and Jonathan Valli, headed directly to the scene, as the Nassau Fire Department was being dispatched to the scene, and

WHEREAS, when Jon and Rich arrived at the scene, they witnessed three police officers already working, using their fire extinguishers, to beat back the flames engulfing the SUV in an attempt to prevent the fire from spreading to the small compact vehicle, and

WHEREAS, Rich was instructed by the officers to grab his fire extinguisher, as Jon simultaneously donned his Personal Protective Fire-gear, took the extinguisher from Rich and proceeded to empty its contents on the stubborn blaze, and

WHEREAS, Rich opened the rear driver's side door of the small compact vehicle, upon a quick assessment, confirmed there were two young women inside who were trapped in the vehicle and decided a rapid extrication was not possible, and

WHEREAS, Rich noticing the windshield was compromised due to the intensity of the fire, yelled for Jon to remove and place his Personal Protective Coat over the windshield to try to shield the young women from the heat, and

WHEREAS, with time of the essence, Detective Morgan quickly decided the vehicle in which the young women were trapped, needed to be pulled away from the other burning vehicle to eliminate further extension of the fire, he inquired if Jon had a tow chain, Miller, Jones and Valli, proceeded to hook up the chain from Jon's truck to the vehicle and towed it across the road, and

WHEREAS, Matthew Cooper, Chief of Nassau Fire Department arrived, he set up command, assigned duties to incoming units and started mutual aid. Once the first fire engine arrived, they were able to proceed routinely and complete a successful operation, and

WHEREAS, it is believed that, if it was not for the outstanding efforts of Schodack Police Detective James Morgan and Officer Michael Miller and Nassau Village Police Officer Thomas Jones in containing the fire, Cara-Anne Warner and Danielle Hilton may not have survived, and

WHEREAS, Nassau Fire Department Chiefs Matthew Cooper, Jonathan Valli and Richard Elder did an outstanding job of extricating Cara-Anne and Danielle from the vehicle in order to transport them to the hospital as quickly and safely as possible, and

WHEREAS, Emergency Response Agencies that were also on the scene included, but not limited to, the New York State Police, Fire Departments from East Schodack, Schodack Valley, Tsatsawassa, Castleton, and North Chatham; Ambulance Agencies from Nassau, Castleton, Hoags Corners and Empire; Rensselaer County Agencies including Public Safety Coordinator, Fire Coordinator, Safety Battalion Coordinator, EMS Zone Coordinator and Medical Legal Death Investigator,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack is moved to honor Schodack Police Detective James Morgan and Officer Michael Miller; Nassau Village Police Officer Thomas Jones; Nassau Fire Department Chief Matthew Cooper, Assistant Chiefs Jonathan Valli and Richard Elder; who have given themselves to this community in so many ways, distinguishing themselves through their unselfish quick actions, as impressive role models for all, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Schodack will pause in its deliberations of the 11<sup>th</sup> day of February 2010 to acknowledge and honor, James Morgan, Michael Miller, Thomas Jones, Matthew Cooper, Jonathan Valli and Richard Elder, to thank them for their heroic contributions to the well-being of Cara-Anne Warner and Danielle Hilton.

BE IT FURTHER RESOLVED that the Supervisor shall transmit copies of this resolution, suitably engrossed, to Schodack Police Detective James Morgan and Officer Michael Miller; Nassau Village Police Officer Thomas Jones; Nassau Fire Chief Matthew Cooper; Nassau Fire Assistant Chiefs Jonathan Valli and Richard Elder.

**2010-092)** WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the Town of Schodack, herein called the municipality, has examined and duly considered the applicable laws of the State of New York and the municipality deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a contract by and between the people of the State of New York, herein called the State, and the municipality be executed for such State Aid;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF SCHODACK

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understandings and assurances contained in said application is hereby authorized.
2. That Bruce Goodall or his designee is directed and authorized as the official representative of the municipality to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State.
3. That the municipality agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.
4. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application.
5. That this resolution shall take effect immediately.

**2010-093)** Authorize Patroon Abstract Corp. to provide title searches to determine ownership of real property [Tax map numbers 200.3-3-33, 200.3-3-34, 200.3-3-35, 200.3-3-36, 200.3-3-37, 200.3-3-38] consisting of parcels of land over/under in which transmission lines and appurtenances related to Water District Numbers 1 and 3, will be placed. Pursuant to retainer agreement dated January 27, 2010 said work will be billed at the rate of \$300 per search and total cost will not exceed \$1,500. Additionally, Patroon Abstract Corp will record easements once they are obtained by the Town with (estimated recording total fees of \$281.50) to be borne by the Town.

**2010-094)** Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2009 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.

**2010-095)** Authorize Supervisor Dowds to execute a contract with the Peter J. Andrews VFW Post No. 7337 for the establishment, maintenance and operation of programs devoted, in whole or in part, to the welfare of veterans for an amount not to exceed \$4,500. Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance. (As budgeted)

**2010-096)** Authorize Supervisor Dowds to contract with musicians to perform at the 2010 Music in the Park as follows:

Johnny Cassera's Route 66 Band	June 1 <sup>st</sup>	\$300.00
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Mixed Company

June 15<sup>th</sup> \$600.00

**2010-097)** Authorize Supervisor Dowds to execute contracts with the Edward C. Swartz Southern Tier Senior Center (\$4,000) and Castleton Senior Citizens (\$4,000) for the establishment, maintenance and operation of programs devoted, in whole or in part, to the welfare of the aged. The terms and conditions of said contracts are subject to the approval by Attorney to the Town. (As budgeted)

**2010-098)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Name</u>	<u>Number of Units</u>
Cedar Acres	
Garden Home Mgmt. Corp.	21
Clow, Robert	1
Field, George	1
Gaylord, Donald	1
King, Joseph	1
Maier, Anthony	1
Rapin, Mary Joy and John	1
Saville, Rita & Richard	1

**2010-099)** Authorize the Comptroller to add Stuart McKnight as an authorized user on the existing tax-exempt business credit account with Home Depot.

**2010-100)** Re-appoint Phillip Moldoff as a member of the Board of Assessment Review. Term to expire September 30, 2014.

**2010-101)** Authorize Supervisor Dowds to execute sales order and agreement with ADP, Inc. for the information Resource Xchange at a current monthly fee of \$30.

**2010-102)** Authorize Supervisor Dowds to execute agreement dated January 27, 2010 with JGS Recycling & Hauling for recycling of Freon based appliances (not limited to) from the Transfer Station as per following schedule: Air conditioners & Dehumidifiers \$1 each, Refrigerators & Freezers \$5 each and Propane tanks at no-charge.

**2010-103)** Authorize Supervisor Dowds to execute agreement with Capital District Physicians' Health Plan, Inc. to approve premium rates and to renew Benefit Package effective January 1, 2010 with a single-person monthly premium of \$460.99, a double-person monthly premium of \$922.01 and a family monthly premium of \$1,225.57.

**2010-104)** Authorize Supervisor Dowds to execute agreement with Capital District Physicians' Health Plan, Inc. to approve premium rates to renew the Medicare Advantage Product effective January 1, 2010 with a monthly premium of \$265.30.

- 2010-105)** Authorize Donna L. Conlin, Town Clerk, to attend the annual New York State Town Clerk's Association Conference in Saratoga Springs, New York, April 25 – 28, 2010, with Deputy Town Clerks Karen Vecchione and Lois Ciccolella to attend on alternating days. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town per the 2010 adopted Town Budget, which are estimated to be \$992.00 for the Town Clerk and \$394.00 and \$315.00 for the Deputy Clerks, respectively.
- 2010-106)** Authorize Supervisor Dowds to execute cancellation policy release for Utica Mutual for crime and employee faithful performance of duty bond.
- 2010-107)** Authorize Supervisor Dowds to execute application with St. Paul Travelers for crime, employee faithful performance and computer fraud bond at the annual cost of \$1,279.00.
- 2010-108)** Authorize Supervisor Dowds to execute agreement with Domino the Great to perform his magic show on July 16, 2010 for a fee of \$350 for the Summer Youth and Recreation Program.
- 2010-109)** WHEREAS, the Town of Schodack and J. Kenneth Fraser and Associates are satisfied that Wm J. Keller and Sons Construction Corp. has discharged its obligations under the Contract No. 6 – General Construction for Schodack Landing Sewer District No. 8 – Schodack Landing, and
- WHEREAS, the one-year warranty period for said contract expired on October 31, 2009
- NOW, THEREFORE, BE IT RESOLVED that the Supervisor is authorized to release negotiable securities (5% of the total contract) in the amount of Eighty Eight Thousand Seven Hundred Thirty Dollars and Thirty-one cents (\$88,730.31) plus interest of Ninety-one Dollars and Ninety-three cents (\$91.93) for a total of Eighty Eight Thousand Eight Hundred Twenty-two Dollars and Twenty-four cents (\$88,822.24) to Wm J. Keller and Sons Construction Corp. as specified in the Construction Contract.
- 2010-110)** Authorize Supervisor Dowds to execute a certain Release and Assignment releasing NGM Insurance Company from claims and demands under Bond #S-431428 (JP & Sons LLC, Blueberry Meadows), full payment having been received by the Town on said Bond.
- 2010-111)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-0169 to 10-0326 on Abstract No. 02-10, in the amount of \$1,746,198.00, including the claims paid (\$443,841.89) since the previous town board meeting.
- 2010-112)** Authorize budget amendments, budget transfers interfund loans and interfund transfers as recommended by the Comptroller.

**February 25, 2010**

- 2010-113)** All civil service requirements having been met for the position of Police Dispatcher, the Town hereby appoints Michelle Dellavechia to the position of Police Dispatcher effective February 3, 2010.
- 2010-114)** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs for Water District Number 3. Said hearing shall be held on Tuesday, March 23, 2010 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road.
- 2010-115)** Authorize one additional training session for the Workplace Violence Prevention Program to be conducted by Public Sector HR Consultants LLC at a cost of \$500.00 plus travel expenses.
- 2010-116)** Authorize final payment to Statewide Aquastore, Inc. for work completed pursuant to Contract No. 3B for Water Storage Reservoir Construction Contract for a total amount not to exceed \$31,653.03, which includes retainage. This authorization is contingent upon review and approval of documentation for Minority and Women Business Enterprise (M/WBE), contractor's release of liens, securities to provided to be pursuant to the contract warranty and the Town Comptroller.
- 2010-117)** Pursuant to Town Law §103, Article 8 Supervisor Dowds appoints Laura Palmer as Budget Officer for 2010 at a salary of \$3,500 to be assisted by Dawne Kelly at a stipend of \$2,200, Cherie Gitto at a stipend of \$800. [Total expense does not exceed the amount as set forth in the 2010 adopted budget.]
- 2010-118)** Authorize Jeffrey Conlin, Building Inspector to attend the Central Chapter of the New York State Building Officials, Inc. 5<sup>th</sup> Annual Educational Conference at the Holiday Inn Syracuse/Liverpool in Liverpool, New York, on April 20 - 23, 2010, at a cost of \$350.00, plus estimated: lodging \$388.00, mileage \$170.00, tolls \$13.00 and meals \$50 for a total estimated cost of \$971.00. All appropriate expenses are to be borne by the Town.
- 2010-119)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Name</u>	<u>Number of Units</u>
Beberwyk, Mary Ann Creekside Park	1
c/o DCJ Enterprises, LLC	52
Freeman, Donna	1
Johnson, Kenneth M. Leavenworth Trailer Park	2
Clemens, Buck	17
Miller, Ed	3

Miller, Sue	2
Skaryzynski, Kim & Jerry	1

**2010-120)** Authorize Supervisor Dowds to contract with musicians to perform at the 2010 Music in the Park as follows:

Winchester & Young	June 8th	\$200.00
Macerator's	June 29 <sup>th</sup>	\$500.00

**2010-121)** Authorize final payment to J.A. Bradley & Sons, Inc. for work completed pursuant to Contract No. 3E for Electrical Work for a total amount not to exceed \$7,200.00, which includes retainage plus \$6,200.00 of liquidated damages (previously withheld) for a total payment of \$13,400.00. This authorization is contingent upon review and approval of documentation for Minority and Women Business Enterprise (M/WBE), contractor's release of liens, securities to provided to be pursuant to the contract warranty and the Town Comptroller.

**2010-122)** Authorize payment in the amount of \$12,400.00 of liquidated damages (previously withheld) to Stephen Miller General Contractors, Inc., Contract No. 5G General Construction.

**2010-123)** WHEREAS, the Schodack Town Board has a record of acting to protect the quality of life of the residents of Schodack; and

WHEREAS, the proposed State budget would have the effect of reducing funding for the New York State Office of Parks, Recreation and Historic Preservation by 40 percent over the next 18 months, leading to closures of State parks. There is a strong possibility State parks to be affected would include Schodack Island State Park; and

WHEREAS, under the proposed State budget, the Schodack Island State Park could be closed permanently later this year. The possible permanent closure would hurt the Town of Schodack and the many residents who regularly use this park; and

WHEREAS, Schodack Island State Park represents a fun and affordable recreation choice for area families during tough economic times, by having an inexpensive place to go and get away; and

WHEREAS, closure of Schodack Island State Park would produce relatively little in savings, and

THEREFORE, BE IT RESOLVED, the Town Board of the Town of Schodack opposes the proposed closure of Schodack Island State Park, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to transmit certified copies of this resolution to Governor David A. Paterson,

Senator Roy McDonald, and Assemblyman Tim Gordon.

- 2010-124)** Authorize Supervisor Dowds to execute electrical proposal dated February 22, 2010 with AAA Santore Electric to replace an electric motor and belt on the exhaust fan at the town hall, in an amount not to exceed \$207.00.

**March 11, 2010**

- 2010-125)** Retain Bryan Goldberger, Esq., of Goldberger & Kremer for representation in labor matters. The scope of professional services include all labor matters related to Civil Service Employees Association Inc. (CSEA) Local 1000 [Rensselaer county Local 842], Civil Service, United Public Service Employees Union (UPSEU), and all personnel matters relating to town employees at the hourly rate of \$195. This authorization shall not exceed \$20,000 without further action of the Town Board.
- 2010-126)** Authorize Supervisor Dowds to accept proposal and execute agreement dated March 2, 2010 with GAR to prepare a preliminary and trial ready appraisal report relative to Tax Map Parcel Nos. 179.-5-24.197, 179.-5-24.181, 179.-5-24.182, 179.-5-24.196, 179.-5-24.184, 179.-5-24.186, 179.-5-24.192, 179.-5-24.190, and 179.-5-24.187 in an Article 7 Proceeding entitled John A. Paige, Jr. Contracting, Inc. -v- Town of Schodack in an amount not to exceed \$1,800. Further authorize any additional court preparation and testimony to be compensated at \$150 per hour.
- 2010-127)** Authorize Supervisor Dowds to execute a supplemental shelter agreement with Drumm Veterinary Hospital to satisfy the requirements of the New York State Department of Agriculture and Markets. It is the policy of the Town that owners, if located, shall be responsible for charges incurred at Drumm Veterinary Hospital and/or Columbia-Greene Humane Society when pets are claimed, as may be allowed by law.
- 2010-128)** Authorize purchase from Com-Tech Electronics to provide 4 Kenwood TK-5710HBK 110 watt 51 channel mobile radios and 4 Kenwood TK-290K 160 channel VHF 5 watt portable radios, for the Police Department together with all other equipment as quoted March 1, 2010, to meet the P25 interoperability standards and narrow band compliant as per FCC mandates, for an amount not to exceed \$13,684.04 and authorize Algonquin Communications to perform the reprogramming of radios as quoted on March 2, 2010. The work be coordination with Com-Tech Electronics, for an amount not to exceed \$350.00 and to further authorize the appropriation of the Federal Forfeitures Reserve fund to pay for aforementioned equipment.
- 2010-129)** Authorize the correction of Retired Police Chief, David Schindler's accrued sick bank account from 980 hours to 1,065 hours.
- 2010-130)** Authorize Supervisor Dowds to contract with musicians to perform at the 2010 Music in the Park as follows:

Ron Cremisio & Friends    June 22<sup>nd</sup>                      \$700.00

**2010-131)** Authorize Sergeant Brian Rossiter to attend the 2010 Yates County Sheriff K9 Seminar for the purpose of recertification from May 2<sup>nd</sup> through May 6<sup>th</sup> in Penn Yan, New York at an estimated total cost of \$835. (This is a 2010 budgeted item)

**2010-132)** Authorize Sergeant Jon Reickert to attend the New York Tactical Association Conference and Expo in Verona, New York on April 27th through April 29<sup>th</sup>, 2010 at an estimated total cost of \$800.00. (This is a 2010 budgeted item)

**2010-133)** WHEREAS, by resolution 2009-463 the Schodack Town Board authorized the Supervisor to convey certain real property by Quitclaim Deed to General Electric Company, fully described in Schedule A annexed to that resolution; and

WHEREAS, the Town Clerk duly and properly published the appropriate notices of that conveyance pursuant to §§ 64 and 91 of the Town Law, no petition was filed seeking a referendum on the conveyance of said real property, and the time to do so has expired; and

Whereas, it appears that the Quitclaim Deed authorized in that resolution was not executed by the Supervisor;

NOW, therefore, be it resolved that the current Supervisor is authorized to execute a Quitclaim Deed upon the real property described in said contract, together with the appropriate additional documents required for recording a deed; it is further

RESOLVED that the Supervisor is further authorized to execute and accept mutual releases relating to the contract with General Electric upon approval as to form by the attorney to the town.

**2010-134)** WHEREAS, the Town Board has identified costs as planning of capital improvements under GML §99-d, and

WHEREAS, the Town Board has determined that the costs do not benefit the current project known as Water District Nos. 1 and 3, and

NOW, THEREFORE, BE IT RESOLVED, the following costs are hereby authorized to be transferred back to the General Town-wide Fund (A) through the appropriation of fund balance effective December 31, 2009 as follows:

Hanson VanVleet, LLC	Clearview Well Field Evaluation	\$79,431.81
Hiscock & Barclay, LLP	Legal Services	\$2,910.00
The Record	Legal Notices – 2007 & 2008	\$970.66

Timothy Nugent	Legal Services – 2006 & 2007	\$3,187.50
Interfund Loan Interest	As applicable to costs removed.	

BE IT FURTHER RESOLVED that the capital projects known as Van Hoesen Road Capital Project (H017), Castleton Water District No. 7 Improvements (H026), and Major Facilities Water District No. 3 and No. 7 (H027) are authorized to be closed and the remaining costs to be reallocated to the Water District No. 1 and 3 Capital Projects (H018, H025) as applicable effective December 31, 2009.

- 2010-135)** The facility use regulations previously adopted are amended by adding a new Number 14 as follows:
14. In the event the proposed renter wishes to provide a “Bouncety-Bounce” game or other similar recreational device, the renter shall provide a certificate of insurance covering the Town’s additional exposure arising out of the use of such device. This certificate shall be in a form and amount satisfactory to the Town Clerk.
- 2010-136)** Authorize Kathleen A. Blake Payroll/Personnel Clerk to post internally the position for Operator 2 at the Transfer Station and to authorize the Supervisor to advertise in the official Town newspaper as necessary.
- 2010-137)** Accept proposal to install up to 25Kw electrical Photovoltaic Solar system on the roof of the Schodack Highway Garage by Monolith Solar, a Rensselaer County business, to be provided at no cost to the Town to provide electricity to the Town Highway Garage and to further authorize Supervisor Dowds to execute agreement upon approval of the Attorney to the Town as to form, including provisions requiring Monolith to pay for National Grid and underwriting inspections.
- 2010-138)** Authorize Supervisor Dowds to execute a contract with Barton and Loguidice, P.C. to develop a concept level plan for potential Transfer Station upgrades, improvements and redesign at an amount not to exceed \$6,000.00. (this is a 2010 budgeted item)
- 2010-139)** Authorize Town Clerk to publish and post cancellation of public hearing, authorized by resolution 2010-114 and adopted on February 25, 2010, relating to Water District Number 3 proposed to be held on Tuesday, March 23, 2010 at 7 p.m.
- 2010-140)** Authorize the Comptroller’s recommendation to direct the Town Supervisor to pay the claims #10-0327 to 10-0512 on Abstract No. 03-10, in the amount of \$577,139.37, including the claims paid (\$281,817.23) since the previous town board meeting.

**2010-141)** Authorize budget amendments, budget transfers interfund loans and interfund transfers as recommended by the Comptroller.

**March 25, 2010**

**2010-142)** Authorize Robert W. Linville, Esq., to represent the Town and Zoning Enforcement Officer, in zoning violation matters as they may arise, on an hourly basis at the rate of \$150.00 per hour.

**2010-143)** Authorize Supervisor Dowds to execute contract for additional services with the Laberge Group for the MS4 Consulting Services for the Town of Schodack for 2010/11 MS4 year (March 10, 2010 – March 9, 2011). Fees for Additional Services per Addendum No. 12 are as follows: Administration \$12,000, Field Work \$15,500, Coalition Meetings \$4,000 and Testing Allowance 2,500 for a total amount not to exceed \$34,000.

**2010-144)** WHEREAS, pursuant to the franchise agreement between Time Warner Cable (“TWC”) and the Town of Schodack, TWC pays the Town a fee for a special franchise to operate its cable television business in the public right-of-way, and

WHEREAS, for the year 2009 TWC paid the Town of Schodack \$76,107.13 in franchise fees, and

WHEREAS, TWC was levied a total of \$3,609.36 in Town taxes on five special franchise properties, and

WHEREAS, Section 626(1) of the Real Property Tax Law of the State of New York provides that the amount paid as a franchise fee is to be deducted from the taxes levied on a special franchise, and

WHEREAS, Section 626(2) of the Real Property Tax Law provides that the person responsible for collecting the franchise fee shall deliver to the Town of Schodack a certificate showing the amount of the franchise fee paid for the year ending on the date set forth in the certificate, and

WHEREAS, upon receipt of the certificate, the law requires the Town of Schodack to enter a credit on the tax roll in the amount shown on the certificate, and

WHEREAS, Rensselaer County Bureau of Finance is responsible for entering the credit on the tax roll, and

WHEREAS, pursuant to Section 626, the TWC Tax Department returned the Town’s Special Franchise tax bill, and

WHEREAS, TWC is required to make a request in order to receive a credit on the tax roll, and

WHEREAS, the Town has received a request for the credit on property taxes assessed in 2010 from the franchise fees paid during 2009,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of \$3,609.36 to Rensselaer County Bureau of Finance based on the 2010 Utility report on said franchise properties assessed within the Town of Schodack

- 2010-145)** Authorize renewal of the Town's liability insurance policy with NYMIR, including property, general liability, auto, inland marine, boiler & machinery, law enforcement and public officials effective April 1, 2010 with a Six Million Dollar Umbrella, single occurrence with a Twelve Million Dollar aggregate for the premium of \$125,695.55.
- 2010-146)** Authorize Supervisor Dowds to accept proposal and execute agreement dated February 3, 2010 with Koester Associates, Inc. to perform preventative maintenance on sewer lift stations located in Districts #2 and #6 for a cost not to exceed \$2,100. (this is a 2010 budgeted item)
- 2010-147)** Authorize Supervisor Dowds to execute Change Order No. 2 dated March 9, 2010 for Contract No. 8G-General Construction Water System Improvements to Water District Nos. 1 and 3 (Jersen Construction Group, LLC, Contractor) to add Davis Bacon Prevailing Wage Rates to the Contract. There is no increase in project cost for this Change Order.
- 2010-148)** WHEREAS, on October 29, 2009, General Mechanical Systems, Inc. quoted in proposal P00190 to remove and rebuild heat pump circulating pump 1b and replace check valve in heat pump circulating pump 1a, relative to the heating system at the Town Hall at a cost not to exceed \$2,646.15, and

WHEREAS, based on the consensus of the Town Board the services quoted in proposal P00190 were completed, per service report dated November 5, 2009 and November 12, 2009 and subsequent bill per invoice #28282 dated November 18, 2009 in the amount of \$2,222.98, and

WHEREAS, while performing this work, General Mechanical discovered that the system was full of air and performed services to rectify the situation, per service report dated November 5, 2009 and subsequent bill per invoice #28280 dated November 18, 2009 in the amount of \$2,612.03 and

WHEREAS, the actual total expenditures incurred for the aforementioned repairs equals \$4,835.01, and

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Schodack ratifies and affirms the authorization of the total expenditure of \$4,835.01 for rebuilding and repairs to the heat pump circulating pumps and air leaks in the system.

- 2010-149)** Accept proposal dated March 12, 2010 from Laberge Group to provide Professional Services relative to Water and Sewer to revise and update the Town's water and sewer regulation Chapters § 174, 175 and 176 in Town Code in an amount not to exceed \$19,848.00.
- 2010-150)** Authorize partial refund of special use permit fee in the amount of \$300.00 to Frank and Melissa Bulan for Planning Board #2010-1, as the Bulans withdrew their application prior to consideration.
- 2010-151)** Authorize Supervisor Dowds to execute the Closing Certificate and Supplemental Agreement between the Town of Schodack and New York State Environmental Facilities Corporation (NYSEFC) for State Drinking Water Revolving Fund Project No.: D0-16270 dated as of May 27, 2010. Further authorize the appropriation of the balance of the Water District No. 5's debt service reserve fund less the 2010 budgeted appropriation to be applied to the balance of the \$480,000 Series 1998D bonds, upon NYSEFC's request of the Town to transmit the funds.
- 2010-152)** NOW, THEREFORE, BE IT KNOWN THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY RESOLVE to rescind resolution 1991-159 relative to resale of water and that water shall only be dispensed for resale purposes permitted by this resolution, from the hydrant located at 3776 US Rt. 20, Town of Schodack Highway Garage. An assembly attached to the hydrant will be equipped with a hydrant lock, meter, back flow preventer and ball valve. Water Department Operators will monitor the hydrant fittings and readings on a regular basis. An annual permit at a cost of \$50.00 must be obtained through the Building Department and the Town will charge \$.01 per gallon for water dispensed, as per attached Rules and Regulations.
- 2010-153)** WHEREAS, the Town Board of the Town of Schodack has determined it is in the best interest of residents and businesses of the Town to have municipal water if available, and
- WHEREAS, the Town established Water District No. 8 and designed major facilities to serve said Water District and interconnect with Water Districts No. 2a, 2b, 4, 5 and 9, which are now also known as Consolidated Water District 101 and the construction of curb stops, transmission line and tower site improvements in these areas were completed in December 2009, and
- WHEREAS, the Town Board also determined it was in the best public interest to encourage universal participation in the Districts and waived payment of the \$2,000 impact fee if connection is made within the first 180 days of system approval, and
- WHEREAS, the fee structure adopted by the Town Board for the Building Department has long included a \$60 inspection fee for inspections done outside regular Town business hours, and

WHEREAS, many residents and contractors have requested Saturday inspections and the Building Inspectors have assisted in this manner upon payment of the additional fee, and

WHEREAS, due to present staffing levels, it is not feasible to allow the inspectors to accrue compensatory time for said scheduled inspections,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Building Department to schedule Saturday inspections for water line installations as a service to residents and businesses and requires said inspections to be done "on the clock" and in a Town vehicle, and

BE IT FURTHER RESOLVED that said inspectors shall be compensated at an hourly rate over and above their regular salary as set forth in the 2010 adopted budgets at an hourly rate as determined by the Payroll Clerk and time-and-a-half if the hours worked are in excess of 40 hours a week, and

BE IT FURTHER RESOLVED that the additional remuneration will be in effect through June 30<sup>th</sup> 2010 of "impact fee free" water installations for tax map numbers 189.-6-1, 178.-8-12.2, 178.-8-14 and 178.-8-13.2 currently being serviced by Water District Numbers 8 and Consolidated 101.

#### **April 8, 2010**

**2010-154)** Appoint Clyde Knott as a part-time park attendant, under the direction of Stuart McKnight, at the hourly rate of \$12 effective April 9 through October 31, 2010, as needed.

**2010-155)** WHEREAS, on February 11, 2010 the Schodack Town Board approved by resolution (2010-094) the Volunteer Ambulance Workers Service Award Program List of all 2009 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Services, Inc., and

WHEREAS, the list was forwarded to authorized representatives of the Castleton Volunteer Ambulance Services, Inc. and was posted for thirty (30) days as required by law, and

WHEREAS, on March 25, 2010 they certified changes that were made to the listing and they provided a detailed explanation which did not change the number of volunteers receiving the award, although the number of accrued points for Kraig Brooks did change,

NOW, THEREFORE, BE IT RESOLVED, that the Schodack Town Board authorizes Supervisor Dowds to certify to PENFLEX, Inc., that the listing as submitted and posted should be used to determine the funding, the requirements of the Service Award Programs (SAP), the eligibility of persons to be paid benefits and the amount of benefits to be paid to eligible persons.

- 2010-156)** Authorize the Comptroller to add Bruce Goodall, Transfer Station Director, as an authorized user on the tax-exempt business credit account at Home Depot.
- 2010-157)** Authorize the Comptroller to add Stuart McKnight, Park Manager, as an authorized user on the tax-exempt business credit account at Tractor Supply.
- 2010-158)** Authorize amendment to the Town's purchasing practices for the following: Section 4 – Increase written estimate requirement for public works contracts from \$10,000 to \$19,999.99 to \$10,000.00 to \$34,999.99; Section 5 – Increase limit for public works / Professional Services contracts from \$20,000 to \$35,000.00 or more must be put out to bid or have a RFP.
- 2010-159)** Authorize Supervisor Dowds to execute Intermunicipal Agreement Regarding Cooperation to comply with the Federal and State Phase II Stormwater Regulations and SPDES General Permit for Stormwater Discharges from MS4s (GP-0-08-002) in Rensselaer County.
- 2010-160)** Authorize the Town Clerk to publish legal notice to solicit bids for one (1) Gradall, Model #XL3100 pursuant to specifications prepared by the Highway Superintendent. (As budgeted)
- 2010-161)** Authorize Katherine E. Lubbers, Receiver of Taxes, to attend the New York State Tax Receiver and Collectors 2010 Annual Training in Lake Placid, New York, June 13 - 16, 2010 at an estimated total cost of \$775.00, as budgeted.
- 2010-162)** Authorize Supervisor Dowds to execute a Disposal Service agreement with the Town of Colonie for disposal of municipal Residential solid waste (\$55.00 per ton for 2010, 2011, & 2012 and \$56.00 per ton for 2013 & 2014) and for disposal of construction and demolition debris and household non-metal furniture (\$60.00 per ton for 2010-2014) for the period beginning May 1, 2010 through December 31, 2014 subject to review by Attorney to the Town as to form.
- 2010-163)** **WITHDRAWN:** *“To approve 2010 Road Program as proposed by the Superintendent of Highways to apply Hot Mix Asphalt on \_\_\_\_\_ and \_\_\_\_\_ and crack sealing with surface treatments on \_\_\_\_\_ and \_\_\_\_\_ Roads and crack sealing on \_\_\_\_\_ and \_\_\_\_\_ and \_\_\_\_\_ and \_\_\_\_\_.”*
- 2010-164)** Authorize Supervisor Dowds to execute consulting contract with Upstate Appraisal Services for professional services for 2010 relative to commercial assessments at an hourly rate of \$100.00 including travel, preparation and analysis, for an expenditure not exceed \$1,200.00 [This is a budgeted item contingent on grievances filed.]
- 2010-165)** 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 12 to August 6, 2010 for the Schodack Youth and Recreation Department in an amount not to exceed \$4,600.00 A deposit of \$2,300.00 shall be payable by July 19, 2010 and the remaining \$2,300.00 shall be paid by August 2, 2010.

**2010-166)** WHEREAS the United States Environmental Protection Agency has proposed the listing of the Dewey Loeffel Hazardous Waste Site on the National Priorities List;

WHEREAS the Dewey Loeffel Hazardous Waste Site has directly affected the well-being and quality of life of the residents of the Town of Nassau and Town of Schodack for more than fifty years; and

WHEREAS the Dewey Loeffel Hazardous Waste Site has been designated a Class 2 Superfund site by the New York State Department of Environmental Conservation as it poses a significant health risk to residents; and

WHEREAS the Dewey Loeffel Hazardous Waste Site contains greater than 46,000 tons of liquid toxic waste; and

WHEREAS toxins from the hazardous waste site have been leaking from the capped site for more than twenty years, causing increased environmental damage and contaminating wildlife, residential wells, property and waterways; and

WHEREAS the residents of the Towns of Nassau and Schodack have suffered property devaluation, health impacts and environmental degradation from the presence of the failed remediation of the Dewey Loeffel Toxic Waste Site and the governments of Nassau and Schodack are concerned about these continuing impacts; and

WHEREAS the State of New York has spent millions of dollars on failed remediation efforts and the contamination of fish, sediment and water in and around the surrounding community continue; and

WHEREAS the New York State Department of Environmental Conservation has made only minimal progress in preventing contamination from continuing to impact the Towns of Nassau and Schodack; and

WHEREAS the State of New York has proposed the construction of a waste treatment plant at the site of the Dewey Loeffel Toxic Landfill which will create the need for treatment of contamination in perpetuity; and has not yet finalized a construction calendar despite annual assurances of construction; and

WHEREAS the groundwater of the area around the site has been contaminated by leaking toxins and the area is currently being tested for vapor intrusion;

NOW THEREFORE, BE IT RESOLVED as follows:

1. The Town Boards of Nassau and Schodack support the listing of the Dewey Loeffel Toxic Landfill on the United States Environmental Protection Agency (USEPA) National Priorities List.
2. The Town Boards of Nassau and Schodack hereby call for the immediate correction and completion of the remediation and request the USEPA provide for the removal of toxins from the Dewey Loeffel Hazardous Landfill that has injured the residents of Nassau and Schodack and their environment.
3. The Town Boards of Nassau and Schodack call on the USEPA to provide a residential potable water system for the area impacted by the Superfund listing at no cost to the residents and communities impacted by this devastating contamination.
4. The Town Boards of Nassau and Schodack direct that a copy of this resolution shall be appropriately certified by the Town Clerks of Nassau and Schodack and that such copies shall be immediately delivered to the United States Environmental Protection Agency, the Governor of the State of New York, the Commissioner of the New York State Department of Environmental Conservation, the Attorney General of the State of New York as well as to those individuals designated as the primary contacts for Department of Environmental Conservation remediation efforts for the Dewey Loeffel Toxic Landfill.

**2010-167)** Adopt the fee schedule for Spring Clean Up Days (May 20, 21 & 22) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$10.00
Tires, rimless (maximum size 16")	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors	\$ 7.00
Propane Tanks	FREE
Furniture	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

**2010-168)** Whereas, the Town has determined that there is surplus chip and grass material at the Transfer Station generated during the summer of 2009, and

WHEREAS, the Town has determined that said surplus material needs to be removed to reduce a potential fire hazard, and

WHEREAS, the Town has received a written offer from Ken Morris & Sons Excavating, LLC, to pay the Town one dollar (\$1) per cubic yard of material to be removed from the Transfer Station,

NOW, THEREFORE, BE IT RESOLVED that the Town Board has determined that a negotiated sale, rather than a public sale, yields the maximum financial benefits and accepts the offer of Ken Morris & Sons Excavating, LLC, for one dollar (\$1) per cubic yard.

**2010-169)** Authorize Supervisor Dowds to execute Addendum no. 14 with Laberge Group, LLC relative to an Emergency hook-up for Rensselaer County Senior Center with Consolidated Water District #101 not to exceed \$750.00

**2010-170)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-0513 to 10-0664 on Abstract No. 04-10, in the amount of \$579,051.93, including the claims paid (\$343,832.30) since the previous town board meeting.

**2010-171)** Authorize budget amendments, budget transfers interfund loans and interfund transfers as recommended by the Comptroller.

Motion to Adjourn - In Memory of Councilman Kenneth W. Stinner, in thankful recognition of his dedicated service to the Town of Schodack from 2000 to 2010.

**April 22, 2010**

**2010-172)** To approve 2010 Road Program as proposed by the Superintendent of Highways to apply Hot Mix Asphalt on Winners Circle, Doelner Lane and Knickerbocker Road and double chip-sealing treatments on Waterbury, McClellan and Woodward Roads.

**2010-173)** Authorize Sharon Martin, Sole Assessor to attend the Cornell 2010 Seminar on Appraising Information, Course IAO-1 Assessment Methodologies & Techniques, July 12 through July 16, 2010 in Ithaca, New York. Cost is estimated to be \$1500.75 (5 days) which includes the conference, food, lodging and mileage. (This is a budgeted item)

**2010-174)** Authorize Town Clerk to publish legal notice of public hearing to be held June 10, 2010 at 7:30 p.m. at the Schodack Town Hall to seek public input on the Town's proposed Five Year Plan for 2010-2014 for the Section 8 Rental Assistance Program.

**2010-175) WITHDRAWN:** *“Award contract to \_\_\_\_\_ to assist the Town in drafting and updating the Town’s Employee Handbook including estimated travel expenses at a total cost not to exceed \$\_\_\_\_\_. Further authorize Supervisor Dowds to execute contract with \_\_\_\_\_ subject to approval by the Attorney to the Town as to form. (This is a budgeted item).”*

**2010-176)** Authorize Supervisor Dowds to execute contract addendum with Laberge Group for additional professional services related to Draft Comprehensive Plan, as set forth in Addendum No. 9a dated April 13, 2010 as follows: Attendance at Public Meetings or Workshops \$2,500 each and SEQR \$500 related to the Draft Comprehensive Plan, as may be directed by the Town Board, for a total amount not to exceed \$6,000. (These are grant funds from Rensselaer County Bureau of Economic Development.)

**2010-177)** WHEREAS, the Town of Schodack desires to work cooperatively with Louis Spada, to install the footbridge over the Moordener Kill creek in the Town Park located on Poyneer Road in order to provide improved walking trails, and

WHEREAS, Louis Spada has graciously offered to move and install the existing footbridge exclusively with the assistance of volunteers and at no expense to the Town

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves and is grateful for the volunteer effort to be undertaken by Louis Spada and a group of volunteers to move and install the footbridge over the Moordener Kill creek.

**2010-178)** Authorize Supervisor Dowds to issue Bond Anticipation Note renewal dated May 7, 2010 as follows: \$1,195,401.00 for acquisition of land and attached building for use as a town office complex.

**2010-179)** WHEREAS, Sarah Sheehan, daughter of Genina and Tim Sheehan, earned the Gold Award, the highest award a Girl Scout may earn, and

WHEREAS, as a member of Girl Scouts of Northeastern New York, Troop 1787 for 12 years, Sarah completed all required steps previous to undertaking the Gold Award project as a Girl Scout, and

WHEREAS, in order to earn her Gold Award, Sarah collaborated with fellow scout Rebecca Harris to develop a program titled Scout2Scout, and

WHEREAS, the primary mission of Scout2Scout is for girl and boy scouts ages 11-14 to share a scouting experience at an age when they often lose interest in scouting due to peer pressure. This shared experience is designed to show it is still “cool” to be a scout, and

WHEREAS, the secondary mission of Scout2Scout is to engage girl and boy scouts in a fun-filled day of activities with interesting speakers as they explore such important issues as: self respect, mutual respect, cooperation, tolerance

and self defense, and

WHEREAS, Sarah along with Rebecca Harris earned the Gold Award by developing Scout2Scout including: graphics and logo development, letterhead and patch design. They then marketed and hosted the first Scout2Scout event held January 18, 2010 and produced a video documenting the event, and

WHEREAS, Sarah along with Rebecca Harris presented the Girl Scouts of Northeastern New York and their Girl Scout Service Unit 36 with a “How-to Manual” a step by step guide for hosting future Scout2Scout events, and

WHEREAS, Sarah is a senior at Columbia High School, East Greenbush, New York, and

WHEREAS, Sarah, as an active member of St. Mary’s Church of Clinton Heights, has provided childcare, served as lector, religious education instructor and as part of St. Mary’s youth ministry and Columbia High School’s Peer Leadership Club and has participated in many humanitarian activities including providing food and clothes to the needy, and

WHEREAS, Sarah will study Liberal Arts at Hudson Valley Community College, Troy, New York,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack commends and congratulates Sarah Sheehan upon the auspicious occasion of earning her Gold Award from Girl Scouts of America, and

BE IT FURTHER RESOLVED, that the Supervisor present a copy of this resolution, suitably engrossed, to Sarah Sheehan.

**2010-180)**

WHEREAS, Rebecca Harris, daughter of Rosanne and Andrew Harris, earned the Gold Award, the highest award a Girl Scout may earn, and

WHEREAS, as a member of Girl Scouts of Northeastern New York, Troop 1787, for 13 years, Rebecca completed all required steps prior to undertaking the Gold Award project as a Girl Scout, and

WHEREAS, in order to earn her Gold Award, Rebecca collaborated with fellow scout Sarah Sheehan to develop a program titled Scout2Scout, and

WHEREAS, the primary mission of Scout2Scout is for girl and boy scouts ages 11-14 to share a scouting experience at an age when they often lose interest in scouting due to peer pressure. This shared experience is designed to show it is still “cool” to be a scout, and

WHEREAS, the secondary mission of Scout2Scout is to engage girl and boy scouts in a fun-filled day of activities with interesting speakers as they explore such important issues as: self respect, mutual respect, cooperation, tolerance

and self defense, and

WHEREAS, Rebecca along with Sarah Sheehan earned the Gold Award by developing Scout2Scout including: graphics and logo development, letterhead and patch design. They then marketed and hosted the first Scout2Scout event held January 18, 2010 and produced a video documenting the event, and

WHEREAS, Rebecca along with Sarah Sheehan presented the Girl Scouts of Northeastern New York and their Girl Scout Service Unit 36 with a "How-to Manual" a step by step guide for hosting future Scout2Scout events, and

WHEREAS, Rebecca is a senior at Columbia High School, East Greenbush, NY, and

WHEREAS, Rebecca is President of Key Club, Co-President of Future Business Leaders of America (FBLA), and Second Degree Black Belt Tae Kwon Do, and

WHEREAS, Rebecca is a member of the National Honor Society and the Business and Marketing Honor Society, the recipient of numerous academic awards, including: the Principal's Leadership Award, Columbian Award for 2009 and multiple winner of FBLA State Competition, and

WHEREAS, Rebecca is a member of The Church of the Holy Spirit, East Greenbush, New York, and

WHEREAS, Rebecca will study Business at Hudson Valley Community College, Troy, New York,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack commends and congratulates Rebecca Harris upon the auspicious occasion of earning her Gold Award from Girl Scouts of America, and

BE IT FURTHER RESOLVED, that the Supervisor present a copy of this resolution, suitably engrossed, to Rebecca Harris.

**2010-181)** WHEREAS, in the year two thousand ten, the Maple Hill Varsity Girls' Basketball Team earned the Patroon Conference title and were Section II Class C Regional Champions and New York State Class C Regional Champions and won the 2009-10 season Section II Class CC crown, and

WHEREAS, the Lady Wildcats were undefeated during the regular Patroon Conference season with a record of 18-0 and claimed the championship for the fourth straight year, and

WHEREAS, the Girls' Varsity Basketball Team compiled an overall season record of 23 wins and 1 loss on their way to capturing the 2010 Section II Class CC crown and New York State Class C Regional Championship, and

WHEREAS, the Championship team is comprised of the following players: Lauren Aitken, Erica Dailey, Jessica Dailey, Kristen DerGurahian, Paige Gumaer, Theresa Fuller, Samantha Hendrick, Sierra Legge, Chelsea Mannion, Erin Mosher, Alyssa O'Connor, Hali Olsen, Anna Racz, Aubrey Racz, and Katie Roth, and

WHEREAS, the Lady Wildcats were coached by Mark Bubniak and Assistant Coaches Bryan Dailey and Seth Hendrick. The coaches expressed confidence in their team throughout the season, guiding them to hone their hoop skills and leading them to their goal of winning the Patroon Conference title and to be the best of Section II Class CC, and

WHEREAS, several players were also recognized by Maple Hill High School for their contributions to the team's success: Erin Mosher was named the team's Defensive Player of the Year, Alyssa O'Connor received the Coaches' Award, Katie Roth took the Most Valuable Player distinction, Kristen DerGurahian was the Most Improved Player and Jessica Dailey received the Wildcat Award, and

WHEREAS, Katie Roth was chosen as Patroon Conference Most Valuable Player, and Jessica Dailey as Patroon Conference 1<sup>st</sup> team All-Star, and

WHEREAS, Katie Roth was chosen by the New York State Sportswriters' Association as 2<sup>nd</sup> team All-State and Jessica Dailey was chosen as 5<sup>th</sup> team All-State, and

WHEREAS, following the Section II Tournament, Katie Roth was named the Most Valuable Player and Anna Racz earned a position on the All-Tournament team, and

WHEREAS, Katie Roth was named to the New York Class C All-tournament team following the conclusion of the State tournament,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack commends and congratulates the Maple Hill Girls' Varsity Basketball Team upon their outstanding season, especially earning first place honors in the 2010 New York State Class C Regional Championship Section II Class CC Championship and the Patroon Conference Championship for the fourth consecutive season, and

BE IT FURTHER RESOLVED that this legislative body wishes all team members continued success in their athletic and academic pursuits and directs that the Town Supervisor forward a certified copy of this resolution suitably engrossed to each team member and coach.

**2010-182)** WHEREAS, in the year two thousand ten, the Maple Hill Varsity Boys' Volleyball Team earned accolades as their fans cheered them on from the courts at Maple Hill, and

WHEREAS, the Varsity Wildcats earned top honors as Section II Class C Champions, allowing them to participate in the Regional Final and ending in second place in the New York State Class C competition with an overall season record of 18 wins and 6 losses.

WHEREAS, the championship team is comprised of the following players:, Bruce Adams, Robert Arcuri, Eric Berney, Eric Bureau, Matt Busdieker, Andrew Donnelly, Jeremy Kelly, Tom Maffucci, Will Noll, Nathaniel Peterson, Joe Porpeggia, Brian Pulikowski, Alex Ray, Caleb Ungewitter, and Jason Zobre.

WHEREAS, the Wildcats were coached by Bryon Lewis who expressed confidence in his team throughout the season, guiding them to hone their volleyball and teamwork skills to achieve their goal to be champions, and

WHEREAS, the Wildcats were defeated five times during the regular season to claim third in the Patroon Conference with a record of 15-5 and were awarded the No. 4 seed in the Sectionals competition, and

WHEREAS, the Wildcats defeated Chatham to capture the 2010 Class C Sectional title and the right to represent Section II in the Class C Regional Tournament, and

WHEREAS, the Wildcats were defeated in a hard fought match with Sauquoit Valley from Section III to earn the title of New York State Class C Regional Finalists , and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack commends and congratulates the Maple Hill Boys' Varsity Volleyball Team upon their record-tying season, especially their first place finish in the New York State Section II Class C competition, and participation in the Regional finals, and

BE IT FURTHER RESOLVED that this legislative body wishes all team members continued success in their athletic and academic pursuits and directs that the Town Supervisor forward a certified copy of this resolution suitably engrossed to each team member and coach.

**2010-183)** WHEREAS, in the year two thousand ten, the Maple Hill Varsity Boys' Basketball Team earned accolades as their fans cheered them on for the second year in a row from the courts of Hudson Valley Community College to the Glens Falls Civic Center, and

WHEREAS, the Varsity Wildcats earned top honors as Patroon Conference

Champions, garnering first place in the Section II Class C division, winning Regional games to participate in State competition and ending in second place in the New York State Class C competition with an overall season record of 24 wins and 2 losses, and

WHEREAS, the championship team is comprised of the following players: Sean Danaher, Christopher Despart, David Briggs, Jake Jasiewicz, Dominic Prinzo, Adam Fuller, Patrick Curtin, Gabe Stockman, Scott Rapp, Jon Chesky, John Somerville and Payne Morgan, and

WHEREAS, the Wildcats were coached by Scott Hanrahan and Assistant Coaches Dave Austin and Pat Austin. The coaches expressed confidence in their team throughout the season, guiding them to hone their basketball and team work skills to achieve their goal to be champions, and

WHEREAS, the Wildcats were defeated once during the regular season to claim the Patroon Conference crown with a record of 17-1 and were awarded the No. 1 seed in the Sectionals competition, and

WHEREAS, the Wildcats defeated Hoosick Falls to capture the 2010 Class C Sectional title and the right to represent Section II in the Class C Regional Tournament, and

WHEREAS, the Wildcats bested opponents decisively to claim the New York State Class C Regional Championship, and

WHEREAS, the Wildcats won the New York State Class C Semi-Final round with a score of 50-46 (Section III) and advanced to the New York State Class C Final to be the second Maple Hill hoop team to advance to a New York State Final competition, and

WHEREAS, the squad played an outstanding game against OTC Middle College Buffalo, demonstrating team work, school spirit and pride and taking 2<sup>nd</sup> Place in the New York State Class C Final game, being edged out by a score of 74-41, and

WHEREAS, following the Section II Tournament, Christopher Despart was named the Most Valuable Player, Dominic Prinzo earned the All Tournament Team designation, Dominic Prinzo and Sean Danaher garnered the NYS Class C Sportsmanship Award,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack commends and congratulates the Maple Hill Boys' Varsity Basketball Team upon their record-setting season, especially their second place finish in the New York State Class C competition, victories in the Regional competitions, first place in the 2010 Section II Class C division, and the Patroon Conference Championship, and

BE IT FURTHER RESOLVED that this legislative body wishes all team members continued success in their athletic and academic pursuits and directs that the Town Supervisor forward a certified copy of this resolution suitably engrossed to each team member and coach.

**May 13, 2010**

- 2010-184)** Ratify and affirm authorizing General Mechanical to replace 750 L water fill valve, and remove and rebuild spray pump in the cooling tower at the Town Hall in an amount not to exceed \$1,622.40.
- 2010-185)** Amend resolution 2010-164 adopted April 8, 2010 authorizing execution of a consulting contract with Upstate Appraisal Services for professional services for 2010 relative to commercial assessments at an hourly rate of \$100.00 including travel, preparation and analysis, for an expenditure not to exceed \$3,000.00 instead of \$1,200.00 [This is a budgeted item contingent on grievances filed.]
- 2010-186)** Appoint Kathleen A. Blake and Melissa A. Knights as part-time Board of Assessment Review Secretaries with compensation of \$40 per meeting per 2010 Adopted Budget.
- 2010-187)** Pursuant to Chapter 80-4 of the Code of the Town of Schodack, the Schodack Town Board hereby resolves to grant a Mass Assembly Permit for Capital Sawmill Service, LLC / D & E Earthcare, LLC 9 & 20 Country Fair to be held June 5<sup>th</sup> and 6<sup>th</sup>, 2010 on their premises, pursuant to the written application submitted by Capital Sawmill Service, LLC / D & E Earthcare, LLC, except that applicant must comply with all off-site parking provisions of the Code and any other requirements, if any, of State, County and other regulatory agencies. Provided also that applicant shall be given notice that this approval is solely from the Town of Schodack and does not constitute approval by any other approving authority or governing agency. Further, a waiver of surety bond is granted subject to the provision that the Town is named as an additional insured on the applicant's liability policy and applicant will indemnify the Town of Schodack for any damage to Town property, or vehicles, by participants or employees of the event and reimburse the Town for any other additional expense incurred due to the event.
- 2010-188)** WHEREAS, the Town Board of the Town of Schodack on April 8, 2010 authorized the Town Clerk to publish a legal notice to solicit sealed bids for 2010 Gradall XL3100 and said notice having appeared on April 15, 2010, and
- WHEREAS, the Town Board of the Town of Schodack received a sole bid, which was opened on May 4, 2010 for the 2010 Gradall XL3100, and
- WHEREAS, the bid was opened in accordance with its notice and was as follows:

Vantage Equipment, LLC in the amount of \$273,617.00 less trade of Gradall XL 4100 s/n 412221 at \$10,000.00 for a net price of \$263,617.00, and

WHEREAS, the bid was reviewed for conformance to specifications and submittal of required bid bond and non-collusive certificates

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Highway Superintendent, the Town Board hereby accepts the lowest responsible bid option from Vantage Equipment, LLC.

**2010-189)** WHEREAS, Pooja Bhaskar, daughter of Vimmi and Sunil Bhaskar, earned the Gold Award, the highest award a Girl Scout may earn, and

WHEREAS, as a member of Troop 1860, Pooja completed all required steps previous to undertaking the Gold Award project as a Girl Scout, and

WHEREAS, in order to earn her Gold Award Pooja worked with Anastasia Murphy and Lori Hadjioannou to raise money to buy care package items for the homeless men at the Albany City Mission and made forty drawstring bags that they could use to hold them in, and

WHEREAS, this project was designed to aid the homeless in their endeavor to find jobs in this difficult economy, and

WHEREAS, Pooja was touched by the appreciation expressed by the Mission for the project organized and carried out by her, and

WHEREAS, Pooja is a senior at Maple Hill High School, where she is a member of Olympics of the Visual Arts, Key Club, Students Against Destructive Decisions, the High School Planning Team, and Poetry Club, and

WHEREAS, she will pursue a career in English at Skidmore College in Saratoga in the fall,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town Schodack commends and congratulates Pooja Bhaskar upon the auspicious occasion of earning her Gold Award from Girl Scouts of America, and

BE IT FURTHER RESOLVED, that the Supervisor present a copy of this resolution, suitably engrossed, to Pooja Bhaskar.

**2010-190)** WHEREAS, Lori Hadjioannou, daughter of Harry and Anne Hadjioannou, earned the Gold Award, the highest award a Girl Scout may earn, and

WHEREAS, as a member of Troop 1860, Lori completed all required steps previous to undertaking the Gold Award project as a Girl Scout, and

WHEREAS, in order to earn her Gold Award Lori worked with Anastasia Murphy and Pooja Bhaskar to raise awareness about homelessness and its causes, beginning by organizing a rock concert called Hill Stock which raised funds to purchase materials, toiletries, and clothing for the men at the Capital City Rescue Mission, and

WHEREAS, Lori as President of Key Club which is a community oriented school club led the Key Club and Girl Scout Troop 1860 to make 140 bag lunches for the homeless at the Mission, and

WHEREAS, as this project was designed to help improve the lives of the homeless at the Mission and give them the essential necessities needed to survive, and

WHEREAS, experiencing the homeless peoples' heartfelt gratitude for the food, toiletries, blankets, and clothing left a lasting impression on Lori, and

WHEREAS, Lori was touched by the appreciation expressed by the Mission for the project organized and carried out by her, and

WHEREAS, Lori is a senior at Maple Hill High School, where she is the President of Key Club, an active member in Olympics of the Visual Arts, and was chosen to be a student at the BOCES Questar III New Visions for Performing Arts, and

WHEREAS, Lori is an avid dancer, taking classes in ballet, modern, tap and jazz and is an assistant dance teacher of younger students, and

WHEREAS, Lori will pursue a career in law at Pace University in Lower Manhattan in the fall,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town Schodack commends and congratulates Lori Hadjioannou upon the auspicious occasion of earning her Gold Award from Girl Scouts of America, and

BE IT FURTHER RESOLVED, that the Supervisor present a copy of this resolution, suitably engrossed, to Lori Hadjioannou.

**2010-191)** WHEREAS, Anastasia Murphy, daughter of Lisa Davis and John Murphy, earned the Gold Award, the highest award a Girl Scout can earn, and

WHEREAS, as a member of Troop 1860, Anastasia completed all required steps previous to undertaking the Gold Award project as a Girl Scout, and

WHEREAS, in order to earn her Gold Award Lori worked with Lori Hadjioannou and Pooja Bhaskar to raise money to buy care package items for the homeless men at the Albany City Mission and made forty drawstring bags that they could

use to hold them in, and

WHEREAS, this project was designed to aid the homeless and the shelter during these hard economic times, and

WHEREAS, Anastasia was touched by the appreciation expressed by the Mission for the project organized and carried out by her, and

WHEREAS, she is a senior at Maple Hill High School, where she is a member of Key Club, Poetry Club, Media Club, Olympics of the Visual Arts and Students Against Drunk Driving, and

WHEREAS, Anastasia will pursue a career in TRACE at Hudson Valley Community College, Troy New York in the fall,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town Schodack commends and congratulates Anastasia Murphy upon the auspicious occasion of earning her Gold Award from Girl Scouts of America, and

BE IT FURTHER RESOLVED, that the Supervisor present a copy of this resolution, suitably engrossed, to Anastasia Murphy.

**2010-192)**

WHEREAS, Rachel Amento, daughter of Gail and Charles Amento, earned the Gold Award, the highest award a Girl Scout can earn, and

WHEREAS, as a member of Girl Scouts since second grade, Rachel completed all required steps previous to undertaking the Gold Award Project as a Girl Scout in Troop 1167, and

WHEREAS, in order to earn her Bronze Award, Rachel and her troop designed and built the September 11, 2001 memorial in the Schodack Town Park, and

WHEREAS, Rachel earned her Silver Award in 2008, working with the other Girl Scouts in Troop 1167 on project "My Dress, Your Dress" to collect and repair used formal dresses and prom gowns and distribute them to local girls who needed dresses for school events, and

WHEREAS, as her Gold Award project, Rachel, with assistance from National Park Service Rangers, developed the Presidential Homesteads and National Historic site that was attended by 42 Girl Scouts from the capital region, and

WHEREAS, this project was designed to increase awareness of National Historic Sites and encourage the next generation to learn more about the Nation's history by visiting the sites, and

WHEREAS, experiencing the excitement of the younger Girl Scouts as they

toured Martin Van Buren's homestead left Rachel with the desire to continue to work on increasing awareness of National Historic sites, and

WHEREAS, Rachel is a Senior at Maple Hill High School where she is a member of the National Honor Society and Key Club, and

WHEREAS, Rachel is an avid tennis player and also plays alto saxophone in both the concert and jazz bands, and

WHEREAS, Rachel will pursue her education in geoscience at the University of Connecticut, in Storrs, Connecticut in the fall,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack, commends and congratulates Rachel Amento upon the auspicious occasion of earning her Gold Award from Girl Scouts of America, and

BE IT FURTHER RESOLVED, that the Supervisor present a copy of this resolution, suitably engrossed, to Rachel Amento.

**2010-193)**

WHEREAS, Laura Kline, daughter of William Kline and Michelle Bridge, earned the Gold Award, the highest award a Girl Scout can earn, and

WHEREAS, as a member of Girl Scouts since second grade, Laura completed all required steps previous to undertaking the Gold Award Project as a Girl Scout in Troop 1167, and

WHEREAS, in order to earn her Bronze Award, Laura played her flute to entertain the senior citizens, and

WHEREAS, Laura earned her Silver Award, working with the other Girl Scouts in Troop 1167 on project "My Dress, Your Dress" to collect and repair used formal dresses and prom gowns and distribute them to local girls who needed dresses for school events, and

WHEREAS, as her Gold Award project, Laura along with Ashley Crawford completed training to become Daisy Troop leaders, then recruited members, conducted regular meetings with activities for the newly formed troop and then helped recruit and train parent leaders to continue leading the troop this year, and

WHEREAS, experiencing the excitement of the younger Girl Scouts as they participated in troop activities left Laura with the desire to continue her experience, she plans to be a girl scout leader again in the future, and

WHEREAS, Laura is a Senior at Maple Hill High School where she is a member of the National Honor Society, Student Council and Vice-President of the Class of 2010, and

WHEREAS, Laura is a member of the Varsity Tennis Team, Track & Field Team, and Cheerleading Squad and

WHEREAS, Laura will pursue her education in psychology at SUNY Cortland in the fall,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack, commends and congratulates Laura Kline upon the auspicious occasion of earning her Gold Award from Girl Scouts of America, and

BE IT FURTHER RESOLVED, that the Supervisor present a copy of this resolution, suitably engrossed, to Laura Kline.

**2010-194)**

WHEREAS, Ashley Crawford, daughter of Pam and Mark Crawford, earned the Gold Award, the highest award a Girl Scout can earn, and

WHEREAS, as a member of Girl Scouts since Kindergarten, Ashley completed all required steps previous to undertaking the Gold Award Project as a Girl Scout in Troop 1167, and

WHEREAS, Ashley earned her Silver Award, working with the other Girl Scouts in Troop 1167 on project "My Dress, Your Dress" to collect and repair used formal dresses and prom gowns and distribute them to local girls who needed dresses for school events, and

WHEREAS, as her Gold Award project, Ashley along with Laura Kline went through training to become Daisy Troop leaders, then recruited members, conducted regular meetings with activities for the newly formed troop and then helped recruit and train parent leaders to continue the troop this year, and

WHEREAS, experiencing the excitement of the younger Girl Scouts as they participated in troop activities left Ashley with the desire to teach more girls about Girl Scouting, and

WHEREAS, Ashley is a Senior at Maple Hill High School where she is a member of the National Honor Society, Student Council and Varsity Tennis Team, and

WHEREAS, Ashley will pursue her education at Siena in Loudonville, New York this fall,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack, commends and congratulates Ashley Crawford upon the auspicious occasion of earning her Gold Award from Girl Scouts of America, and

BE IT FURTHER RESOLVED, that the Supervisor present a copy of this resolution, suitably engrossed, to Ashley Crawford.

**2010-195)** WHEREAS, Meghan Wood, daughter of Shari Dowling, earned the Gold Award, the highest award a Girl Scout can earn, and

WHEREAS, as a member of Girl Scouts since Kindergarten, Meghan completed all required steps previous to undertaking the Gold Award Project as a Girl Scout in Troop 1885, and

WHEREAS, in order earn her Bronze Award, Meghan and her troop organized and hosted a Badge Day at Maple Hill High School where scouts from neighboring girl scout troops had the opportunity to earned their Music Badges, and

WHEREAS, Meghan earned her Silver Award by knitting scarves and teaching some of her fellow scouts to knit and then distributing the scarves to the women's shelter in Troy, and

WHEREAS, as her Gold Award project, Meghan, with assistance from her troop, raked, removed debris, and then mowed the grassy area in the intersection at 9 & 20 junction, they then installed several planter boxes filled with perennials in various locations throughout the junction, and

WHEREAS, this project was designed to clean up and beautify the junction, and many residents have expressed pleasure regarding the new look at the junction, and

WHEREAS, Meghan graduated from Maple Hill High School, where she was a member of the National Honor Society, Band Wind Ensemble, Drama Club, Track Team and Tennis Team, and

WHEREAS, Meghan is currently pursuing her education in Science and Biology at Syracuse University, in Syracuse, New York,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack, commends and congratulates Meghan Wood upon the auspicious occasion of earning her Gold Award from Girl Scouts of America, and

BE IT FURTHER RESOLVED, that the Supervisor present a copy of this resolution, suitably engrossed, to Meghan Wood.

**2010-196)** 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:

**Site Directors:** Rebecca Valli, Thomas Gibbons, David Austin and Bryan Lussier

**Assistant Directors:** Paige Dietz, Jessica Decker, Amanda Richards and Kara Taylor

Amended by [2010-235] on 6/24/10 & [2010-245] on 7/8/10

**Transportation Director:** Tracey Roehr  
**Arts and Crafts Director:** Trudy Valli  
**Nurse:** Debbie Sweet  
**Bus Aides:** Kristen McCabe, Pamela Warnken, Katie Simon, Molly Austin, Andre Charsky and Collin Legge,  
**Water Safety Instructor:** Sarah Timmons  
**Lifeguards:** Brett Wagner, Noelle Lak, Jaclyn Dunn, Brittany Condon, Clare Ridzi and Kevin Mosher

**Pool Supervisor:** Patrick Austin  
**Counselors:** Jordyn Wood, Jeremy Oles, John Morris, Shane McInerney, Sean Danaher, Adrian Donnelly, Brendan Nixon, Alyssa Poole, Anna Racz, Nolan Crowley, Meghan Wood, Sara Wood, Gregory Zorko, Kaitlyn Moore, Samantha Hendrick, Destiny Lebrecht, Sarah Roehr, Kelsey Clynes, Mia Powers, Abby McCabe, Vanessa Cooke, Alicia Biernik, Jared Pazienza, Ryan Smith, Greg Brewer, Samantha Monty, Ashley Fuda, Alexandria Rappazzo, Caleb Crowley, Helena Peters, Abbi Hicks, Allison Fuller, Joseph Wantuch, David Briggs, Patrick Curtin, Kristen DerGuarhian, Erin Mosher, Kayleigh McCabe, Stephen Hoyle, Adam Fuller, Joseph Dugan, Paul Ancin, Cole Hopper, Charles Rappazzo, Kassidy Carney, Aubrey Racz, Kelly McInerney, Kayla Bourdeau, Sierra Legge and Shawn Herron  
**Special Area Instructors:** Kara Shaw, Katie Rush, Jamison Bundy and Jared Benjamin.

- 2010-197)** Authorize Supervisor Dowds to execute annual Breathing Air Compressor Service agreements, including parts and labor, with Municipal Emergency Services, Inc. (MES) for the MAKO Make-up Air Compressor housed at Schodack Valley Fire Company and MAKO Oxygen Compressor housed at Castleton Ambulance Garage for the period May 1, 2010 to April 30, 2012 for an amount not to exceed \$2,100.00 with quarterly Air quality test for a the sum of \$165.00 per test, per location, for an amount not to exceed\$1,320.00
- 2010-198)** Authorize Supervisor Dowds to execute Change Order No. 3 with Kingsley Arms, Inc. Contract No. 3C – Transmission Main DWSRF #16736 for planting trees along the Tower site access road and the addition of a pressure reducing valve (PRV).This increases said contract by an estimated total amount of \$66,350.00, with a decrease in unit price under-run of \$77,101.56, resulting in a decrease in project cost of \$10,751.56 for a total project cost of \$1,083,597.44
- 2010-199)** Authorize Supervisor Dowds to execute Change Order No. 3 with Stephen Miller General Contractors, Inc. - Contract No. 5G- General Construction to increase said contract in the amount of \$12,170.89 to include fencing and grading for a total project cost of \$1,188,130.89.
- 2010-200)** Authorize Supervisor Dowds to execute agreement for Continuing Secondary Market Disclosure with Fiscal Advisors and Marketing, Inc.

- 2010-201)** Authorize Supervisor Dowds to accept proposal from Fiscal Advisors and Marketing, Inc. to serve as financial advisor to the Town of Schodack.
- 2010-202)** Authorize the establishment of Capital Project No. H033 for Extension No. 1 – Consolidated Water District No. 101 – Edward Swartz Senior Center with a budget as follows:
- Appropriations in the amount of \$5,000.00 in account 8340.2 to be funded by an interfund loan from the General Town-wide Fund (A).
- 2010-203)** Award contract to Public Sector, HR Consultants LLC to assist the Town in drafting and updating the Town’s Employee Handbook including estimated travel expenses at a total cost not to exceed \$5,500. Further authorize Supervisor Dowds to execute contract with Public Sector, HR Consultants LLC subject to approval by the Attorney to the Town as to form. (This is a budgeted item).
- 2010-204)** A resolution authorizing the purchase of a 2010 Gradall Excavator, authorizing the issuance of serial bonds of the Town of Schodack, Rensselaer County, New York in an aggregate principal amount not to exceed \$273,617 pursuant to the local finance law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor. **[Excerpt -full Resolution posted on Bulletin Board]**
- 2010-205)** **WITHDRAWN:** *Authorize Partial Payment Estimate No. 3 for the work completed by Jersen Construction Group, LLC Contract No. 8G – General Construction Water System Improvements to Water District Nos. 1 and 3 in the total amount of \$\_\_\_\_\_, less retainage of five percent (5%) in the amount of \$\_\_\_\_\_, for a total payment not to exceed \$\_\_\_\_\_ contingent upon receipt and approval of certified payrolls, M/WBE reports and ARRA reporting by the Town Comptroller.*
- 2010-206)** **WITHDRAWN:** *Authorize Supervisor Dowds to execute Change Order No. 3 with Jersen Construction Group, LLC Contract No. 8G – General Construction Water System Improvements to Water District Nos. 1 and 3 to grant an extension of time for completion of Contract No. 8G – General Construction Water System Improvements to Water District Nos. 1 and 3 extending the completion date from May 1, 2010 to \_\_\_\_\_, 2010 for final completion.*
- 2010-207)** Authorize the Comptroller’s recommendation to direct the Town Supervisor to pay the claims #10-0665 to 10-0853 on Abstract No. 05-10, in the amount of \$1,523,779.09, including the claims paid (\$1,376,361.19) since the previous town board meeting.
- 2010-208)** Authorize budget amendments, budget transfers interfund loans and interfund transfers as recommended by the Comptroller.

**May 27, 2010**

**2010-209)** Authorize the appropriation of the Federal Forfeiture Reserve fund for the purchase of programming cables and software for the Police Department mobile radios in the amount of \$456.39.

**2010-210)** WHEREAS, pursuant to the requirement of the New York State Alcoholic Beverage Control (ABC) Law, an applicant for a license to sell alcoholic beverages at retail for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

WHEREAS, notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the ABC Board, and

WHEREAS, the Town of Schodack has on the 22<sup>nd</sup> day of April received notice that Tracy L. Minshell doing business as Sampson's Bar and Restaurant LLC has applied for on-premises liquor license, and

WHEREAS, the Town Clerk circulated a notice of said application to the Schodack Town Board, the Schodack Police Department and the Schodack Building Department and no adverse comments or recommendations of any kind were received,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Schodack, that with respect to the application submitted by Tracy L. Minshell doing business as Sampson's Bar and Restaurant LLC at 1736 Route Nine, Schodack, New York for a license to sell alcoholic beverages at retail for on-premises consumption, the Schodack Town Board does express a favorable opinion as to said application.

**2010-211)** Authorize Town Clerk to publish legal notice of public hearing on proposed sale of water from Enterprise Town-Wide Supply Fund to Consolidated Water District No. 101. Said hearing shall be held on Thursday, June 24<sup>th</sup> at 7:15 p.m. at the Schodack Town Hall, 265 Schuurman Road.

**2010-212)** Authorize Town Clerk to publish legal notice of public hearing on proposed sale of water from Water District No. 1 to Water District No. 3. Said hearing shall be held on Thursday, June 24<sup>th</sup> at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road, or as soon thereafter as the above water district hearings are concluded.

**2010-213)** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs for Water District Number 3. Said hearing shall be held on Thursday, June 24 at 7:45 p.m. at the Schodack

Town Hall, 265 Schuurman Road, or as soon thereafter as the above water district hearings are concluded.

**2010-214)** Pursuant to the May 21, 2010 request of the East Greenbush Community Library, authorize Supervisor Dowds to inform the East Greenbush Community Library of the Town's intent to utilize said Library for Town library service for the budget year 2011 at a cost not to exceed \$199,951.77.

**2010-215)** Waive the Zoning Board of Appeals application fee of \$125, for Eric Leonard #Z683-2010/RA/Tax Map No. 219.-1-11, in his existing application he sought a variance for side yard set back and 10% coverage. He has modified his existing application, to seek a variance for the 10% coverage only and therefore is required to submit a new application.

**2010-216)** **WITHDRAWN:** *"WHEREAS, in 2008, EPCOR Power (Castleton), LLC owned and operated an electrical power generating plant, "the subject property", in the Town of Schodack identified by Tax Map # 198.12-1-3.2 and Tax Map #199.-7-25; and*

*WHEREAS, EPCOR Power (Castleton), LLC commenced a judicial proceeding (Index No. 226258) pursuant to Article 7 of the Real Property Tax Law (RPTL) seeking a reduction of the 2008 real property tax assessments of the subject property; and*

*WHEREAS, in 2009, the subject property was acquired by Castleton Power, LLC; and*

*WHEREAS, Castleton Power, LLC commenced a judicial proceeding (Index No. 229965) pursuant to RPTL Article 7, seeking a reduction of the 2009 real property tax assessment of the subject property; and*

*WHEREAS, the Town is represented by The Law Office of Robert L. Beebe, LLC; 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."*

## **June 10, 2010**

**2010-217)** WHEREAS, in 2008, EPCOR Power (Castleton), LLC owned and operated an electrical power generating plant, "the subject properties", in the Town of Schodack identified by Tax Map # 198.12-1-3.2 and Tax Map #199.-7-25; and

WHEREAS, EPCOR Power (Castleton), LLC commenced a judicial proceeding (Index No. 226258) pursuant to Article 7 of the Real Property Tax

Law (RPTL) seeking a reduction of the 2008 real property tax assessments of the subject properties; and

WHEREAS, in 2009, the subject properties was acquired by Castleton Power, LLC; and

WHEREAS, Castleton Power, LLC commenced a judicial proceeding (Index No. 229965) pursuant to RPTL Article 7, seeking a reduction of the 2009 real property tax assessment of the subject properties; and

WHEREAS, the Town is represented by The Law Office of Robert L. Beebe, LLC; 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.

**2010-218)** Authorize the appropriation of the Federal Forfeiture Reserve fund for the purchase of Identification Cards for the Police Department in the amount of \$393.20.

**2010-219)** WHEREAS, the Town Board delegated its annual auditing responsibilities of all Town departments which received or disbursed money in the previous fiscal years pursuant to Section 123 of Town Law to the Town Comptroller, and

WHEREAS, the Town Comptroller performed the audits 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 reports submitted for Justice Court for the fiscal years 2008 and 2009.

**2010-220)** WHEREAS, the Town of Schodack operates a Section 8 Housing Choice Voucher Program funded by the U.S. Department of Housing and Urban Development, and

WHEREAS, the Town of Schodack is required by the U.S. Department of

Housing and Urban Development to prepare and adopt a written Public Housing Agency (PHA) Plan that establishes local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of the U.S. Department of Housing and Urban Development, and

WHEREAS, the Town Board of the Town of Schodack has caused a written PHA Plan for 2010 and Five-Year Plan for 2010-2014 to be prepared establishing local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with the regulations of the U.S. Department of Housing and Urban Development, and has reviewed such written plan,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack hereby adopts the PHA Plan for 2010 and Five-Year Plan for 2010-2014 for operation of the Town of Schodack Section 8 Housing Choice Voucher Program.

**2010-221)** WHEREAS, Joseph Curtiss Wantuch, son of Brian and Kathleen Wantuch, on the 28<sup>th</sup> day of February in the year two thousand ten was promoted to Eagle Scout, the highest rank a boy can receive in scouting, and

WHEREAS, Joseph started his journey in Cub Scouting as a Tiger Scout with Troop 166 in Nassau, New York, earning his Arrow of Light and Bobcat, Wolf and Bear Patches, and

WHEREAS, Joseph is a member of Boy Scout Troop 522, and has earned 31 Merit Badges in his 7 years of Boy Scouting, and

WHEREAS, for his Eagle Scout project, Joseph chose to restore the back entrance and handicap ramp to the Nassau Free Library in Nassau, New York. The project required removing the old, rotting deck planking, replacing rotted posts, and completely rebuilding the steps. New composite decking was installed and new railings were built and painted, over 400 man hours were utilized over two weekends to complete the project, and

WHEREAS, Joseph is a sophomore at Columbia High School where he has achieved the Honor Roll and the High Honor Roll in each quarter of high school, and

WHEREAS, Joseph plays saxophone in the Concert Band and is a member of the JV Tennis Team and participates in the Drama club by providing Sound and Lighting, and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack commends and congratulates Joseph Curtiss Wantuch upon the auspicious occasion of being awarded the rank of Eagle Scout, Boy Scouts of America, and

BE IT FURTHER RESOLVED that Supervisor Dowds shall present a copy of

this resolution, suitably engrossed, to Joseph Curtiss Wantuch at his Court of Honor on June 12, 2010.

Amended by [ 2010-249] on  
7/8/10

**2010-222)** Renew agreement for exchange and cleaning of nine (9) floor mats on an every four-week basis at the Town Hall with Unifirst in an amount not to exceed \$70.00 per exchange.

**2010-223)** Authorize removal of a heat pump in the Tax Receiver's Office and install a new heat pump including a new thermostat and hose kit in an amount not to exceed \$6,416.00.

**2010-224)** Amend resolution 2009-135 adopted February 26, 2009, resolution 2009-165 adopted March 26, 2009 and resolution 2009-415 adopted September 24, 2009 to increase authorized amount for Barton and Loguidice, P.C. for remediation work at Town Landfill, from \$27,700.00 to \$28,900.00 pursuant to correspondence dated June 4, 2010 to develop the basic SWPPP (Total additional amount \$1,200.00).

Amended by [2011-284] on 10/13/11] & [2012-083] on  
2/9/12

**2010-225)** As the post of Deputy Supervisor was created by the Town Board during 2002, pursuant to §42 of the Town Law, Supervisor Dowds hereby appoints Francis H. Curtis, Councilman, as Deputy Supervisor.

**2010-226)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-0854 to 10-1007 on Abstract No. 06-10, in the amount of \$228,787.28, including the claims paid (\$120,540.57) since the previous town board meeting.

**2010-227)** Authorize budget amendments, budget transfers interfund loans and interfund transfers as recommended by the Comptroller.

**June 24, 2010**

**2010-228)** **WITHDRAWN:** "Authorize Partial Payment Estimate No. 3 for the work completed by Jersen Construction Group, LLC Contract No. 8G – General Construction Water System Improvements to Water District Nos. 1 and 3 in the total amount of \$\_\_\_\_\_, less retainage of five percent (5%) in the amount of \$\_\_\_\_\_, for a total payment not to exceed \$\_\_\_\_\_ contingent upon receipt and approval of certified payrolls, M/WBE reports and ARRA reporting by the Town Comptroller."

**2010-229)** **WHEREAS,** Schodack Consolidated Water District 101 was duly established, effective December 31, 2009, and

**WHEREAS,** the Town of Schodack operates the Town Well Field through the Schodack Town-Wide Water Supply Enterprise Fund, and

**WHEREAS,** Schodack Town Well Field has excess water supply, and

**WHEREAS,** Schodack Consolidated Water District No. 101 desires to purchase its water supply from the Schodack Town-Wide Water Supply

Enterprise Fund to allow said water district to receive water service and to no longer rely on and utilize other water sources, and

**WHEREAS**, pursuant to Town Law § 198(3) the Town Board is authorized to enter into a contract for the sale of excess supply of water on behalf of Schodack Town-Wide Water Supply Enterprise Fund and to establish water charges, and

**WHEREAS**, pursuant to Town Law §198(3) the Town Board is authorized to enter into a contract for the purchase of water on behalf of Schodack Consolidated Water District No. 101 and to establish water charges, and

**WHEREAS**, the Town Board by entering into a contract on behalf of the Schodack Town-Wide Water Supply Enterprise Fund and Schodack Consolidated Water District No. 101 for sale and purchase of water supply owes a duty to each party to operate and maintain said water supply in an objective, fair and reasonable manner and to establish water charges on a rational basis, and

**WHEREAS**, the Town Board caused due notice of public hearing to consider the proposed contract for sale and purchase of water supply, and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 24<sup>th</sup> day of June 2010, said hearing being duly convened at the time and place specified in said notice, and

**WHEREAS**, the Town Board considered public comment on said proposed contract,

**NOW, THEREFORE, BE IT RESOLVED**, Schodack Town-Wide Water Supply Enterprise Fund shall sell its excess water supply from the Town Well Field to Schodack Consolidated Water District No. 101 and Consolidated Water District No. 101 shall purchase said water supply upon the following terms and conditions:

1. Sale of water supply shall be pursuant to a contract for a term of forty (40) years, renewable for additional terms at the discretion of the Town Board.
2. The water supplied pursuant to said contract shall be subject to the Town of Schodack Water Regulations set forth in Chapter 175 of the Code of the Town of Schodack, as well as any further water regulations duly adopted by the Town.
3. Operations for the Schodack Consolidated Water District No. 101 shall be the sole responsibility of said Consolidated Water District No. 101.

4. Operations for the Town Well Field shall be the sole responsibility of Schodack Town-Wide Water Supply Enterprise Fund.
5. Costs attributable to supplying water to users within Schodack Water District No. 101 shall be based upon master meter readings from the Well Field pumphouse, adjusted for items that are clearly not the responsibility of said Consolidated Water District No. 101, including but not limited to water sold to other districts, other municipalities and/or outside commercial vendors.
6. Charges for water provided pursuant to said contract shall be set annually by the Town Board in accordance with Chapters 175 and 177 of the Code of the Town of Schodack and shall be reasonable and rational, and be it

**FURTHER RESOLVED** that the aforesaid contract is hereby approved, effective January 1, 2010, under the terms set forth hereinabove, and be it

**FURTHER RESOLVED** that the water rate, for the period of January 1, 2010 through December 31, 2010, to be charged by the Town-Wide Water Supply Enterprise Fund to Schodack Consolidated Water District No. 101 is \$2.15 per 1,000 gallons or portion thereof.

**2010-230) WHEREAS,** Schodack Water District No. 3 has used groundwater wells to provide potable water to properties within said water district, and

**WHEREAS,** Schodack Water District No. 3 experienced problems with its groundwater wells resulting in an inadequate supply of potable water being available for properties within said water district, and

**WHEREAS,** Schodack Water District No. 1 has excess water supply, and

**WHEREAS,** the Town of Schodack has undertaken a project to extend municipal water service from Schodack Water District No. 1 to Schodack Water District No. 3 to allow said water district to receive water service and no longer need to rely on and utilize its groundwater wells, and

**WHEREAS,** pursuant to Town Law § 198(3) the Town Board is authorized to enter into a contract for the sale of excess supply of water on behalf of Schodack Water District No. 1 and to establish water charges, and

**WHEREAS,** pursuant to Town Law §198(3) the Town Board is authorized to enter into a contract for the purchase of water on behalf of Schodack Water District No. 3 and to establish water charges, and

**WHEREAS,** the Town Board by entering into a contract on behalf of each said water district for sale and purchase of water supply owes a duty to both water

districts to operate and maintain said water supply in an objective, fair and reasonable manner and to establish water charges on a rational basis, and

**WHEREAS**, the Town Board caused due notice of public hearing to consider the proposed contract for sale and purchase of water supply, and

**WHEREAS**, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 24<sup>th</sup> day of June 2010, said hearing being duly convened at the time and place specified in said notice, and

**WHEREAS**, the Town Board considered public comment on said proposed contract,

**NOW, THEREFORE, BE IT RESOLVED**, that Schodack Water District No. 1 shall sell its excess water supply to Schodack Water District No. 3 and Water District No. 3 shall purchase said water supply upon the following terms and conditions:

1. Sale of water supply shall be pursuant to a contract for a term of forty (40) years, renewable for additional terms at the discretion of the Town Board.
2. The water supplied pursuant to said contract shall be subject to the Town of Schodack Water Regulations set forth in Chapter 175 of the Code of the Town of Schodack, as well as any further water regulations duly adopted by the Town.
3. Operations for the Schodack Water District No. 3 shall be the sole responsibility of said Water District No. 3.
4. Operations within Schodack Water District No. 1 related to the district costs, including but not limited to testing, meter reading and maintenance, shall be the sole responsibility of said Water District No. 1.
5. Costs attributable to supplying water to users within Schodack Water District No. 1 and Schodack Water District No. 3 shall be borne by users in both said water districts.
6. Charges for water provided pursuant to said contract shall be set annually by the Town Board in accordance with Chapters 175 and 177 of the Code of the Town of Schodack and shall be reasonable and rational, and be it

**FURTHER RESOLVED** that the aforesaid contract is hereby approved, effective January 1, 2010, under the terms set forth hereinabove, and be it

**FURTHER RESOLVED** that the water rate, for the period of January 1, 2010 through December 31, 2010, to be charged by Schodack Water District No. 1 to Schodack Water District No. 3 is \$2.20 per 1,000 gallons or portion thereof.

**2010-231)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Water District No. 3 (Maplecrest), and

WHEREAS, the Town Board caused due notice of the public hearing to consider proposed water rates to be published pursuant to Chapters 175 and 177 of the Code of the Town of Schodack, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 24<sup>th</sup> day of June 2010, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed water rates, and

NOW, THEREFORE, BE IT RESOLVED that commencing with the 2<sup>nd</sup> quarter 2010 billing period for water rates for Water District No. 3 (Maplecrest) for 44 users shall be \$100.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

**2010-232)** Authorize Supervisor Dowds to contract with musicians to perform at the 2010 Music in the Park as follows:

Johnny Cassera's Route 66 Band	July 6th	
(rescheduled from June 1, 2010 due to storm threats)		
Tri-County Banjo Band	July 13th	\$400.00

**2010-233)** Authorize Supervisor Dowds to approve a change in the Telephone service contract from Verizon Digital Centrex Plus which has expired, to Verizon Centrex (Intellipath), which is covered under NYS OGS CTS contract. The service provided remains the same, but includes provisions for adding additional services at no additional monthly charge. A mandatory time requirement is not part of the contract. The cost is approximately \$745.00 per month compared to the current rate of \$713.02 per month, resulting in a monthly increase of \$32.00.

**2010-234)** Authorize Supervisor Dowds accept proposal and execute annual service agreement with Wastewater Technologies, Inc. (WTI) to perform operation and maintenance services on the Commercial AdvanTex® AX100 – Vericomm Panel located in Sewer District No. 5 for a cost not to exceed \$3,500.00.

**2010-235)** Amend resolution 2010-196 adopted May 13, 2010 to appoint the following Town of Schodack Day Camp employees for the Summer Youth and

Recreation Program as recommended by the Director of Youth and Recreation:

Special Activity Instructors: Mark Bubniak, Victoria Roberts and Mary Holliday

Summer Soccer Instructor: Dan Gillespie

Lifeguard: Elizabeth Roche to fill vacancy from resignation of Noelle Lake

Substitute counselors: Elizabeth Haran and Caliber Bolt

- 2010-236)** Appoint Lyman Stalker, subject to final approval by the Rensselaer County Civil Service Commission, as a Transfer Station-Operator 2, at an hourly rate as set forth in the Year 2010 adopted budget. Said appointment shall be effective as of July 8, 2010.
- 2010-237)** Appoint Michael Kenney to fill the unexpired term of deceased councilman Kenneth W. Stinner. Term to expire December 31, 2010.

**July 8, 2010**

- 2010-238)** Authorize the Supervisor to issue renewal bond anticipation notes (BANS) of the Town in the aggregate amount of \$853,822 dated July 22, 2010 for the following purposes: \$66,972 for improvements to East Schodack Sewer District #5; \$257,049 for improvements to East Schodack Sewer District #5-Phase 1; \$43,160 for improvements to Maple Crest Water District #3; \$117,430 for appraisal of all the real property in the Town of Schodack to assist in the assessment thereof for purposes of taxation; \$59,550 for acquisition of 2007 International Model #7500 Truck with plow wing and dump body; \$46,044 for Acquisition of 2009 Dump Truck Model 4300 SBA; \$263,617 for acquisition of 2010 Gradall Model XL3100.
- 2010-239)** Authorize closure of the East Schodack Sewer District No. 5 Capital Project (H024) with a cash balance of \$22,955.28 to be transferred to East Schodack Sewer District No. 5 Fund (SS5) and further authorize establishment of debt reserve in the East Schodack Sewer District No. 5 Fund in the amount of \$22,955.28. Cash balance is related to excess debt proceeds.
- 2010-240)** Authorize Supervisor Dowds to execute two engagement letters with Leavenworth & Co. CPA, PLLC for independent audits of the Section 8 Program in the amount of \$4,500.00 and the Water District No. 1 and 3 Capital Project in an amount of \$6,500.00 for a total amount not to exceed \$11,000.00.
- 2010-241)** 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:

Title	Name	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>Elected Officials</b>					
Town Board Member	James E. Bult	7	1/1/10 – 12/31/14	N	3.60
Town Board Member	Debra J. Young	7	1/1/10 – 12/31/14	N	1.48
<b>Appointed Officials</b>					
Sole Assessor	Sharon Martin	7	10/1/07 – 9/30/13	Y	N/A
Assistant to Assessor	Karen Justus	7	1/1/10 – 12/31/10	Y	N/A
Comptroller	Jennifer Mulligan	7	1/1/10 – 12/31/10	Y	N/A
Assistant Comptroller	Laura Palmer	7	1/1/10 – 12/31/10	Y	N/A
Staff Accountant	Cherie Gitto	7	1/1/10 – 12/31/10	Y	N/A
Payroll & Personnel Clerk	Kathleen Blake	7	1/1/10 – 12/31/10	Y	N/A
Highway Superintendent	Kenneth Holmes	8	1/1/10 – 12/31/11	Y	N/A
Secretary to Highway Superintendent	Diane Lebrecht	7	1/1/10 – 12/31/10	Y	N/A
Asst. to Senior Court Clerk	Jamie Wagner	7	1/1/10 – 12/31/10	Y	N/A
Justice Court Officer	William Dikant	7	1/1/10 – 12/31/10	Y	N/A
Janitorial Staff	Nichole Thomas	8	1/1/10 – 12/31/10	Y	N/A
Planning & Zoning Secretary	Melissa Knights	7	1/1/10 – 12/31/10	Y	N/A
Part-Time Police Officer	Richard Eckel	8	1/1/10 – 12/31/10	Y	N/A
Part-Time Police Officer	Thomas Jones	8	1/1/10 – 12/31/10	Y	N/A
Part-Time Police Officer	Alan Roehr, Jr.	8	1/1/10 – 12/31/10	Y	N/A
Part-Time Police Officer	Clark Roehr, Jr.	8	1/1/10 – 12/31/10	Y	N/A
Part-Time Police Officer	Joshua Walters	8	1/1/10 – 12/31/10	Y	N/A
Part-Time Police Officer	Peter Zownir	8	1/1/10 – 12/31/10	Y	N/A
Secretary to Supervisor	Dawne Kelly	7	1/1/10 – 12/31/10	Y	N/A
Deputy Town Clerk	Lois Ciccolella	7	1/1/08 – 12/31/11	Y	N/A
Deputy Town Clerk	Karen Vecchione	7	1/1/08 – 12/31/11	Y	N/A
Director of Youth & Recreation	Sheila Golden	7	1/1/10 – 12/31/10	Y	N/A

**2010-242)** Pursuant to Town Law §64(1-a) authorize the Tax Receiver to increase petty cash fund by \$350.

**2010-243)** Authorize Supervisor Dowds to execute Addendum No. 15 with Laberge Group, LLC relative to additional services regarding Phase I for the subdivision known as Blueberry Meadows for installation of Monuments and completion of As Builts in an amount not to exceed \$6,050.00.

**2010-244)** The Town Park facility functions based on regulations previously adopted by the Town Board. Number 1 is amended as follows:

1. Individuals or Organizations wishing to use municipal facilities shall first apply to the Town Clerk on prescribed form a minimum of 7 days prior to date being reserved.

**2010-245)** Amend resolution 2010-196 adopted May 13, 2010 and resolution 2010-235 adopted June 24, 2010 to appoint the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

Substitute counselors: Andrew Bordeau and Nicholas Rush

**2010-246)** Authorize Supervisor Dowds to execute one year maintenance agreement with B & L Control Service Inc. for assistance, service and chemical products to treat Heating and Cooling Loops and Cooling Tower in the amount not to exceed \$2,350.00 for Town Hall building located at 265 Schuurman Road.

**2010-247)** Authorize Partial Payment Estimate No. 3 for the work completed by Jersen Construction Group, LLC Contract No. 8G – General Construction Water System Improvements to Water District Nos. 1 and 3 in the total amount of \$276,130.33, less retainage of five percent (5%) in the amount of \$12,006.52, less liquidated damages in the amount of \$36,000 for a total payment not to exceed \$228,123.81 contingent upon receipt and approval of certified payrolls, M/WBE reports and ARRA reporting by the Town Comptroller.

**2010-248)** Authorize Supervisor Dowds to execute a one year maintenance agreement starting on August 1, 2010 with Environmental Service Company, Inc. (ESCO) for Town Hall HVAC maintenance and inspection in the amount of \$3,800.

**2010-249)** Amend resolution 2010-223 adopted June 10, 2010 to reflect a cost increase from an amount not to exceed \$6,416.00 for the installation of one (1) McQuay heat pump to an amount not to exceed \$7,920 for the installation of two (2) McQuay heat pumps (Tax Receiver's office and Break room).

**2010-250)** WHEREAS, pursuant to the requirement of the New York State Alcoholic Beverage Control (ABC) Law, an applicant for a license to sell alcoholic

Amended by [2011-202] on 7/14/11

beverages at retail, for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

WHEREAS, this notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the ABC Board,

WHEREAS, the Town of Schodack has on the 6<sup>th</sup> day of July received notice that Nassau Sportsman's Club is applying for an additional on-premises liquor license, along with a renewal on-premises liquor license, and

WHEREAS, the Town Clerk circulated a notice of said applications to the Schodack Town Board, the Schodack Police Department and the Schodack Building Department and no adverse comments or recommendations of any kind were received,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Schodack, that with respect to the application submitted by Nassau Sportsmen's Club of Boyce Road, Schodack, New York for a renewal license and an additional new license to sell alcoholic beverages for on-premises consumption, the Schodack Town Board does express a favorable opinion.

- 2010-251)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-1008 to 10-1148 on Abstract No. 07-10, in the amount of \$335,257.34, including the claims paid (\$220,253.96) since the previous town board meeting.
- 2010-252)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

### **August 12, 2010**

- 2010-253)** WHEREAS, Alexander Romeo, son of Antonio and Linda Romeo, on the 11<sup>th</sup> day of May in the year two thousand ten was promoted to Eagle Scout, the highest rank a boy can receive in scouting, and

WHEREAS, Alexander started his journey in Cub Scouting as a Wolf Scout with Troop 123 in Merrick, New York, earning his Arrow of Light and Bobcat, Wolf and Bear Patches, and

WHEREAS, Alexander is a member of Boy Scout Troop 114, and has earned 28 Merit Badges in his 8 years of Boy Scouting, and

WHEREAS, for his Eagle Scout project, Alexander chose to install a new sign at the North Chatham Library which included landscaping the area around the sign and installation of stonework and

WHEREAS, Alexander is a recent graduate of Ichabod Crane High School where he has was a member of the National Honor Society and class treasurer, and

WHEREAS, Alexander will pursue a major in Industrial Design at Rochester Institute of Technology, and

WHEREAS, Alexander enjoys trap shooting, blacksmithing, aeronautics, and restoring cars.

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

BE IT FURTHER RESOLVED that Supervisor Dowds shall forward a copy of this resolution, suitably engrossed, for Alexander to receive at his Court of Honor on August 14, 2010.

**2010-254)**

WHEREAS, it is the desire of the Schodack Town Board to act in accordance with its longstanding tradition of 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, on April 12, 2010 Holly Schultz, EMT/firefighter with Schodack Valley, was a passenger in a vehicle traveling along Route 9 on her way to dinner, and

WHEREAS, Holly observed a bicycle laying down alongside of the road, and further observed a man laying just off the edge of the road, and

WHEREAS, at 1937 hours, Holly called 911 to report an unconscious and unresponsive male, approximately 40 years old, and began CPR, and

WHEREAS, State Troopers stopping at the scene, began traffic control and scene safety efforts, and

WHEREAS, Schodack Police Officer Michael Miller arrived at the scene, inserted an Oral Airway into the patient from his emergency kit and assisted Holly in administrating CPR, and

WHEREAS, Schodack Police Officer Dean Thomas and Sergeant Brian Rossiter arrived at the scene and assisted the State Police with traffic control and scene safety efforts, and

WHEREAS, Schodack Valley Chiefs James Bult and Gary Schultz went directly to the scene, and

WHEREAS, Schodack Valley Volunteer First Response 32 driven by Dirk Van Ort with a crew of Michael Canestro and Steven Kelly arrived on the scene at 1944 hours, and

WHEREAS, Steven Kelly, EMT/Station Captain, Schodack Valley Firefighter utilizing the AED from FR32, checked for a shockable rhythm and administered a shock to the patient, and

WHEREAS, moments later, Castleton Volunteer Ambulance driven by Mike Sano with a crew of Jim Rosse, Jr., EMT; Diane Hauer, EMT; Candice Gasson, EMT and Joseph Rafferty, Attendant arrived on the scene, whereby care of patient was transferred from Schodack Valley Volunteer personnel to Castleton Volunteer Ambulance personnel, and

WHEREAS, Castleton Volunteer Ambulance then continued CPR as advised by the AED and transported patient to Albany Memorial Hospital, and

WHEREAS, the patient has made a full recovery and has returned to normal daily activity, and

WHEREAS, it is believed that actions of all Police, Fire and Ambulance Personnel involved kept the patient from further complications, or death, and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack is moved to honor Schodack Valley Volunteers: Holly Schultz, EMT/firefighter; Dirk VanOrt, Driver; Steven Kelly, EMT/Station Captain; Michael Canestro, Firefighter; James Bult, EMT/Chief; Gary Schulz, Assistant Chief; Town of Schodack Police Officers: Michael Miller, Officer/EMT; Brian Rossiter, Sergeant; Dean Thomas, Officer; Castleton Volunteer Ambulance: Jim Rosse, Jr., EMT; Diane Hauer, EMT; Candice Gasson, EMT; Michael Sano, Driver and Joseph Rafferty, Attendant who have given themselves to this community in so many ways, distinguishing themselves through their unselfish quick actions, as impressive role models for all, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Schodack will pause in its deliberations of the 12<sup>th</sup> day of August 2010 to acknowledge and honor Holly Schultz, Dirk VanOrt, Steven Kelly, Michael Canestro, James Bult, Gary Schultz, Michael Miller, Brian Rossiter, Dean Thomas, Jim Rosse, Jr., Diane Hauer, Candice Gasson, Michael Sano, and Joseph Rafferty to thank them for their heroic contributions to the well-being of an individual and the Town of Schodack.

BE IT FURTHER RESOLVED that the Supervisor shall provide a copy of this resolution, suitably engrossed, to Holly Schultz, Dirk VanOrt, Steven Kelly, Michael Canestro, James Bult, Gary Schultz, Michael Miller, Brian Rossiter, Dean Thomas, Jim Rosse, Jr., Diane Hauer, Candice Gasson, Michael Sano, and Joseph Rafferty.

**2010-255)** Authorize James M. Morgan, Jeffrey Arno, Gary Ziegler, Steven Kelly, Allison J. Signer and Peter Schweigert, members of the Fire Investigation Unit to attend New York State Academy of Fire Science Course #01-01-0018 – Fall Seminar November 3 through November 5, 2010 in Montour Falls, New York at an estimated cost per person of \$25 registration fee (\$150) and lodging (\$840)

and meals (\$228), and estimated cost for mileage (\$532) and tolls \$24 for a total estimated cost of \$1,624. This is a budgeted item.

- 2010-256)** Authorize Bruce J. Wagner, Justice, and Paul W. Peter, Justice, to attend New York State Magistrates Association Fall Conference September 26 through 29 at the Villa Roma Resort & Conference Center in Callicoon, New York with registration fees not to exceed \$50 per Justice, lodging not to exceed \$1,176.00 and mileage not to exceed \$238.00 for a total estimate not to exceed \$1,514.00.
- 2010-257)** Authorize Sharon Martin, Sole Assessor to attend the New York State Assessor's Annual Conference September 26 through September 29, 2010 in Lake Placid, New York. Cost is estimated to be \$1,030 (3 days) which includes the conference, food, lodging and mileage.
- 2010-258)** Appoint David Gruenberg, Esq. to represent the Town as special counsel in Tax Certiorari matters for tax map nos. 189.-7-12.243, 189.-5-1.2 and 210.-7-42.2 and small claims matter 189.-10-11.2 at an hourly rate of \$150.00 for said legal representation with incidental charges, as required.
- 2010-259)** Authorize Supervisor Dowds to accept the proposal, execute and administer annual service agreement with Wastewater Technologies, Inc. (WTI) to perform operation and maintenance services on the Commercial AdvanTex® AX100 – Vericomm Panel located in Sewer District No. 8 for a cost not to exceed \$4,500.00.
- 2010-260)** **DEFEATED:** Accept proposal submitted by Unifirst for uniform, rag and floor mat rentals as follows: Highway department laborers (\$3.54 per employee/wk), Highway Department mechanics (\$6.90 per employee/wk), Transfer Station Department (\$4.98 per employee/wk), shop rags (for 50 rags at \$3.00 per wk), and three (3) floor mats at the Highway Garage which includes cleaning and exchange thereof on a monthly basis (\$9.00 per week).
- 2010-261)** **WITHDRAWN:** *“Authorize amendment to the Town’s purchasing practices for the following: Section 2 – Increase written estimate requirement for purchase contracts from \$1,001.00 to \$9,999.00 to \$1,001.00 to \$19,999.00; Section 3 – Increase limit for purchase contracts that must be put out to bid from \$10,000.00 to \$20,000.00.”*
- 2010-262)** Authorize Town Clerk to publish legal notice of public hearing to be held on August 26, 2010 at 7:30 p.m. at the Schodack Town Hall to seek input on Proposed Local Law No. 1 of the Year 2010 to create Chapter \_\_\_ entitled 2010 Retirement Incentive Program. Hearing is to be held at the Schodack Town Hall, 265 Schuurman Road, Schodack.
- 2010-263)** WHEREAS, the Police Department was required to update their license with the FCC due to new federal regulations requiring narrow banding of our radio frequencies; and

WHEREAS, in order to comply with the new FCC regulations, the Police Department is required to update their radio equipment; and

WHEREAS, the Police Department is requesting use of the Federal Forfeiture Reserve monies to assist in funding the project; and

WHEREAS, the Police Department is requesting that the related repeater system be installed in a shelter to be located at the Water Tower Site located behind Town Hall;

NOW THEREFORE IT BE RESOLVED that the establishment of Capital Project No. H033 Police Department Radio Upgrade Project is authorized with appropriations in the amount of \$80,000.00 to be funded by the appropriation of the Federal Forfeiture Reserve fund in the amount of \$75,000.00 and an interfund transfer from the General Town-wide Fund (A) in the amount of \$5,000.00. Any remaining amounts in the project at completion will be transferred back to their respective funds; and

BE IT FURTHER RESOLVED that the Police Department is authorized to access and use the property at the Water Tower Site located behind Town Hall for the repeater system.

**2010-264)** Authorize contract with W. & E. Phillips not to exceed \$12,491 for installation of outer and inner doors in front entrance way of Town Hall. Said contract to include all associated hardware in compliance with the Americans with Disabilities Act (ADA).

**2010-265)** WHEREAS, the Town Board of the Town of Schodack has caused the preparation of an updated Comprehensive Plan based upon previous studies, reports and plans prepared for the Town of Schodack; and

WHEREAS, the proposed action has been determined to be a Type 1 Action, pursuant to 6 NYCRR Part 617, New York SEQRA; and

WHEREAS, the Town Board is the only identified Involved Agency and therefore a Coordinated Review is not necessary; and

WHEREAS, the Comprehensive Plan identifies the goals and strategies by which the Town looks to achieve sustainable vitality, high quality of life, and to direct actions and resources in response to the future needs of both its residents and businesses. This Town of Schodack Comprehensive Plan will act as a vision for the future of the Town, and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the standards of the 6 NYCRR Part 617, the Town Board has concluded that it is the appropriate agency to serve as Lead Agency for the environmental quality review of the proposed Type 1 Action; and

BE IT FURTHER RESOLVED, that the Town Board hereby declares its intent to be Lead Agency for the SEQR evaluation of the proposed action; and

BE IT FURTHER RESOLVED, that the Town Board hereby calls for a Public Hearing in regard to the Final Comprehensive Plan on August 26, 2010 at 7:15 p.m. at the Town of Schodack Town Hall, 265 Schuurman Road; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Final Comprehensive Plan to be made available to involved agencies, interested parties, and the public from August 27, 2010 through September 10, 2010 (as required by SEQR to be a minimum of ten days following the public hearing) at which time the public comment period will be closed.

**2010-266)** **WITHDRAWN:** “*WHEREAS, the Town received correspondence from J. Kenneth Fraser dated July 15, 2010 requesting a contract to be executed for the work the Town requested related to the South Schodack Water Study resulting in a letter report dated April 7, 2008; and*

*WHEREAS, the Town Board has identified the costs as planning of capital improvements under GML §99-D; and*

*NOW THEREFORE BE IT RESOLVED that the Supervisor is authorized to execute and administer a contract effective December 23, 2007 (date services were first rendered) in an amount not to exceed \$5,643.59.”*

**2010-267)** **WITHDRAWN:** *WHEREAS, the Town received correspondence from J. Kenneth Fraser and Associates dated July 15, 2010 requesting a contract to be executed for the work the Town requested related to a draft Water District No. 8 Extension #1 and #2 Map, Plan and Report for a project the Town did not complete; and*

*WHEREAS, the Town Board has identified the costs as planning of capital improvements under GML §99-D; and*

*NOW THEREFORE BE IT RESOLVED that the Supervisor is authorized to execute and administer a contract effective June 10, 2007 (date services were first rendered) in an amount not to exceed \$9,615.33.*

**2010-268)** *WHEREAS, the Town received correspondence from J. Kenneth Fraser and Associates dated July 15, 2010 requesting an Amendment No. 1 to Task Order No. 1 dated July 29, 2004 for post construction work related to record plans for the Water District 2a Capital Project (H014); and*

*NOW THEREFORE BE IT RESOLVED that the Supervisor is authorized to execute and administer Amendment No. 1 to Task Order No. 1 dated July 29, 2004 effective July 27, 2007 (date services were rendered) for an increase of \$2,687.50 for a total amount not to exceed \$22,407.50.*

**2010-269)** *WHEREAS, the Town Board adopted Resolution 2009-242 on May 14, 2009 to execute an Amendment No. 1 to exhibit C for engineering services to interconnect Water Districts 2a, 2b, 4, 5 and 8 in the western part of the Town and Water District No. 9 in a transmission main in lieu of water mains that were to be constructed as part of the proposed Red Oaks subdivision; and*

WHEREAS, the Town Board adopted Resolution 2010-198 on May 13, 2010 to execute a change order on a construction contract related to the installation of a pressure reducing valve (PRV) for the Major Facilities Capital Project (H016); and

WHEREAS, the Town received correspondence from J. Kenneth Fraser dated July 15, 2010 requesting an Amendment No. 2 to Exhibit C and J dated September 15, 2006 for the engineer agreement known as DWSRF #17357 – Water Transmission Main related to the engineering services that were necessary for the Pressure Reducing Valve; and

NOW THEREFORE BE IT RESOLVED that the Supervisor is authorized to execute and administer Amendment No. 2 to Exhibit C and J dated September 15, 2006 for the DWSRF #17357 – Water Transmission Main Engineer Agreement for item g. PRV Construction Admin in an amount not to exceed \$9,500.00 for a total contract amount not to exceed \$267,406.95.

**2010-270) WITHDRAWN:** *“WHEREAS, the Town Board adopted Resolution 2009-477 on November 12, 2009 to execute an Amendment No. 1 to exhibit C for engineering services for the Town Hall Well Field Water Supply; and*

*WHEREAS, the Town received correspondence from J. Kenneth Fraser dated July 15, 2010 requesting an Amendment No. 2 to Exhibit C and J dated June 28, 2005 for the engineering agreement known as DWSRF #16736 – Town Hall Well Field Water Supply; and*

*NOW THEREFORE BE IT RESOLVED that the Supervisor is authorized to execute and administer Amendment No. 2 to Exhibit C and J dated June 28, 2005 for the DWSRF #16736 – Town Hall Well Field Water Supply item f. Post Construction increasing from \$3,000.00 to \$17,000.00 for a total contract amount not to exceed \$309,930.79.”*

**2010-271) WHEREAS,** the Town Board adopted Resolution 2009-496 on December 10, 2009 to execute an amendment to exhibit C for engineering services for the Water District Nos. 1 and No. 3 Capital Projects; and

WHEREAS, the Town received correspondence from J. Kenneth Fraser dated July 15, 2010 requesting an Amendment No. 1 to Exhibit C and J dated July 15, 2010 for the engineering agreement known as Clearview – Water District Nos. 1,3 and 7; and

WHEREAS, the Town Board has identified the costs associated with the July 15, 2010 Amendment with the Maplecrest Loop as planning of capital improvements under GML §99-D and the remaining costs to be chargeable to the Water District No. 1 and No. 3 Capital Projects (H018 & H025); and

NOW THEREFORE BE IT RESOLVED that the Supervisor is authorized to execute and administer Amendment No. 1 to Exhibit C and J dated July 15, 2010 effective February 7, 2010 (date services were rendered) for the Clearview – Water District Nos. 1, 3 and 7 item g. Construction Admin – Liquidated Damages & Loop in an amount not to exceed \$30,000 for a total contract amount not to exceed \$235,000.00.

**2010-272)** **WITHDRAWN:** *“Authorize payment to J. Kenneth Fraser and Associates, PE, LS, LA, P. C., in the amount of \$595.00 for Engineering Services relative to Nassau Lake Sewer District improvements. Costs are determined to be planning of capital improvements under GML §99-D. “*

**2010-273)** The Town Board of the Town of Schodack determines that Town-owned real property located on Prestwick Drive [Tax Map # 189.1-11-23], Town of Schodack, New York and know as the “Golf View Lot” and “Golf View Pump House are no longer needed for Town or Water District No. 4, now Consolidated Water District 101, purposes. It is further authorized that Holden and Associates shall prepare an opinion of market value for said premises at a cost not to exceed \$300.00.

**2010-274)** The Town Board of the Town of Schodack determines that Town-owned real property located on Maple Crest Drive [Tax Map # 200.3-3-11], Town of Schodack, New York and know as the “Maple Crest Lot” and “Maple Crest Pump House are no longer needed for Town or Water District No. 3 purposes. It is further authorized that Holden and Associates shall prepare an opinion of market value for said premises at a cost not to exceed \$300.00.

**2010-275)** WHEREAS, Corey Phillip Haughton, son of Diane Haughton and Phillip Langenbach, grandson of Marion Haughton, on the Twenty-fifth of April in the year two thousand ten, was promoted to Eagle Scout, the highest rank a boy can receive in scouting; and

WHEREAS, Corey started his journey in Cub Scouting as a Cub Scout in second grade, with Pack 253, and

WHEREAS, Corey is a member of Boy Scout Troop 53, and has earned 21 Merit Badges in his eleven years of Boy Scouting, and

WHEREAS, Corey has completed the National Youth Leader Training Conference, and

WHEREAS, Corey has earned the Boy Scouts of America Life Guard Certification, the Snorkeling Boy Scouts of America award, and the Kayaking Boy Scouts of America award, and

WHEREAS, Corey has worked as a Life Guard for two years at Camp Wakpominee, teaching Swimming, Rowing, Canoeing, Kayaking, and Snorkeling preparing other Boy Scouts to be awarded additional Boy Scouts of America awards and merit badges, and

WHEREAS, Corey has served the troop as the Senior Patrol Leader and Viper Patrol Leader, and

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

WHEREAS, as his Eagle Scout project, Corey rehabilitated the storage shed for Sunshine Day Care. The project refurbished necessary sections and added shelves, increasing storage capacity, and

WHEREAS, Corey is a graduate, class of 2010, from Maple Hill High School, where he has been a member of the Band, Key Club, SADD, and DARE, and

WHEREAS, Corey has been recognized twice by the Kiwanis Club for community service, performing more than 75 hours of service in each year, and

WHEREAS, Corey is a first degree Black Belt in Tae Kwon Do, and

WHEREAS, Corey has held a leadership position in the First United Methodist Church Youth Group, and

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

BE IT FURTHER RESOLVED that Supervisor Dowds will present a copy of this resolution, suitably engrossed to Corey Phillip Haughton at his Court of Honor on August 22, 2010.

Amended by [2011-060] on 1/13/11

**2010-276)** Appoint David Gruenberg, Esq. to represent the Town as special counsel in the matter of The Spinney at Pond View LLC and Cobleskill Properties Associates LLC-v-Town Board of the Town of Schodack as Improvement district Commissioners for Consolidation Water District No. 101 and Katherine E. Lubbers as Town of Schodack Receiver of Taxes at an hourly rate of \$150.00 in an amount not to exceed \$1500.00, without further Board approval, for said legal representation with incidental charges, as required.

**2010-277)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-1149 to 10-1339 on Abstract No. 08-10, in the amount of \$2,171,779.36, including the claims paid (\$1,505,814.55) since the previous town board meeting.

**2010-278)** Authorize the following budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller:

**August 26, 2010**

**2010-279)** WHEREAS, three proposal were received for uniform, rag and floor mat rentals, and were as follows: Unifirst in the total annual amount of \$4,909.32, Coyne in the total annual amount of \$7,010.94 and Tristate in the total annual amount of \$6,070.60, and

WHEREAS, the proposals were reviewed for conformance to specifications by

Kenneth Holmes, Highway Superintendent and Bruce Goodall, Transfer Station Director,

NOW, THEREFORE, BE IT RESOLVED to accept proposal submitted by Unifirst for uniform, rag and floor mat rentals as follows: Highway department laborers (\$3.54 per employee/wk), Highway department mechanics (\$6.90 per employee/wk), Transfer Station department laborers (\$3.54 per employee/wk), Transfer Station Director (\$4.98 per wk), shop rags (for 50 rags at \$3.00 per wk), and three (3) floor mats at the Highway Garage which includes cleaning and exchange thereof on a monthly basis (\$9.00 per week) in the total annual amount of \$4,909.32.

**2010-280)** WHEREAS, the Town Board of the Town of Schodack adopted Resolution 2009-477 on November 12, 2009 to execute an Amendment No. 1 to Exhibit C for engineering services for the Town Hall Well Field Water Supply; and

WHEREAS, the Town received correspondence from J. Kenneth Fraser dated July 15, 2010 requesting an Amendment No. 2 to Exhibit C and J dated June 28, 2005 for the engineering agreement known as DWSRF #16736 – Town Hall Well Field Water Supply;

NOW, THEREFORE, BE IT RESOLVED that Supervisor Dowds is authorized to execute and administer Amendment No. 2 to Exhibit C and J dated June 28, 2005 for the DWSRF #16736 – Town Hall Well Field Water Supply item f. Post Construction increasing from \$3,000.00 to \$17,000.00 for a total contract amount not to exceed \$309,930.79.

**2010-281)** Authorize amendment to the Town's purchasing practices for the following: Section 2 – Increase written estimate requirement for purchase contracts from \$1,001.00 to \$9,999.00 to \$1,001.00 to \$19,999.00; Section 3 – Increase limit for purchase contracts that must be put out to bid from \$10,000.00 to \$20,000.00.

**2010-282)** WHEREAS, at the Town Well Field Pump House there was damage to one of the variable frequency drive (VFD) pumps installed by Stephen Miller General Contractors, Inc. due to a defective electrical installation by J.A. Bradley and Sons, Inc.; and

WHEREAS J. A Bradley and Sons, Inc. has been unresponsive in accepting responsibility for the damage caused by their defective work; and

WHEREAS, Stephen Miller General Contractors, Inc. replaced the damaged VFD at a cost of \$5,563.00; and

WHEREAS, the Town is currently holding retainage on J. A. Bradley and Sons, Inc. in the amount of \$7,200; and

WHEREAS, the Town would like to liquidate \$5,563.00 of the retainage to cover the cost of the defective electrical installation;

NOW, THEREFORE, BE IT RESOLVED that the final payment to Stephen Miller General Contractors, Inc. for work completed pursuant to Contract No. 5G is authorized for a total amount not to exceed \$86,031.90, which includes retainage and the \$5,563.00 VFD cost. This authorization is contingent upon receipt of contractor's release of liens and securities provided pursuant to the contract warranty; and

BE IT FURTHER RESOLVED that the Town is authorized to liquidate \$5,563.00 of J. A. Bradley and Sons, Inc. retainage to pay for the VFD replacement installed by Stephen Miller General Contractors, Inc.

**2010-283)** WHEREAS, it is the privilege and duty of the American people to commemorate the anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities, and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 12 through 18 as *Constitution Week*,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack does hereby proclaim the week of September 12 through 18 as *Constitution Week* and urges all citizens to study the constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

**2010-284)** Authorize Supervisor Dowds to execute and administer 2010-2011 Snow and Ice Agreement with Rensselaer County Department of Engineering and Highways for reimbursement for Snow and Ice removal on Stony Point Road.

**2010-285)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said town on August 26, 2010 at 7:30 p.m. at the Schodack town hall to hear all interested parties on proposed Local Law Number 1 of 2010 relative to the Retirement Incentive Program, and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on August 13, 2010 and advertised in the August 16, 2010 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on August 26, 2010 at 7:30 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 hereof, and

WHEREAS, that the 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 1 of 2010 (P1 of 2010) to be known as Local Law 1 of 2010 of the Town of Schodack, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to enter said local law in the Code of the Town of Schodack and to give due notice of said local law to the Secretary of State.

**2010-286)** WHEREAS, the Town of Schodack and J. Kenneth Fraser and Associates are satisfied that Casale Excavating, Inc. has discharged its obligations under the Contract No. 9, Water District No. 9 Construction Contract, with exception to two items pursuant to correspondence dated August 25, 2010 from J. Kenneth Fraser and Associates, and

WHEREAS, the one-year warranty period for said contract is set to expire on September 4, 2010,

NOW, THEREFORE, BE IT RESOLVED that the Supervisor is authorized to release the five-percent (5%) retainage in the amount of \$16,867.75 plus accrued interest earned on the account, after the Contractor has remedied the two items included in the aforementioned correspondence.

**2010-287)** Pursuant to Chapter 80-4 of the Code of the Town of Schodack, the Schodack Town Board hereby resolves to grant a Mass Assembly Permit for Goid Orchards' 22<sup>nd</sup> Annual Apple Festival to be held October 9<sup>th</sup> and 10<sup>th</sup>, 2010 on their premises, pursuant to the written application submitted by Goid Orchards, Inc., except that applicant must comply with all off-site parking provisions of the Code and any other requirements, if any, of State, County and other regulatory agencies. Provided also that applicant shall be given notice that this approval is solely from the Town of Schodack and does not constitute approval by any other approving authority or governing agency. Further, a waiver of surety bond is granted subject to the provision that the Town is named as an additional insured on the applicant's liability policy and applicant will indemnify the Town of Schodack for any damage to Town property, vehicles, by participants or employees of the event and reimburse the Town for any other additional expense incurred by the event.

**2010-288)** Based on the Zoning Board of Appeals recommendation, the Town Board waives \$224.98 of the \$250.00 Zoning Board of Appeals application fee, for Michael Bromirski Z684-2010/HC/189.-10-3.21. Mr. Bromirski began to seek a use variance in May 2010 at which time the full application fee of \$250.00 was paid, the application was adjourned until June 17, 2010 at which time an extension was not requested and therefore Michael Bromirski is required to re-apply as Z688-2010 and pay the cost of \$25.02 to re-notice and mailing of the hearing.

**September 9, 2010**

- 2010-289)** Authorize Supervisor Dowds to execute and administer a Memorandum of Understanding by and between the Town of Schodack and Commission on Economic Opportunity for the Greater Capital Region, Inc. (CEO) to provide space as a temporary satellite site for CEO's Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) for the period of August 1, 2010 to August 1, 2012.
- 2010-290)** Authorize Supervisor Dowds to execute and administer an agreement by and between the Town of Schodack and Schindler Elevator to provide and install a Solid State Linestarter in the elevator control room at Town Hall in an amount not to exceed \$2,372.00.
- 2010-291)** Authorize payment to Stewart Title Insurance Company for a title report, in the amount of \$1,000.00, completed for General Electric Company's potential purchase of the Nassau Lake Property, to be paid from the \$1,000.00 General Electric deposit received on January 25, 2008.
- 2010-292)** Authorize the Supervisor Dowds to issue renewal bond anticipation notes (BANS) in the aggregate amount of \$351,747.00 dated October 8, 2010 for the following purposes: \$31,792.00 to finance the improvements to East Schodack Sewer District No. 5; \$61,584.00 to finance the acquisition of a 2008 Volvo Loader L70F; \$138,371.00 to finance the acquisition of a 2010 IHC Model 7500 Dump Truck with sander, plow and wing attachments; \$120,000.00 to finance the Repair, Reconstruction and Restoration of Eroded Drainage Areas at the Capped Landfill at the Town Transfer Station.
- 2010-293)** Authorize Jeffrey Conlin, Building Inspector, Gary Ziegler, Building Inspector and Nadine Fuda, Zoning Control Officer to attend the Capital District Building Officials Educational seminar at the Holiday Inn in Albany, New York, on October 18, 19 and 20, 2010. Cost is \$110 per Building Inspector, each will be attending one (1) day, and \$265 for Zoning Officer who will be attending all three (3) days. The cost of the seminar is inclusive of meals. Total cost shall not exceed \$485 for all participants.
- 2010-294)** Authorize payment to J. Kenneth Fraser and Associates, in the amount of \$2,180.50 for Engineering Services relative to Castleton Supply improvements. Costs are determined to be planning of capital improvements under GML §99-D.
- 2010-295)** **WITHDRAWN:** *"WHEREAS, four proposals were received for sealing the Town Hall parking lot, and were as follows: Copeland Coating Company, Inc. in the total amount of \$4,570.00, Campbell's Paving in the total amount of \$4,700.00, Gene's Pavement Sealing in the total amount of \$4,800.00, and Van De Wal Coating Company in the total amount of \$4,500.00*

*NOW, THEREFORE, BE IT RESOLVED to accept proposal submitted by Van De Wal Coating Company for sealing the Town Hall parking lot in the total amount of \$4,500.00."*

- 2010-296) Amend resolution 2009-369 adopted on August 13, 2009 and resolution 2008-443 adopted on December 11, 2008 appointing Robert Beebe, Esq., as special counsel for matter related to Tax map number 198.12-1-3.2 (tax certiorari) to increase the authorized total amount of legal fees from \$20,332.00 to a total not to exceed \$20,657.92.
- 2010-297) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-1340 to 10-1487 on Abstract No. 09-10, in the amount of \$206,872.12, including the claims paid (\$78,243.52) since the previous town board meeting.
- 2010-298) Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

**September 23, 2010**

- 2010-299) Waive the requirement pursuant to Chapter 177 §1 to hold Water Rate hearings on or before October 20<sup>th</sup>, in order to schedule said hearings at a special meeting on October 21, 2010.
- 2010-300) Waive the requirement pursuant to Chapter 176 §4 to hold Sewer Rent hearings on or before October 20<sup>th</sup>, in order to schedule said hearings at a special meeting on October 21, 2010.
- 2010-301) Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls for the capital charges for Water District Number 1. Said hearing shall be held on Thursday, October 21, 2010 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road.
- 2010-302) Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls for the capital charges for Water District Number 3. Said hearing shall be held on Thursday, October 21, 2010 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing are concluded.
- 2010-303) Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls for the capital charges for Water District Number 101. Said hearing shall be held on Thursday, October 21, 2010 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearings are concluded.
- 2010-304) Authorize Town Clerk to publish legal notice of public hearing on proposed assessment rolls for the capital charges for Water District Number 2A. Said hearing shall be held on Thursday, October 21, 2010 at 7 p.m. at the Schodack

Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearings are concluded.

- 2010-305)** Authorize Town Clerk to publish legal notice of public hearing on proposed assessment rolls for the capital charges for Water District Number 5. Said hearing shall be held on Thursday, October 21, 2010 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearings are concluded.
- 2010-306)** Authorize Town Clerk to publish legal notice of public hearing on proposed assessment rolls for the capital charges for Water District Number 8. Said hearing shall be held on Thursday, October 21, 2010 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearings are concluded.
- 2010-307)** Authorize Town Clerk to publish legal notice of public hearing on proposed assessment rolls for the capital charges for Water District Number 9. Said hearing shall be held on Thursday, October 21, 2010 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearings are concluded.
- 2010-308)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 1. Said hearing shall be held on Thursday, October 21, 2010 at 7:30 p.m. at the Schodack Town Hall or as soon thereafter as the above water district hearings are concluded.
- 2010-309)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 2. Said hearing shall be held on Thursday, October 21, 2010 at 7:30 p.m. at the Schodack Town Hall or as soon thereafter as the above water & sewer district hearings are concluded.
- 2010-310)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 4. Said hearing shall be held on Thursday, October 21, 2010 at 7:30 p.m. at the Schodack Town Hall or as soon thereafter as the above water & sewer district hearings are concluded.
- 2010-311)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 5. Said hearing shall be held on Thursday, October 21, 2010 at 7:30 p.m. at the Schodack Town Hall or as soon thereafter as the above water & sewer district hearings are concluded.
- 2010-312)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 6.

Said hearing shall be held on Thursday, October 21, 2010 at 7:30 p.m. at the Schodack Town Hall or as soon thereafter as the above water & sewer district hearings are concluded.

**2010-313)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 7. Said hearing shall be held on Thursday, October 21, 2010 at 7:30 p.m. at the Schodack Town Hall or as soon thereafter as the above water & sewer district hearings are concluded.

**2010-314)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 8. Said hearing shall be held on Thursday, October 21, 2010 at 7:30 p.m. at the Schodack Town Hall or as soon thereafter as the above water & sewer district hearings are concluded.

**2010-315)** Adopt the fee schedule for Fall Clean Up Days (October 14, 15 and 16) at the Transfer Station as follows:

Refrigerators, freezers, air conditioner & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16")	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors	\$ 7.00
Propane Tanks	FREE
Furniture	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

**2010-316)** Authorize Supervisor Dowds to execute and administer a three year agreement with County Waste for a two-yard container for garbage removal at the Town Hall, 265 Schuurman Road, at a cost not to exceed \$65 monthly.

**2010-317)** WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

WHEREAS, Native American Awareness week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned,

NOW, THEREFORE, the Town of Schodack does hereby proclaim November 2010 as National American Indian Heritage Month, and urges all our citizens to observe this month with appropriate programs, ceremonies and activities.

**2010-318)** Authorize Partial Payment Estimate No. 4 for the work completed by Jersen Construction Group, LLC Contract No. 8G – General Construction Water System Improvements to Water District Nos. 1 and 3 in the total amount of \$39,908.34, less retainage of five percent (5%) in the amount of \$1,998.42, less liquidated damages in the amount of \$13,200.00 for a total payment not to exceed \$24,709.92 contingent upon receipt and approval of certified payrolls, M/WBE reports and ARRA reporting by the Town Comptroller.

**2010-319)** Authorize final payment to Kingsley Arms, Inc. for work completed pursuant to Contract No. 3C – Transmission Main DWSRF #16736 for a total amount not to exceed \$117,212.37, which includes retainage. This authorization is contingent upon review and approval of documentation for Minority and Women Business Enterprise (M/WBE), contractor's release of liens, securities provided pursuant to the contract warranty, by the Town Comptroller.

**2010-320)** WHEREAS, four proposals were received for sealing the Town Hall parking lot, and were as follows: Copeland Coating Company, Inc. in the total amount of \$4,570.00, Campbell's Paving in the total amount of \$4,700.00, Gene's Pavement Sealing in the total amount of \$4,800.00, and Van De Wal Coating Company in the total amount of \$4,500.00

NOW, THEREFORE, BE IT RESOLVED to accept proposal submitted by Van De Wal Coating Company for seal coating and striping the Town Hall parking lot in the total amount of \$4,500.00.

**2010-321)** WHEREAS, pursuant to the requirement of the New York State Alcoholic Beverage Control (ABC) Law, an applicant for a license to sell alcoholic beverages at retail for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

WHEREAS, notice is given in order that said municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the ABC Board, and

WHEREAS, the Town of Schodack has on the 15<sup>th</sup> of September received notice that the Evergreen Country Club is applying for renewal of its on-premises liquor license, and

WHEREAS, the Town Clerk circulated a notice of said renewal to the Schodack Town Board, the Schodack Police Department and the Schodack

Building Department and no adverse comments or recommendations of any kind were received.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Schodack that, with respect to the application submitted by Joseph Bove, Owner of Evergreen Country Club at 92 Schuurman Road, Schodack, New York for a renewal license to sell alcoholic beverages for on-premises consumption, the Schodack Town Board does express a favorable opinion as to said renewal.

- 2010-322)** Authorize Comptroller Mulligan to execute and administer the Early Retiree Reinsurance Program application through the U.S. Department of Health and Human Services established by section 1102 of the Patient Protection and the Affordable Care Act to potentially reduce CDPHP health premiums for active employees and retirees based on claims submitted to CDPHP from retirees between the age of 55 and 64 and letter agreement with CDPHP dated July 21, 2010

**October 14, 2010**

- 2010-323)** Now, therefore, be it resolved that the Town Board finds that Anthony Shelton violated Sections 162-9 A(1) and 162-9 A(5) of the Code of the Town of Schodack and as such his license to peddle under Permit #2010-04 is revoked.

- 2010-324)** Authorize Town Clerk to publish legal notice of hearing to seek public input relative to the 2011 Preliminary Budget and proposed fees for 2011 to be held on Thursday, November 4, 2010 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson.

*As amended to reflect 2011 not 2010 budget*

- 2010-325)** Authorize Supervisor Dowds to execute and administer agreement with Clark Engineering & Surveying, P.C. for engineering services related to the Town Gravel Mine and DEC Mine Permit. Surveying services fee of \$2,500 and Engineering services fee of \$4,500 are not to exceed \$7,000.

- 2010-326)** Authorize Supervisor Dowds to execute and administer Administrative Services Agreement and Business Associate Agreement with Capital Bauer for the Town of Schodack's Flexible Benefits Plan administration effective January 1, 2011.

- 2010-327)** WHEREAS, the Town wishes to sell the former Town Hall property at the intersection of Routes 9 & 20 and 150; and

WHEREAS, the Town has received a proposed "Option Agreement" from David Bryce, offering to purchase said property for \$300,000, provided certain contingencies are met during the option period;

NOW THEREFORE, BE IT RESOLVED that Supervisor Dowds is authorized to execute and administer said "Agreement" on behalf of the Town; and

IT IS FURTHER RESOLVED that the Town Clerk is directed to publish the appropriate notice relating to the sale of real property owned by the Town.

**2010-328)** Whereas, the Town Board of the Town of Schodack passed resolutions 2010-301 through 2010-307 on September 23, 2010 for public hearings relative to proposed water rates for Operation and Maintenance costs and assessment rolls for capital charges for town water districts and

Whereas, the Town Board of the Town of Schodack passed resolutions 2010-308 through 2010-314 on September 23, 2010 for public hearings, relative to proposed sewer rents for Operation and Maintenance costs and assessment rolls for capital charges for town sewer districts and

Whereas, the Town Board of the Town of Schodack wishes to reschedule said public hearings for the both the water districts and the sewer districts for November 9, 2010

Now, therefore, be it resolved that the Town Board authorizes the Town Clerk to publish legal notices for public hearings for: proposed water rates for Operation and Maintenance costs and assessment rolls for capital charges for Water Districts Number 1, 3 and 101; and for proposed assessment rolls for capital charges for Water Districts Number 2A, 5, 8, and 9 on Thursday, November 9, 2010 at 7:45 p.m. at the Schodack Town Hall, 265 Schuurman Road, and

Also authorizes the Town Clerk to publish legal notices for public hearings for: proposed sewer rents for Operation and Maintenance costs for Sewer Districts Number 1, 2, 4, 6 and 7; and for proposed sewer rents for Operation and Maintenance costs and the assessment rolls for the capital charges for Sewer Districts 5 and 8 on Thursday, November 9, 2010 at 8:15 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the water district public hearings are concluded.

**2010-329)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-1488 to 10-1696 on Abstract No. 10-10, in the amount of \$1,293,344.82, including the claims paid (\$1,056,838.88) since the previous town board meeting.

**2010-330)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

**October 21, 2010**

**2010-331)** Authorize Town Clerk to publish legal notice of a public hearing on Tuesday, November 9, 2010 at 7:15pm at Schodack Town Hall to seek input into proposed Water Fees in all Town Districts.

**2010-332)** Authorize Town Clerk to publish legal notice of a public hearing on Tuesday, November 9, 2010 at 7:30pm at Schodack Town Hall to seek input into proposed Sewer Fees in all Town Districts.

**November 4, 2010**

**2010-333)** WHEREAS, the Town Board met on Thursday, November 4, 2010 at the Schodack Town Hall, as specified in the Notice of Public Hearing for the 2011 Preliminary Budget, with said notice appearing in the October 28, 2010 edition of The Record, and was posted on October 22, 2010, and

WHEREAS, said public hearing was held on November 4, 2010 at 7 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 Preliminary Budget or any part thereof,

NOW, THEREFORE, BE IT RESOLVED that the 2011 Preliminary Budget, as amended and revised, and as hereinafter set forth, is hereby adopted.

**2010-334)** WHEREAS, the Town of Schodack and Fraser, PE, LS, LA are satisfied that Statewide Aquastore Inc. has discharged its obligations under Contract No. 3B, for Water Storage Reservoir Construction Contract, pursuant to correspondence dated October 28, 2010 from Fraser, PE, LS, LA, and

WHEREAS, the one-year warranty period for said contract is set to expire on November 10, 2010,

NOW, THEREFORE, BE IT RESOLVED that Supervisor Dowds is authorized to release the five-percent (5%) negotiable securities in the amount of \$26,910.63 plus accrued interest earned on the account.

**2010-335)** WHEREAS, the Town of Schodack and Fraser, PE, LS, LA are satisfied that Stephen Miller General Contractors, Inc. has discharged its obligations under the Contract No. 5G, Groundwater Supply Improvements Contract, pursuant to correspondence dated October 28, 2010 from Fraser, PE, LS, LA, and

WHEREAS, the one-year warranty period for said contract is set to expire on November 24, 2010,

WHEREAS, final payment pursuant to Resolution No. 2010-282, requiring the deposit of securities has not been made because the Contractor did not submit the required paperwork until October 28, 2010, therefore there are no securities to be released,

NOW, THEREFORE, BE IT RESOLVED that Supervisor Dowds is authorized to waive the deposit requirement of the five-percent (5%) negotiable securities in the amount of \$59,134.70.

**2010-336)** WHEREAS, the Town Board adopted Resolution 2010-271 on August 12, 2010 to execute an amendment to exhibit C and J for engineering services for the Water District Nos. 1 and 3 Capital Projects; and

WHEREAS, the Town received correspondence from Fraser, PE, LS, LA dated October 6, 2010 requesting an Amendment No. 2 to Exhibit C and J, dated October 27, 2010 for the engineering agreement known as Clearview – Water District Nos. 1, 3 and 7; and

NOW THEREFORE BE IT RESOLVED that the Supervisor is authorized to execute and administer Amendment No. 1 to Exhibit C and J, dated October 27, 2010, effective August 1, 2010 Clearview – Water District Nos. 1, 3 and 7 item h. Additional Scope – Excess Funds in an amount not to exceed \$15,000 for a total contract amount not to exceed \$250,000.00.

**2010-337)** Authorize Supervisor Dowds to execute and administer Change Order No. 3 dated October 29, 2010 for Contract No. 8G-General Construction Water System Improvements to Water District Nos. 1 and 3 (Jersen Construction Group, LLC, Contractor) to increase said contract by an estimated total amount of \$80,500 for additional scope, decrease said contract by an estimated total amount of \$80,500 for excess funds available in the contract and decrease said contract by \$21,000 for a contract negotiated deduction thereby, resulting in a net decrease in the amount by \$21,000.

**2010-338)** Authorize payment in the amount of \$28,200.00 in liquidated damages (previously withheld) to Jersen Construction, LLC, Contract No. 8G General Construction Water System Improvements.

**2010-339)** Authorize Supervisor Dowds to execute and administer an Agreement with ENC Health Care Management for the Flu Vaccination Clinic to be held at town hall for Town employees and their families on November 8, 2010. Cost of the Flu Vaccination Clinic to be paid by employee's health insurance or directly by employee if they are not a member of CDPHP or MVP.

**2010-340)** Accept proposal from Creative Electronics, LLC for installation and purchase of a portion of the radio system for Police Department Radio Project (H033) pursuant to proposal dated October 19, 2010 in an amount not to exceed \$48,500.00.

**2010-341)** Authorize the Town Clerk to publish a legal notice of public hearing to be held on Thursday, December 9, 2010 at 7:15 p.m. at the Schodack Town Hall, 265 Schuurman Rd., Castleton, NY 12033 to seek input on proposed Local Law No. 2 of 2010 to amend Chapter 109 of the Code of the Town of Schodack, entitled *Dogs*, relative to dog licensing procedures and control.

**2010-342)** Resolved that the application submitted by Richard and Rita Saville to replace an existing mobile home on their property, 46 Miller Road, Castleton-on-

Hudson, New York, pursuant to the submitted letter dated October 20, 2010 be granted, on the condition that the existing mobile home is lawfully disposed.

**2010-343)** WHEREAS, the Town Board of the Town of Schodack has caused the preparation of an updated Comprehensive Plan based upon previous studies, reports and plans prepared for the Town of Schodack; and

WHEREAS, the proposed action has been determined to be a Type 1 Action, pursuant to 6 NYCRR Part 617, New York SEQRA; and

WHEREAS, the Town Board is the only identified Involved Agency and therefore a Coordinated Review is not necessary; and

WHEREAS, the Comprehensive Plan identifies the goals and strategies by which the Town looks to achieve sustainable vitality, high quality of life, and to direct actions and resources in response to the future needs of both its residents and businesses. This Town of Schodack Comprehensive Plan will act as a vision for the future of the Town, and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the standards of the 6 NYCRR Part 617, the Town Board has concluded that it is the appropriate agency to serve as Lead Agency for the environmental quality review of the proposed Type 1 Action; and

BE IT FURTHER RESOLVED, that the Town Board hereby declares its intent to be Lead Agency for the SEQR evaluation of the proposed action; and

BE IT FURTHER RESOLVED, that the Town Board hereby calls for a Public Hearing in regard to the Final Comprehensive Plan on December 9, 2010 at 7:30 p.m. at the Town of Schodack Town Hall, 265 Schuurman Road; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Final Comprehensive Plan to be made available to involved agencies, interested parties, and the public from December 10, 2010 through December 21, 2010 at which time the public comment period will be closed.

**2010-344)** Authorize Supervisor Dowds to execute and administer an agreement with Spinney at Pond View relating to the issuance of building permits.

**2010-345)** WHEREAS, Hannaford Bros. Co. owns and operates a regional distribution warehouse, "the subject property", in the Town of Schodack identified by Tax Map # 220.-3-8.2 ; and

WHEREAS, the Town conducted and implemented a full property tax revaluation on the 2008 assessment roll; and

WHEREAS, the subject property was assessed at \$38,700,000 on the 2008 roll, and that assessment was carried over to the 2009 and 2010 assessment rolls; and

Ratified by [2011-136] on 4/28/11

**WHEREAS**, Hannaford Bros. Co. has commenced judicial proceedings (Index Nos. 226262, 233691, 229881) pursuant to Article 7 of the Real Property Tax Law seeking a reduction of the 2008, 2009 and 2010 real property tax assessments of the subject property; and

**WHEREAS**, the assessment of the subject property was based upon reported building costs and the uncontested prior assessment of the subject property; and

**WHEREAS**, Hannaford Bros. Co. has demanded that the assessments of the subject property be reduced to \$30,000,000; and

**WHEREAS**, Assessor Martin considers this demand to be excessive; and

**WHEREAS**, the Town is represented by The Law Office of Robert L. Beebe, LLC (hereafter, "Counsel"); and

**WHEREAS**, Counsel has advised the Assessor and the Town Board that a defense of the assessments should include both an appraisal and an engineering report; and

**WHEREAS**, BRB Valuation and Consulting Services of Eastampton, New Jersey, has submitted a proposal for the preparation of a trial ready appraisal report at the following fees:

Phase I-Restricted Report	\$9,500.
Phase II- Complete Self Contained Valuation Report	\$17,500
Total	\$27,000

**WHEREAS**, Kleinschmidt Associates, PA, PC of Pittsfield, Maine, has submitted a proposal for preparation of a trial ready engineering report at a fee of \$22,000; and

**WHEREAS**, Counsel recommends engagement of both BRB Valuation and Kleinschmidt; and

**WHEREAS**, the Schodack Central School District has agreed to contribute one half of the total fee for experts; and

**WHEREAS**, after due consideration of these proposals and recommendations, the Town Board has determined that the vigorous defense of these assessments is in the best interests of the taxpayers of the Town of Schodack; now therefore, be it

**RESOLVED**, that Counsel is hereby authorized to take the following actions on behalf of the Town contingent on Schodack Central School District acceptance of the aforementioned proposals. The Town of Schodack and Schodack

Central School District will share the above costs equally.

- 1) Engage the appraisal firm of BRB Valuation and Consulting Services to prepare a trial ready appraisal as set forth in its letter proposal, dated August 27, 2010, at a fee of \$27,000.
- 2) Engage the appraisal firm of Kleinschmidt Associates, PA, PC, to prepare a trial ready appraisal as set forth in its letter proposal dated, October 22, 2010, at a fee of \$22,000.
- 3) Undertake all necessary action to defend the assessments of the subject property; and, be it further

**RESOLVED**, Counsel will be compensated in accordance with the hourly rates set forth in Town Board Resolution 2008-290.

**2010-346)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-1697 to 10-1831 on Abstract No. 11-10, in the amount of \$317,074.02, including the claims paid \$76,007.92 since the previous town board meeting.

**2010-347)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

**November 9, 2010**

**2010-348)** Adopt new water fee schedule (as attached) effective November 10, 2010.

**2010-349)** Adopt new sewer rate schedule (as attached) effective November 10, 2010.

**2010-350)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Water District No. 1 (Clearview), and

WHEREAS, the Town Board caused due notice of the public hearing to consider proposed water rates to be published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 9<sup>th</sup> day of November 2010, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed water rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2011 billing period for water rates for Water District No. 1 (Clearview) for 165 users shall be \$ 50.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

**2010-351)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Water District No. 3 (Maplecrest), and

WHEREAS, the Town Board caused due notice of the public hearing to consider proposed water rates to be published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 9<sup>th</sup> day of November 2010, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed water rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2011 billing period for water rates for Water District No. 3 (Maplecrest) for 44 users shall be \$100.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

**2010-352)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Consolidated Water District No. 101, and

WHEREAS, the Town Board caused due notice of the public hearing to consider proposed water rates to be published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 9<sup>th</sup> day of November 2010, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed water rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2011 billing period for water rates for Water District No. 101 for 306 existing users shall be \$75.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

**2010-353)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 9, 2010 to consider proposed sewer rents for Sewer District No. 1 (Castleton) and

WHEREAS, due notice of the public hearing was published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 9<sup>th</sup> day of November 2010, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed sewer rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2011 to June 30, 2011) the sewer rents for Sewer District No. 1 (Castleton) for 96 users shall be \$160.00 semi-annual rate per unit.

**2010-354)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 9, 2010 to consider proposed sewer rents for Sewer District No. 2 (Castleridge) and

WHEREAS, due notice of the public hearing was published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 9<sup>th</sup> day of November 2010, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed sewer rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2011 to June 30, 2011) the sewer rents for Sewer District No. 2 (Castleridge) for 51 users shall be \$230.00 semi-annual rate per unit.

**2010-355)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 9, 2010 to consider proposed sewer rents for Sewer District No. 4 (Brickyard) and

WHEREAS, due notice of the public hearing was published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 9<sup>th</sup> day of November 2010, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed sewer rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2011 to June 30, 2011) the sewer rents for Sewer District No. 4 (Brickyard) for 2 users shall be \$340.00 semi-annual rate

per unit.

**2010-356)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 9, 2010 to consider proposed sewer rents for Sewer District No. 5 (East Schodack) and

WHEREAS, due notice of the public hearing was published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 9<sup>th</sup> day of November 2010, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed sewer rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2011 to June 30, 2011) the sewer rents for Sewer District No. 5 (East Schodack) for 27 users shall be \$335.00 semi-annual rate per unit.

**2010-357)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of Sewer District No. 5, Extension 1 (East Schodack) Capital Costs of the collection system and that portion of non-reimbursed Capital Costs of the East Schodack Sewage collection system and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to receive and consider any comments regarding said assessment roll to be held on November 9, 2010 at 8:15 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 9<sup>th</sup> of November, 2010, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Extension 1,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for Extension 1 as 31 units and adopted as originally proposed and filed in the office of the Town Clerk of the Town of Schodack.

**2010-358)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of Sewer District No. 5, Extensions 1 and 2 (East Schodack) Capital Costs of the

collection system and that portion of non-reimbursed Capital Costs of the East Schodack Sewage collection system and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to receive and consider any comments regarding said assessment roll to be held on November 9, 2010 at 8:15 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 9<sup>th</sup> of November, 2010, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Extensions 1 and 2,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for Extensions 1 and 2 as 33 units and adopted as originally proposed and filed in the office of the Town Clerk of the Town of Schodack.

**2010-359)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 9, 2010 to consider proposed sewer rents for Sewer District No. 6 (Exit 10) and

WHEREAS, due notice of the public hearing was published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 9<sup>th</sup> day of November 2010, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed sewer rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2011 billing period for the sewer rents for Sewer District No. 6 (Exit 10) for 35 users shall be \$7.10 per thousand based on water meter.

**2010-360)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 9, 2010 to consider proposed sewer rents for Sewer District No. 7 (Hamilton Printing) and

WHEREAS, due notice of the public hearing was published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 9<sup>th</sup> day of November 2010, said

hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed sewer rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2011 to June 30, 2011) the sewer rents for Sewer District No. 7 (Hamilton Printing) for 12 units shall be \$165.00 semi-annual rate per unit.

**2010-361)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on November 9, 2010 to consider proposed sewer rents for Sewer District No. 8 (Schodack Landing) and

WHEREAS, due notice of the public hearing was published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 9<sup>th</sup> day of November 2010, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed sewer rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the semi-annual billing period (January 1, 2011 to June 30, 2011) the sewer rents for Sewer District No. 8 (Schodack Landing) for 68 units shall be \$200.00 semi-annual rate per unit.

**2010-362)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of Sewer District No. 8 (Schodack Landing) Capital Costs of the collection system and that portion of non-reimbursed Capital Costs of the Schodack Landing Sewage collection system and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to receive and consider any comments regarding said assessment roll to be held on November 9, 2010 at 8:15 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, on the 9<sup>th</sup> of November, 2010, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and is the same is hereby affirmed for 75.25 units and adopted as originally proposed and filed in the office of the Town Clerk of the Town of Schodack.

**2010-363)** Whereas, the Town Board of the Town of Schodack passed resolution 2010-328 on October 14, 2010 and resolutions 2010-301 through 2010-307 on September 23, 2010 for public hearings relative to proposed water rates for Operation and Maintenance costs and assessment rolls for capital charges for town water districts and

Whereas, the Town Board of the Town of Schodack passed resolution 2010-328 on October 14, 2010 and resolutions 2010-308 through 2010-314 on September 23, 2010 for public hearings respectively, relative to proposed sewer rents for Operation and Maintenance costs and assessment rolls for capital charges for town sewer districts and

Whereas, the Town Board of the Town of Schodack wishes to reschedule said public hearings for the water districts for November 30, 2010

Now, therefore, be it resolved that the Town Board authorizes the Town Clerk to publish legal notices for public hearings for: proposed assessment rolls for capital charges for Water Districts Number 1, 2a, 3, 5, 8, 9 and 101 on Tuesday, November 30, 2010 at 7 p.m. at the Schodack Town Hall, 265 Schuurman Road.

**2010-364)** WHEREAS, the Town Board met on Thursday, November 4, 2010 at the Schodack Town Hall, as specified in the Notice of Public Hearing for the 2011 Preliminary Budget, with said notice appearing in the October 28, 2010 edition of The Record, and was posted on October 22, 2010, and

WHEREAS, said public hearing was held on November 4, 2010 at 7 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 Preliminary Budget or any part thereof,

WHEREAS, The Budget Officer is hereby directed to make the following additional changes to the Preliminary Budget: A1220.1 – decrease expense by \$1,122; A-1315.1 – decrease expense by \$8,640; A-1340.1 – increase expense by \$6,698.64; A-1340.4 – increase expense by \$200; A-9030.8 decrease expense by \$245.07; and decrease Total General Fund Appropriations by \$245.07; net budgetary impact for a decrease of \$3,108.43,

NOW, THEREFORE, BE IT RESOLVED that the 2011 Preliminary Budget, as amended and revised, and as hereinafter set forth, is hereby adopted.

**NOVEMBER 30, 2010**

**2010-366)** WHEREAS, Patrick Curtin, son of Patricia O'Neil and Dan Curtin, on the 21st day of November, in the year two thousand ten, was promoted to Eagle Scout, the highest rank a boy can receive in scouting, and

WHEREAS, Patrick started his journey in Cub Scouting as a Tiger Scout with Troop 253 in Castleton, New York, earning his Arrow of Light and Bobcat, Wolf and Bear Patches, and

WHEREAS, Patrick is a member of Boy Scout Troop 53, and has earned 26 Merit Badges in his 12 years of Boy Scouting, and

WHEREAS, for his Eagle Scout project, Patrick chose to build five outdoor benches, three for the Schodack Town Park and two for the Castleton Elementary School. The benches were constructed out of decking materials recycled from the Castleton Elementary School's temporary modular school decking. Over 115 man hours were utilized to complete the project, and

WHEREAS, Patrick is a senior at Maple Hill High School where he has achieved the Honor Roll and the High Honor Roll in each quarter of high school, and

WHEREAS, Patrick is a three-season sports athlete, participating in soccer, basketball, baseball and serves as co-captain for soccer, and

WHEREAS, Patrick is a member of Key Club, National Honor Society and the Science Olympiad Team,

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

BE IT FURTHER RESOLVED that Supervisor Dowds presented a copy of this resolution, suitably engrossed, to Patrick Curtin at his Court of Honor on November 21, 2010.

**2010-367)** The Town Board of the Town of Schodack will hold a special Town Board meeting on Monday, December 13, 2010 at 7:00 p.m. at the Schodack Town Hall to consider adopting the capital rolls for Water Districts No. 1 and 3 and Consolidated Water District No. 101, 2a, 5, 8 and 9 and any other matters that may come before the Board.

**DECEMBER 9, 2010**

**2010-368)** Ratify and affirm Supervisor Dowds execution of the Small Business Lighting Program Agreement with Rise Engineering and Energy Savings Plan

Agreement with National Grid dated November 19, 2010 for energy improvements to the Schodack Town Hall at an estimated net cost of \$10,870 (includes a 2% contingency on total project cost). Total project cost is estimated at \$38,547.87 less National Grid's contribution of \$24,868.42 and less Rise Engineering incentive of \$3,584.08 for a net estimated Town cost of \$10,095.37. The estimated annual savings are \$17,122.20 based on a kWh savings of 153,976.60 at \$0.11120 price per kWh.

**2010-369)** Ratify and affirm Supervisor Dowds execution of the Small Business Lighting Program Agreement with Rise Engineering and Energy Savings Plan Agreement with National Grid dated November 19, 2010 for energy improvements to the Schodack Highway Garage at an estimated net cost of \$6,660 (includes a 2% contingency on total project cost). Total project cost is estimated at \$23,392.43 less National Grid's contribution of \$15,020.80 and less Rise Engineering incentive of \$2,181.18 for a net estimated Town cost of \$6,190.45. The estimated annual savings are \$3,901.20 based on a kWh savings of 35,083.00 at \$0.11120 price per kWh.

**2010-370)** Ratify and affirm Supervisor Dowds execution of the Small Business Lighting Program Agreement with Rise Engineering and Energy Savings Plan Agreement with National Grid dated November 19, 2010 for energy improvements to the Schodack Police Station at an estimated net cost of \$1,900 (includes a 2% contingency on total project cost). Total project cost is estimated at \$6,247.60 less National Grid's contribution of \$3,997.14 and less Rise Engineering incentive of \$474.39 for a net estimated Town cost of \$1,776.07. The estimated annual savings are \$3,215.28 based on a kWh savings of 28,914.13 at \$0.11120 price per kWh.

**2010-371)** AUTHORIZE the Town Clerk to publish a legal notice of public hearing to be held on Wednesday, December 29, 2010 at 5:00 p.m. at the Schodack Town Hall, 265 Schuurman Rd., Castleton, NY 12033 to seek input on proposed Local Law No. 2 of 2010 to amend Chapter 109 of the Code of the Town of Schodack, entitled *Dogs*, relative to dog licensing procedures and control.

**2010-372)** WHEREAS, pursuant to the requirement of the New York State Alcoholic Beverage Control (ABC) Law, an applicant for a license to sell alcoholic beverages at retail, for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

WHEREAS, this notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the ABC Board,

WHEREAS, the Town of Schodack has on the 10<sup>th</sup> day of November received notice that Mercato's II Inc. is applying for a renewal on-premises liquor license, and

WHEREAS, the Town Clerk circulated a notice of said applications to the Schodack Town Board, the Schodack Police Department and the Schodack Building Department and no adverse comments or recommendations of any kind were received,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Schodack, that with respect to the application submitted by Mercato's II Inc. of 1649 Columbia Turnpike, Schodack, New York for a renewal license and an additional new license to sell alcoholic beverages for on-premises consumption, the Schodack Town Board does express a favorable opinion.

**2010-373)**

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, Jeffrey J. Conlin has distinguished himself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to his position of Building Inspector in the Town of Schodack, and

WHEREAS, Jeffrey J. Conlin has been a life-long resident of the Town of Schodack and a graduate of Maple Hill High School class of 1965, and

WHEREAS, early on, Jeff demonstrated his commitment to the community by serving in the Army during the Vietnam Conflict in An Khe, and

WHEREAS, Jeff was appointed Assistant Building Inspector on September 11, 1986 and assumed the position of Building Inspector on April 13, 1987 and has served faithfully in this role under Supervisors: Beth Morgan, Jack Nelson, Michael Glavin, Joseph McCabe, Eileen Natoli Beth Secor and Dennis Dowds until his retirement on October 31, 2010, he holds the distinguished honor of being the longest serving Building Inspector to the Town of Schodack, and

WHEREAS, Jeff has held the appointed positions of Town Hall Fire Marshal and served on the Town of Schodack Fire Investigation Unit for numerous years, and

WHEREAS, Jeff was the Town Hall's resident Mr. Fix-it Tool Man where he was always "on call" having the ladder and tool box close at hand, with no mechanical task too large or small, from stringing and lighting the outdoor holiday lights, resetting heating and lighting systems, changing light bulbs, repairing a flusher, a clogged drain or shoveling the walkway, and

WHEREAS, Jeff was the official photographer of all special events and happenings at the Town Hall, creating a pictorial journal for over two decades, adding to the rich history of this great establishment, and

WHEREAS, Jeff has demonstrated his love of family by being the father of Jen, Casey, Jake and the unsurpassed "Poppy" to Kim, Heather, Meghan, Alexis, Emma and Fionna and devoted husband of Donna for over 20 years, and

WHEREAS, Jeff would share his vast knowledge of local history with other Schodack/Castletoneons by recalling the American House, Fort Orange, Harris Road, Pucker Street, who was related to whom, and other tid-bits on the area, and

WHEREAS, Jeff continues to demonstrate his commitment to the community by serving as a member of the Saint Paul's Methodist Church,

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Jeffrey J. Conlin, who has given himself to this community in so many ways and distinguished himself throughout his career bringing great pride to his family, his peers, his associates and his 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 9<sup>th</sup> day of December 2010 to acknowledge and honor Jeffrey J. Conlin, upon his retirement, for his 24 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to him.

**2010-374)**

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, Phil Hahn has distinguished himself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to his position of Highway Department Forman in the Town of Schodack, and

WHEREAS, Phil Hahn has been a life-long resident of the Town of Schodack and a graduate of Columbia High School class of 1970, and

WHEREAS, Phil was appointed to the Highway department on January 1, 1976, has served faithfully in this role under Highway Superintendents: Del Wright, George Leonard, Ronald Whelpley, Richard Pollock and Kenneth Holmes until his retirement on October 31, 2010, and

WHEREAS, Phil has demonstrated his love of family, by coaching his son's little league and bowling teams and his daughter's softball and bowling teams, and

WHEREAS, Phil demonstrated his commitment to the community as a former President of Nassau Little League and continues to demonstrate his commitment by serving as a life member of the Nassau Sportsman Club,

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Phil Hahn, who has given himself to this community in so many ways and distinguished himself throughout his career bringing great pride to his family, his peers, his associates and his 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 9<sup>th</sup> day of December 2010 to acknowledge and honor Phil Hahn, upon his retirement, for his 34 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to him.

**2010-375)**

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, Marcia Albert has demonstrated outstanding ability, established a high standard of integrity, and imparted a sense of fairness and compassion to her position as Police Dispatcher in the Town of Schodack, and

WHEREAS, Marcia was appointed as Police Dispatcher through the Comprehensive Employment and Training Act (CETA) program on January 11, 1981 and has served faithfully in this role under Police Chiefs: John Belardo, David Adams, David Schindler and Bernhard Peter until her retirement on October 31, 2010, and

WHEREAS, Marcia has demonstrated her love of family while raising her daughters, Tammy and Brandi, in the Town of Schodack, instilling in them a sense of family and pride and as a devoted grandmother to Charlie, sharing tales and photographs of their adventures together with great pride and enthusiasm, and

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Marcia Albert, who has given herself to this community in and distinguishing herself throughout her career, bringing great pride to her family, her peers, her associates and her community exhibiting 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 9<sup>th</sup> day of December 2010 to acknowledge and honor Marcia Albert, upon her retirement, for her 27 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to her.

**2010-376)**

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, Paul Puccio has distinguished himself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion as a member of Schodack, Questar III BOCES and Tech Valley High School Boards, and the Town of Schodack Planning Board, and

WHEREAS, Paul has been a life-long resident of the Town of Schodack and a graduate of Maple Hill High School class of 1965, and

WHEREAS, Paul served on the Schodack Central School District Board for 30 years, serving 10 years as president and is currently serving on the district's negotiation and communication committees, and

WHEREAS, Paul has been a member of the Questar III BOCES Board for the past 11 years and currently chairs the Board's audit committee, and

WHEREAS, Paul is the first-ever president of Tech Valley High School, a nationally-recognized school that emphasizes teaching 21<sup>st</sup> century skills in a project-based learning environment, and

WHEREAS, Paul serves as a Planning Board member to the Town of Schodack with 5 years credited to his 7 year term, he has worked diligently to provide the Town with a single document for the Comprehensive Plan, and

WHEREAS, the New York State School Boards Association's (NYSSBA) Distinguished Service Award is presented each year to a current or former

school board member from among the thousands in the state who has done the most for public education and the children of his or her community and is the highest tribute NYSSBA bestows upon a school board member, and WHEREAS, on October 21, 2010, at the NYSSBA's Annual Convention in New York City, Paul was presented with the Everett R. Dyer Award for Distinguished school board service from NYSSBA President Florence Johnson NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Paul Puccio, who has given himself to this community in so many ways and distinguished himself throughout his career bringing great pride to his family, peers, associates and 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 9<sup>th</sup> day of December 2010 to acknowledge and honor Paul Puccio, in recognition of his being awarded the 2010 New York State School Boards Association's (NYSSBA) Everett R. Dyer Award for distinguished school board service and for his service to the Town of Schodack. A copy of this resolution, suitably engrossed, will be presented to him by the Supervisor.

**2010-377)** Appoint Gary Ziegler, Building Inspector as the National Flood Insurance Program (NFIP) manager and further authorize the Town Clerk to notify the appropriate agencies.

**2010-378)** Authorize Jennifer Mulligan, CPA, Comptroller and Cherie Gitto, Staff Accountant to attend NYS GFOA Annual Conference April 6-8, 2011 in Albany, New York. Cost of the Conference and Seminar is \$375 each for a total of \$750. All appropriate expenses are to be borne by the Town. [as budgeted]

**2010-379)** Authorize the appropriation of the Federal Forfeiture Reserve Fund for the purchase of 3 Dell desktop computers for the Police Department for a total amount of \$3,226.50.

**2010-380)** WHEREAS, on October 14, 2010 by resolution 2010-327, the Schodack Town Board authorized the Supervisor to execute an option for the sale of the property known as the former Town hall, 1777 Columbia Turnpike, at the intersections of route 9&20 and Route 150 in the Town of Schodack; and

WHEREAS, a petition was timely filed with the Schodack Town Clerk, containing the signatures of town voters in excess of five percent of the number of voters for the office of Governor at the last general election; and

WHEREAS, said petition requested the Town Board to conduct a permissive referendum to determine a voter approval or disapproval of the execution of said option;

NOW, THEREFORE, be it resolved:

1. The referendum shall be held on January 20, 2011, for all qualified electors of the Town

2. The polling place for the election shall be the Schodack Town Hall at 265 Schuurman Road, Castleton-on-Hudson, New York.
3. The hours of voting shall be between 1 p.m. and 8 p.m.
4. The election inspectors shall be Rosemary Biondo, Gail Tobio, Joyce Axtmann, Joyce Davids, Emily Budesheim and Pamela Ulmer Broughton at the rate of \$10 per hour.
5. The Town Board hereby adopts the voter registration rolls maintained by the Board of Elections as the list of voters who shall be eligible to vote at this referendum.
6. The Town Clerk is hereby directed to give notice of such election by publication thereof in The Record, such publication to be at least 10 days prior to the date of such special election, and by posting on the signboard of the Town Clerk a copy of such notice at least 10 days before such special election.
7. The proposition presented to the electors shall be as follows:

Shall the action of the Schodack Town Board, by resolution number 2010-327, adopted October 14, 2010, authorizing the Town to enter into an option agreement with David Bryce for the sale of the former Town Hall property, located at the intersection of routes 9&20 and Route 150 for \$300,000.00 be approved?

Yes \_\_\_\_\_ No \_\_\_\_\_

8. The Town Clerk is hereby directed to oversee the special election and provide the necessary supplies for said special election in the form prescribed by state board of elections (Election law, §4-128(1))

**2010-381)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Name</u>	<u>Number of Units</u>
Carol Mann	1

**2010-382)** Full-time employees (non-union) shall be given the following holiday for the year 2011:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Friday	December 31, 2010	New Year's Day Observance

**2010-383)** Designate a Transfer Station holiday for year 2011 as follows:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Saturday	January 1	New Year's Day

**2010-384)** To authorize the Town Clerk to post the year-end meeting for the 29<sup>th</sup> day of December 2010 at 5 p.m. at the Schodack Town Hall.

**2010-385)** Authorize the selection of Empire Blue Cross Insurance of premium rates for Health Insurance coverage effective January 1, 2011 with monthly premiums as follows: Individual \$629.32 and family \$1,636.24.

**2010-386)** Authorize the selection of the \$15 co-pay Medicare Advantage Plan with Capital District Physicians' Health Plan, Inc. (CDPHP) with monthly premiums of \$281.80 effective January 1, 2011. All eligible retirees enrolled in CDPHP will be required to enroll in the Medicare Choice Plan, unless it costs the Town additional premiums over the Non-Medicare Eligible selected Plan.

**2010-387)** Authorize the selection of the \$25 HMO Choice Plan with Capital District Physicians' Health Plan, Inc. (CDPHP) with monthly premiums as follows: Employee \$515.21, Employee/Spouse or Domestic Partner \$1,030.41 and family \$1,339.56 effective January 1, 2011.

**2010-388)** Authorize Supervisor Dowds to execute and administer the following amended and restated plans effective January 1, 2011 administered by Capital Bauer: Flexible Benefits Plan Document, Premium Conversation Plan, Health Flexible Spending Account Plan and Dependent Care Spending Account Plan contingent upon review as to form by the Attorney to the Town.

**2010-389)** Authorize Laura Palmer, Assistant Comptroller to be added as an authorized signer on the Town bank accounts through May 31, 2011.

**2010-390)** Authorize Gary Ziegler, Building Inspector to attend the Northern Adirondack Code Enforcement Officials Association Conference at the Crown Plaza Hotel in Lake Placid, New York, March 6 -11, 2011. Cost is \$240.00. Lodging and other appropriate expenses are to be borne by the Town. [as budgeted]

**2010-391)** Authorize Supervisor Dowds to execute and administer Addendum No. 16 with Labarge Group for engineering services in connection with preparation of Map, Plan and Report for proposed extension (Mountain View Road) of Consolidated Water District 101 in an amount not to exceed \$6,500.00.

**2010-392)** WHEREAS, the State of New York has taken or is the process of taking a portion of the land owned by the Town of Schodack through the process of eminent domain for the purposes of replacing a culvert on the east side of State Route 150 (north of Poyneer Road); and

WHEREAS, the State has offered to pay the Town of Schodack the sum of \$200.00 for a portion of its property along State Route 150 as depicted on May 22, as Parcel 32 Fee; and

WHEREAS, an agreement, dated February 14, 2005, to the accept said money (an Agreement of Adjustment and Release of Owner) has been signed on behalf of the Town of Schodack by Beth Knauf Secor; and

WHEREAS, the Board of the Town of Schodack is the governing body of the Town of Schodack; and

WHEREAS, the Board is meeting on this 9<sup>th</sup> day of December, 2010, after proper notice to consider this matter; and

WHEREAS, the Board wishes to ratify the Agreement of Adjustment and

Amended by [2011-264] on  
9/22/11

Release of Owner and to appoint Dennis Dowds, as Supervisor, as the person to execute closing papers on behalf of the Town of Schodack;

IT IS, upon motion duly made and seconded, resolved this 9<sup>th</sup> day of December, 2010;

THAT, the Agreement of Adjustment and Release of Owner is hereby accepted and ratified;

THAT, Supervisor Dowds is hereby designated as the person to execute any and all closing papers with regard to this transfer to the State of New York.

**2010-393)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-1866 to 10-2027 on Abstract No. 11-10, in the amount of \$542,538.88, including the claims paid (\$141,566.45) since the previous town board meeting.

**2010-394)** Authorize budget amendments, budget transfers, interfund loans and interfund transfers as recommended by the Comptroller.

**December 13, 2010**

**2010-395) No Second. Motion not forwarded:** *"WHEREAS, Chapter 175 of the Town of Schodack Code (Water Regulations) provides for capital costs to be allocated to each parcel of property within the water district based on the assessed valuation, units or front footage of property along which water mains are constructed or a combination of these methods as approved by the Town Board, and*

*WHEREAS, the Town Board would like to further define the basis on which capital costs are to be allocated that is in accordance with the district's legal formation and/or method by which the capital costs were approved, and*

*WHEREAS, the Town Board has determined the water districts were formed or capital costs were approved on the benefit basis by assigning units to each parcel of property within the water districts, and*

*WHEREAS, the Town Board engaged the Laberge Group to review the method to establish capital unit assignments, and*

*WHEREAS, the Town Board would like to enact a policy that provides a definition of a unit for all Town Water Districts, except Water District No. 5 parcels related to the Agreement to Construct Public Water Supply Improvements and Sewer Collection Improvements dated April 5, 1999 between the Town of Schodack and Schodack Exit Ten, LLC and RNP Associates, Inc.*

*NOW THEREFORE IT BE RESOLVED that the Town Board of the Town of Schodack defines an equivalent dwelling unit (EDU), formally known as a capital unit, for all Town Water Districts, except Water District No. 5 parcels related to the Agreement to Construct Public Water Supply Improvements and Sewer Collection Improvements dated April 5, 1999 between the Town of Schodack and Schodack Exit Ten, LLC and RNP Associates, Inc., as follows:*

<u>Property Type</u>	<u>Equivalent Dwelling Unit (EDU) Assigned</u>
Exempt Properties	Cemetery without water use, Underwater Land, Catch Basins, and Access Roads
Vacant Residential	1 EDU
Single Family Residential	1 EDU
Multi-Family	1 EDU per Dwelling Unit
Hotel/Motel	1 EDU per 3 rooms
Commercial	3 EDU plus 1 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons*
Mixed Use	1 EDU per Dwelling Unit plus 3 EDU plus 1 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons*
Vacant Commercial	3 EDU
* Based upon actual water consumption for the period July 1 – June 30 preceding the adoption of the assessment roll or estimated water consumption for non-connected properties per DEC design flow guidelines as follows: .01 gallons/square foot/day for Warehouse/Storage Facilities or .1 gallons/square foot/ day.”	

**2010-396) No Second. Motion not forwarded:** “WHEREAS, the Town Board adopted Resolution 2010-367 defining equivalent dwelling units (EDU) for Town Water Districts, and

WHEREAS, the Town Board has determined that Commercial Properties benefit differently than Residential Properties in Consolidated Water District No. 101 (CWD101), and

WHEREAS, the Town Board has determined that the benefit of the infrastructure capital costs billed to Consolidated Water District No. 101 by the Schodack Town-Wide Water Supply Enterprise Fund will be allocated between residential and commercial properties based on a prescribed formula,

NOW THEREFORE IT BE RESOLVED that the Town Board has determined that Commercial Properties benefit differently than Residential Properties in Consolidated Water District No. 101 (CWD101) based on the following:

1. The water system as developed provides excess capacity far above the needs of residential development alone. This includes additional water main size, production capacity and storage.
2. Commercial Properties gain additional value for the ability to operate businesses that may otherwise be impossible without the capacity of a public water supply.
3. Commercial properties may provide water dependant services to visitors and customers while they are using the commercial properties.
4. Availability of public water and the accompanying fire protection inherently increases the value of commercial properties.

BE IT FURTHER RESOLVED the Town Board has determined that the benefit of the infrastructure capital costs billed to Consolidated Water District No. 101 by the Schodack Town-Wide Water Supply Enterprise Fund will be allocated between residential and commercial properties based on the following formula:

Step 1:	Benefit billed =	Infrastructure costs as determined annually by the Town Board pursuant to Contract Approving Sale of Water from Schodack Town-Wide Water Supply Enterprise Fund to Schodack Consolidated Water District No. 101 dated June 24, 2010 adopted by Resolution No. 2010-229.
Step 2:	Base EDU \$\$ Value =	Benefit billed divided by Total EDU's for CWD101
Step 3:	Residential EDU \$\$ Value =	(Base EDU \$\$ Value times 85%) rounded to nearest 10 dollars
Step 4:	Commercial EDU \$\$ Value =	Benefit billed – (Residential EDU \$\$ Value times Residential EDU's) divided by Commercial EDU's
Step 5:	Total Special Assessment levied to Residential Properties =	Residential EDU \$\$ Value times Residential EDU's
Step 6:	Total Special Assessment levied to Commercial Properties =	Commercial EDU \$\$ Value times Commercial EDU's"

**2010-397) No Second. Motion not forwarded:** “WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 1 (Clearview), and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 287 units and adopted on November 30<sup>th</sup> 2010 and filed in the office of the Town Clerk of the Town of Schodack.”

**2010-398) No Second. Motion not forwarded:** “WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 3 (Maplecrest) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-

on-Hudson, New York on the 30<sup>th</sup> of November 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 44 units and adopted on November 30<sup>th</sup> 2010 and filed in the office of the Town Clerk of the Town of Schodack.”

**2010-399) No Second. Motion not forwarded:** “WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll for Consolidated Water District No. 101 (formerly Water Districts Nos. 2a, 2b, 4, 5, 8 and 9) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November, 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED, that the said assessment roll be and the same is hereby affirmed for 343 units for residential parcels and 728 units for commercial parcels for a total of 1,071 units and adopted on November 30<sup>th</sup>, 2010 and filed in the office of the Town Clerk of the Town of Schodack.”

**2010-400) No Second. Motion not forwarded:** “WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 2A (Inglewood) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November, 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 33 units and adopted on November 30<sup>th</sup> 2010 and filed in the office of the Town Clerk of the Town of Schodack.”

**2010-401) No Second. Motion not forwarded:** *“WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 5 (Exit 10), and filed the same with the Town Clerk of the Town of Schodack, and*

*WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and*

*WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and*

*WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and*

*WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30th of November, 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,*

*NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 1,534 units and adopted on November 30<sup>th</sup>, 2010 and filed in the office of the Town Clerk of the Town of Schodack.”*

**2010-402) No Second. Motion not forwarded:** *“WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 8 (Schodack Center), and filed the same with the Town Clerk of the Town of Schodack, and*

*WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and*

*WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and*

*WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and*

*WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November, 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,*

*NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is*

hereby affirmed for 378 units and adopted on November 30<sup>th</sup> 2010 and filed in the office of the Town Clerk of the Town of Schodack.”

**2010-403) No Second. Motion not forwarded:** *“WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 9 (Highway Garage/Route 20) and filed the same with the Town Clerk of the Town of Schodack, and*

*WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and*

*WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and*

*WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and*

*WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November, 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,*

*NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 258 units and adopted on November 30<sup>th</sup> 2010 and filed in the office of the Town Clerk of the Town of Schodack. “*

**2010-404) WHEREAS, the Town of Schodack has completed a draft Comprehensive Plan, and**

WHEREAS, the Town of Schodack has completed and accepted the Route 9 Corridor Study, and

WHEREAS, the residents of the Town of Schodack have continually expressed their desire to implement the vision contain within both studies, and

WHEREAS, the community vision includes the development of a Town Center along Columbia Turnpike between the junction Routes 9 & 20 and the East Greenbush Town line, and

WHEREAS, the Town center will be planned utilizing the principles of Smart Growth by incorporating zoning overlay districts, complete streets, neighborhood connectivity supportive transit, bicycle and pedestrian friendly design standards, and a linkage of transit and land uses, and

WHEREAS, the application requires a minimum cash match of 25%,

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to develop and submit an application to the Capital District Transportation Committee for a 2011 Linkage Study Grant Program to support implementation steps towards the creation of a Town Center along Columbia and that the Town of Schodack will provide a cash match of up to \$12,500.

**2010-405)** WHEREAS, the Town Board will not be adopting the proposed methodology that was discussed during the public hearings held on November 30, 2010 for the benefit assignment of capital charges for the Town Water Districts, until a further review occurs and,

WHEREAS, the 2011 Adopted Budget reflected an allocation of capital charges to residential parcels and commercial parcels based on the proposed methodology, which needs to be corrected because it was not adopted and,

WHEREAS, the Town Board scheduled public hearings to seek input on the 2010 assessment rolls for December 29, 2010 at 7 pm and,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes an amendment to the 2011 Adopted Budget, to be submitted to Rensselaer County, for the following: increase SCW101 -1001 Unit Tax by \$354,269.39; decrease SCW101 – 1001Res Unit Tax – Residential \$97,440.00; decrease SCW101 - 1001Com Unit Tax - Commercial \$256,829.39 and,

FURTHER RESOLVED that the Town Board directs the Town Assessor to reflect the benefit unit assignments back to the 2009 assessment rolls with changes that would have occurred in the normal course of business during 2010.

**2010-406)** Authorize Town Clerk to publish legal notice of public hearing on proposed assessment rolls for the capital charges for Water Districts Number 1, 2a, 3, 5, 8, 9 and 101. Said hearing shall be held on Wednesday, December 29, 2010 at 5:15 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearings are concluded.

### **December 29, 2010**

**2010-407)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 1 (Clearview), and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m., December 13, 2010 at 7 p.m. and December 29, 2010 at 5:15 p.m. at the Schodack Town Hall located at 265

Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November and the 13<sup>th</sup> and 29<sup>th</sup> of December 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 281.53 units and adopted on December 29<sup>th</sup> 2010 and filed in the office of the Town Clerk of the Town of Schodack.

**2010-408)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 3 (Maplecrest) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m., December 13, 2010 at 7 p.m. and December 29, 2010 at 5:15 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November and the 13<sup>th</sup> and 29<sup>th</sup> of December 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 44 units and adopted on December 29<sup>th</sup> 2010 and filed in the office of the Town Clerk of the Town of Schodack.

**2010-409)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll for Consolidated Water District No. 101 (formerly Water Districts Nos. 2a, 2b, 4, 5, 8 and 9) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m., December 13, 2010 at 7 p.m. and December 29, 2010 at 5:15 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November and the 13<sup>th</sup> and 29<sup>th</sup> of December 2010, the time and place as specified in said notice to receive

and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED, that the said assessment roll be and the same is hereby affirmed for 1985 units and adopted on December 29<sup>th</sup>, 2010 and filed in the office of the Town Clerk of the Town of Schodack.

**2010-410)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 2A (Inglewood) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m., December 13, 2010 at 7 p.m. and December 29, 2010 at 5:15 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November, and the 13<sup>th</sup> and 29<sup>th</sup> of December 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 33 units and adopted on December 29<sup>th</sup> 2010 and filed in the office of the Town Clerk of the Town of Schodack.

**2010-411)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 5 (Exit 10), and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding

indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m., December 13, 2010 at 7 p.m. and December 29, 2010 at 5:15 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November, and the 13<sup>th</sup> and 29<sup>th</sup> of December 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 1,423 units and adopted on December 29<sup>th</sup>, 2010 and filed in the office of the Town Clerk of the Town of Schodack.

**2010-412)**

WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to water system in Water District No. 8 (Schodack Center), and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m., December 13, 2010 at 7 p.m. and December 29, 2010 at 5:15 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November, and the 13<sup>th</sup> and 29<sup>th</sup> of December 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 311 units and adopted on December 29<sup>th</sup> 2010

and filed in the office of the Town Clerk of the Town of Schodack.

**2010-413)** WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of improvements to the water system in Water District No. 9 (Highway Garage/Route 20) and filed the same with the Town Clerk of the Town of Schodack, and

WHEREAS, pursuant to Resolution 2009-378 adopted on August 27, 2009, it was determined by the Town Board of the Town of Schodack to be in the public interest to consolidate six existing water districts to be known as Consolidated Water District No. 101, and

WHEREAS, it was further determined that any costs of outstanding indebtedness for improvements to the districts consolidated would remain the obligation of each said district, and

WHEREAS, the Town Board caused due notice and publication of the completion of the assessment roll and of a hearing to be held by the Town Board to meet and consider any comments regarding said assessment roll to be held on November 30, 2010 at 7 p.m., December 13, 2010 at 7 p.m. and December 29, 2010 at 5:15 p.m. at the Schodack Town Hall located at 265 Schuurman Road, Castleton-on-Hudson, New York and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 30<sup>th</sup> of November, and the 13<sup>th</sup> and 29<sup>th</sup> of December 2010, the time and place as specified in said notice to receive and consider any comments regarding the assessment roll,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for 138 units and adopted on December 29<sup>th</sup> 2010 and filed in the office of the Town Clerk of the Town of Schodack.

**2010-414)** Authorize the establishment of Capital Project No. H035 for Extension to Consolidated Water District No. 101 – Mountain View Road Area with a budget as follows:

Appropriations in the amount of \$6,500.00 in account 8340.2 to be funded by an interfund loan from General Town-Wide Fund (A).

**2010-415)** 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:

Title	Name	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>Elected Officials</b>					
Town Board Member	Michael G. Kenney	7	6/24/10 – 12/31/10	N	1.65

**2010-416)** Authorize refund of special use permit fee in the amount of \$600.00 to Lyndsay Timkey, Owner/Operator of E and L Auto & Salvage Inc. for Planning Board #2010-35, as Lyndsay Timkey withdrew the application prior to consideration.

**2010-417)** Organizational Meeting of the Town Board will be held on January 6, 2011 at 7 p.m. at the Schodack Town Hall at 265 Schuurman Road.

**2010-418)** WHEREAS, Cole W. Hopper son of John and Joyce Hopper, on the 8<sup>th</sup> day of September, in the year two thousand ten, was promoted to Eagle Scout, the highest rank a boy can receive in scouting, and

WHEREAS, Cole started his journey in Cub Scouting as a Tiger Scout with Troop 166 in Nassau, New York, earning his Arrow of Light and Bobcat, Wolf and Bear Patches, and

WHEREAS, Cole is a member of Boy Scout Troop 166, and has earned 27 Merit Badges in his 12 years of Boy Scouting, and

WHEREAS, for his Eagle Scout project, Cole, chose to replace the older, severely deteriorated, sidewalk at St. Mary's Catholic Church in Nassau, New York. He accomplished this by planning, organizing and directing the construction, along with soliciting donations of concrete and other building materials in order to construct a new 90 foot long concrete sidewalk. Over 30 volunteers, who provided 200 man hours, were utilized to complete the project, and

WHEREAS, while attending high school, Cole participated in ski club, baseball and bowling leagues and worked for the Town of Schodack Summer Youth Recreation Program and Burger King. While working for Burger King he rose to the rank of Team Leader, and

WHEREAS, Cole graduated from Columbia High School in June of 2010 and is currently pursuing a degree in Communications and Public Relations at SUNY New Paltz, and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Schodack commends and congratulates Cole W. Hopper upon the auspicious occasion of being awarded the rank of Eagle Scout, Boy Scouts of America, and

BE IT FURTHER RESOLVED that Supervisor Dowds shall present a copy of this resolution, suitably engrossed, to Cole W. Hopper at his Court of Honor on January 8, 2011.

**2010-419)** Authorize the Supervisor to compensate Karen A. Vecchione, Deputy Town Clerk, for forty hours (40) at her current rate, not to exceed \$890.00, in lieu of compensatory time earned due to sick leave taken by the Town Clerk.

**2010-420)** Authorize Town Clerk to execute and administer a contract with General Code for an electronic document management system at a cost not to exceed \$5,800.00 [as budgeted].

**2010-421)** Approve the attached Transfer Station Fee schedule, to be effective January 1, 2011.

**2010-422)** RESOLVED, that pursuant to Section 6-c of the General Municipal Law, an amended, there is hereby established a capital reserve fund to be known as the "Highway Equipment Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of highway equipment.

The chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The chief fiscal officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Schodack. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund. Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c.

**2010-423)** WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said town on December 29, 2010 at 5 p.m. at the Schodack town hall to hear all interested parties on proposed Local Law Number 2 of 2010 relative to amending Chapter 109 of the Code of

Amended by [2011-085] on 2/10/11

the Town of Schodack, entitled *Dogs*, relative to dog licensing procedures and control., and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on December 13, 2010 and advertised in the December 15, 2010 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on December 29, 2010 at 5 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 hereof, and

WHEREAS, that the 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 2 of 2010 (P2 of 2010) to be known as Local Law 2 of 2010 of the Town of Schodack, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to enter said local law in the Code of the Town of Schodack and to give due notice of said local law to the Secretary of State.

**2010-424)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #10-2028 to 10-2067 on Abstract No. 13-10, in the amount of \$461,895.55, including the claims paid (\$411,133.80) since the previous town board meeting.

**2010-425)** Authorize Comptroller to execute all amendments to minutes, budget transfers, budget amendments, inter-fund loans, interest on inter-fund loans deemed necessary and reasonable to maintain positive account balances and fund availability and to comply with the provisions of the 2010 adopted Town of Schodack budget.