

January 12, 2023

2023-01 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.

2023-02 **RESOLVED**, that a credit card authority for this Organization be established by the Designated Officer named in the section immediately below with UMB Bank, N.A., and that separate accounts and credit cards (“Cards”) under said authority be opened and issued by Bank in the name of this Organization for use by employees and agents of this Organization who are identified from time to time by the Designated Officer, or by any successor to the Designated Officer identified from time to time by the Recordkeeper (or by the successor to the Recordkeeper), and that the Organization authorizes the use of the Cards in accordance with the Cardholder Agreement that is sent by Bank with the Cards; and

RESOLVED FURTHER, that Charles Peter, Town Supervisor is the Designated Officer referred to in the above section of this Resolution, and that the Designated Officer or any successor to the Designated Officer designated in writing by the Recordkeeper (or by a successor Recordkeeper) may from time to time: request that Cards be issued in the name of this Organization; request that the credit limits and purchase controls be changed on existing Cards issued in the name of this Organization; designate additional persons authorized to use Cards issued by Bank in the name of this Organization; request termination of use of existing Cards; and communicate other pertinent information to Bank; and

RESOLVED FURTHER, that the forgoing resolution shall remain in full force and effect until written notice of an amendment or rescission thereof is delivered to and received for by Bank; and

RESOLVED FURTHER, that the Recordkeeper be and he/she is hereby authorized and directed to certify to Bank this resolution and that the Recordkeeper signing this Resolution and Agreement or any person designated in writing by the Recordkeeper, is authorized to certify to the Bank the names and signatures of persons authorized to act on behalf of the Organization under the foregoing Resolution and Agreement, and from time to time hereafter, as additions to or changes in the identity of said Recordkeeper are made, such Recordkeeper or designee shall immediately report, furnish and certify such changes to the Bank, and shall submit to Bank a new incumbency certificate or other document reflecting such changes in order to make such changes effective; and

RESOLVED FURTHER, foregoing resolution was adopted in accordance with the governing documents of the Organization, resolution is now in full force and effect. resolution is now in full force and effect.

2023-03 Regular meetings of the Town Board will generally be held at 7 p.m. on the second and fourth Thursdays of each month, at the Schodack Town Hall at 265 Schuurman Road unless otherwise duly noticed, as follows:

January 12	July 13
January 26	No second meeting scheduled for July
February 9	August 10

February 23	August 24
March 9	September 14
March 23	September 28
April 13	October 12
April 27	October 26
May 11	November 9
May 25	No second meeting scheduled for November
June 8	December 14
June 22	December 28 Close of Business

- 2023-04** Designate the following banks as depositories for all Town funds for the calendar year 2023: Pioneer and Bank of Greene County.
- 2023-05** Supervisor Peter, 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.
- 2023-06** Ratify and affirm appointing Cheryl Simpson as Secretary to the Justice Court at the hourly rate of \$17.42 effective January 9, 2023.
- 2023-07** Supervisor's appointments:
As the post of Deputy Supervisor was created by the Town Board during 2002, pursuant to §42 of the Town Law, Supervisor Peter appoints James Bult Councilman as Deputy Supervisor;
- 2023-08** Appoint Dawne M. Kelly as Public Information Officer at salary as set forth in resolution 2022-344.
- 2023-09** Appoint Kenneth Holmes as Water/Sewer Manager on a part-time basis at an hourly rate as set forth in resolution 2022-344.
- 2023-010** Appoint Christopher Langlois, Esq of Girvin & Ferlazzo, P.C. as Attorney to the Town, at a remuneration of \$24,000.00.
- 2023-011** Appoint Kerrie D. Joiner as Human Resource Manager at an hourly rate as set forth in resolution 2023-344.

- 2023-012** Appoint Melissa A. Knights, Secretary to Planning/Zoning, continuing at an hourly rate as set forth in resolution 2022-344 for the interim period until position of Director is filled.
- 2023-013** Appoint Martha Reed, Secretary to Building Inspector, at annual salary as set forth in resolution 2022-344.
- 2023-014** Appoint Gary Ziegler, Part-time Temporary Town Building Inspector/Temporary Code Enforcement Officer at the hourly rate as set forth in resolution 2022-344.
- 2023-015** Appoint Thomas King as Town Building Inspector/Code Enforcement Officer, at the hourly rate as set forth in resolution 2022-352.
- 2023-016** Appoint Paul Harter, as Comptroller at annual salary as set forth in resolution 2022-344.
- 2023-017** Appoint Paul Harter, as Budget Officer at annual salary as set forth in resolution 2022-344.
- 2023-018** Appoint Paula Brearton as part-time Accountant (not to exceed 20 hours per week), at the hourly rate as set forth in resolution 2022-344.
- 2023-019** Appoint Laura Palmer as Assistant Comptroller on a part-time basis at the hourly rate of \$40.00 effective January 1, 2023.
- 2023-020** Appoint Kate Bielawa as Assistant Comptroller on a full-time basis at the hourly rate as set forth in resolution 2022-252 effective February 6, 2023.
- 2023-021** Pursuant to Article 3, Section 20(1)(a) of Town Law, the Justices hereby appoint Mary Spar as Justice Court Clerk on a full-time basis at the hourly rate as set forth in resolution 2022-344.
- 2023-022** Pursuant to Article 3, Section 20(1)(a) of Town Law, the Justices hereby appoint Cynthia Waters as Justice Court Clerk on a full-time basis at the hourly rate as set forth in resolution 2022-344.
- 2023-023** Appoint Joel Montross as Justice Court Officer on a part-time basis at hourly rate as set forth in resolution 2022-344.
- 2023-024** Appoint Sheila Golden as Director of Youth and Recreation at salary as set forth in resolution 2022-344.
- 2023-025** Appoint Maggie Banker as Dog Control Officer, on a non-employee basis, for an annual fee of \$10,000.00 as set forth in resolution 2022-352.
- 2023-026** Appoint Kevin Konig as full-time Director of Building and Grounds at the hourly rate as set forth in resolution 2022-344.

- 2023-027** Appoint Carl Ashby as part-time Park Attendant at an hourly rate as set forth in resolution 2022-344.
- 2023-028** 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 resolution 2022-344.
- 2023-029** Appoint Nicole A. Thomas as part-time janitorial staff at an hourly rate as set forth in resolution 2022-344.
- 2023-030** Pursuant to Article 2, Section 35 of the Town Law, the Tax Receiver hereby appoints Heidi Bushika (\$19.25/hr.) as Deputy Tax Receiver at an hourly rate as set forth in resolution 2022-344
- 2023-031** Pursuant to Article 3 Section 37 of the Town Law, the Tax Receiver hereby appoints Kelly Kendrick (\$14.81/hr.) as part-time Tax Clerk at an hourly rate as set forth in resolution 2022-344.
- 2023-032** Pursuant to Article 3 Section 37 of the Town Law, the Tax Receiver hereby appoints Jill Bonesteel (\$14.81/hr.) as part-time Tax Clerk at an hourly rate as set forth in resolution 2022-344.
- 2023-033** Appoint Ralph Southworth, Keith M. Boniface, Alan Roehr, Jr. and Dean Thomas as part-time police officers at an hourly rate as set forth in resolution 2022-344 and 2022-352 respectively.
- 2023-034** Appoint Jose Martinez as part-time Confidential Assistant to Police Chief (not to exceed 30 hours per week), at the hourly rate as set forth in resolution 2022-352.
- 2023-035** Appoint Melissa Knights and Dawne M. Kelly as part-time Board of Assessment Review Secretaries with compensation of their hourly rate per meeting per 2023 Adopted Budget.
- 2023-036** Authorize Supervisor Peter to execute and administer professional services agreement with Thomas MD Jones, for the year 2023, to provide information technology services to the Town Police Department at an hourly rate of \$100.00.
- 2023-037** Appoint Debra Curtis as Registrar of Vital Statistics and Melissa Hulsopple as Deputy Registrar of Vital Statistics pursuant to Section 4122 of the Public Health Law at salary set forth in resolution 2022-352.
- 2023-038** Appoint Debra L. Curtis ADA Coordinator for the calendar year 2023 at no additional compensation.

- 2023-039** Pursuant to Schodack Town Law Section 60.5 the Records Advisory Board shall consist of five members, being the Town Supervisor, the Town Historian, the Town Attorney, the Town Clerk and the Records Coordinator. Karen A. Vecchione is hereby appointed Records Coordinator at an hourly rate as set forth in resolution 2022-344.
- 2023-040** Appoint Kerrie D. Joiner Affirmative Action Coordinator for the calendar year 2023 at no additional compensation.
- 2023-041** Appoint Wayne Johnson as a member of the Planning Board. Term to expire on December 31, 2029.
- 2023-042** Appoint Denise Mayrer as Chair of the Planning Board for the calendar year 2023. (Town Law §271).
- 2023-043** Appoint Laura White-Rivers as a member of the Zoning Board of Appeals unexpired term to expires on December 31, 2024.
- 2023-044** Appoint Karen Rogers as a member of the Zoning Board of Appeals. Term expires on December 31, 2027.
- 2023-045** Appoint David Calarco as Chairman of the Zoning Board of Appeals for the calendar year 2023.
- 2023-046** Appoint Craig Crist, Esq., as Attorney for the Planning Board at a remuneration of \$20,957.00
- 2023-047** Appoint Craig Crist, Esq., as Attorney for the Zoning Board of Appeals at a remuneration of \$13,698.00
- 2023-048** **WHEREAS**, the Town Board wishes to designate and authorize an alternate to attend and to serve as attorney at Planning Board and/or Zoning Board of Appeals meetings in the event that the appointed Attorney is unable to attend such meeting;
- NOW, THEREFORE, IT IS HEREBY RESOLVED**, that Christopher Langlois, Esq., is hereby designated and authorized to attend and serve as Attorney at Planning Board and/or Zoning Board of Appeals meetings in the event that the appointed Attorney is unable to attend such meeting, at no additional compensation.
- 2023-049** Authorize the following individual for appointment to the Winter Youth Recreation Program, as recommended by the Director of Youth and Recreation for Pee Wee Wrestling – Thomas Gibbons and Geoff Scheilding at salary as set forth in resolution 2022-344.

- 2023-050** 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, pursuant to retainer agreement dated January 12, 2023, remuneration as set forth in the Year 2023 adopted budget (\$20,000.00).
- 2023-051** Pursuant to professional services agreement dated January 12, 2023, appoint Tabner, Ryan and Keniry, LLP as Special District Counsel and based on per hour fee schedule as follows: Partners \$285.00, Associates \$180.00 and Paralegals \$105.00.
- 2023-052** Authorize Supervisor Peter to execute and administer professional services agreement with the Vincelette Law Firm as Counsel, for the year 2023, to represent the Town on assessment related matters at an hourly rate of \$175.00.
- 2023-053** Authorize Supervisor Peter to execute and administer a professional services agreement with Executive Computing, LLC, for the year 2023, to provide information technology services to the Town at an hourly rate of \$120.00.
- 2023-054** Pursuant to Section 510 of the Town of Schodack Personnel and Procedure Handbook, direct Comptroller's office, the 2023 monthly cell phone reimbursement rate amount will be \$30.00 and pursuant to Section 506 the positions to receive reimbursement are as follows: Brian Brahm – Highway Superintendent, Shawn Zinzow – Water and Sewer Forman, Toby Goodall – Foreman, Charles Halvax – Water & Sewer Operator, Larry Perez – Senior Forman, Bruce Goodall – Transfer Station Director, John Lewis – Transfer Station Employee, Thomas King – Building Inspector, Kevin Konig – ~~Park Manage~~ Director of Building and Grounds and further direct that Sheila Golden – Youth Director will be provide a cell phone at a cost to the Town of Schodack and to amend Section 506 & 510 of the Town of Schodack Personnel Policy and Procedure Handbook (Expense Reimbursement & Telephone/Cell Phone...) to reflect same.
- 2023-055** Appoint Girvin & Ferlazzo, P.C. as Labor Counsel to the Town, pursuant to retainer agreement dated January 1, 2023. This authorization shall not exceed \$10,000.00 without further board approval.
- 2023-056** Appoint the following as Fire Marshals for 2023: Dawne M. Kelly - Town Hall; Kevin Konig - Police Station; and Joseph Cavanaugh - Highway Garage.
- 2023-057** Establish the mileage rate of 0.655 cents per mile pursuant to I.R.S. rate for the calendar year 2023.
- 2023-058** Designate **The Record** as official Town newspaper for the calendar year 2023 and to utilize The Eastwick Press and Times Union for legal notices and employment ads as practicable.

- 2023-059** Authorize Supervisor Peter to execute Individual Program Application, Agency Summary for Youth and Recreation with New York State Office of Children and Family Services for the Period of January 1 through December 31, 2023. Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance.
- 2023-060** Approve contracts and authorize Supervisor Peter to execute and administer contracts with Castleton Volunteer Ambulance Service, Inc., and Nassau Ambulance for provision of emergency medical services for 2023 as set forth in the Year 2023 adopted budget. Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance.
- 2023-061** Authorize Supervisor Peter to execute and administer 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 as set forth in the Year 2023 adopted budget. Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance.
- 2023-062** Approve contracts and authorize Supervisor Peter to execute contracts with the Castleton Public Library (\$176,000.00), East Greenbush Community Library (\$339,200.00), and Nassau Free Library (\$36,000.00) as set forth in the Year 2023 adopted budget. Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance.
- 2023-063** Authorize Supervisor Peter to execute and administer 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 \$5,000.00. Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance. (As budgeted)
- 2023-064** Authorize Supervisor Peter to execute contracts with the Edward C. Swartz Southern Tier Senior Center (\$5,000.00) and Castleton Senior Citizens (\$5,000.00) 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 to form and substance. (As budgeted)
- 2023-065** Authorize Supervisor Peter to execute contract with the Anchor (\$1,000.00) for establishment, maintenance and operation of programs devoted, in whole or in part, to the welfare of the needy citizens of the Town of Schodack. The terms and conditions of said contract are subject to the approval by Attorney to the Town as to form and substance. (As budgeted)

- 2023-066** Authorize Supervisor Peter to execute agreement on behalf of the Town of Schodack with the Rensselaer County STOP DWI program for the calendar year 2023. Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance.
- 2023-067** Authorize Supervisor Peter to execute and administer Addendum Number 2023-01 for professional services from the Laberge Group to assist the Town Board for 2023. Hourly rates for Planning and Zoning Board activities for 2023 are as follows: Principal/project manager \$224.00, Project Engineer \$156.00, Assistant Engineer \$117.00 and Administrative Assistant \$83.00, and Addendum Number 2023-01 for planning and zoning which is reimbursed through engineering escrow; Addendum Number 2023-02 for wastewater issues not to exceed \$10,000.00; Addendum Number 2023-03 for water issues not to exceed \$10,000.00; Addendum Number 2023-04 for Planning & Economic Development related issues not to exceed \$12,000.00 and Addendum Number 2023-05 for MS-4 administration (Municipal Stormwater Management) field work, coalition meetings and testing allowance services not to exceed \$48,900.00.
- 2023-068** 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, 2023.
- 2023-069** Authorize Charles J. Peter, to attend seminars for the Annual Meeting of the Associations of Towns of New York State February 19-22, 2023 with appropriate expenses to be borne by the Town.
- 2023-070** Authorize Charles J. Peter as the voting delegate for the Town of Schodack at the Annual Meeting of the Association of Towns of New York State.
- 2023-071** Authorize Supervisor Peter to execute and administer the Monitoring Service Contract with Rocket Monitoring Services to perform data collection and monitoring services on the Commercial AdvanTex® AX100 – TCOM Control Panel located in Sewer District No. 8 for a cost not to exceed \$1,200.00 and to provide monitoring on the VeriComm Panel located in Sewer District No. 5 for a cost not to exceed \$300.00.
- 2023-072** Authorize the appropriation of the Highway Equipment Capital Reserve Fund, established by Resolution 2010-422 in an amount not to exceed \$255,338.72 as follows:
- Single Axle Dump Truck for \$255,388.72 with a probable useful life of fifteen (15) years. This resolution is subject to permissive referendum as specified in GML §6-c.

2023-073 Authorize the purchase of a 2023 International, Model HV513, Single Axle Dump Truck with Everest Dump Body, Plow, Wing Plow with Material Spreader at a cost not to exceed \$255,338.72 from Navistar, Inc. pursuant to County of Onondaga Purchasing Contract No. 8996, contingent upon resolution #2023-072.

2023-074 Authorize Supervisor Peter to execute and administer an agreement with ADT to provide monitoring services at the Highway Garage, as described in a proposal dated January 5, 2023, for an amount not to exceed \$60.90 monthly for a 12-month period.

2023-075 Authorize Brian Brahm, Highway Superintendent to purchase a new initial NYVIPS CVIS unit, Level 2 OBD & Safety CVIS for the purpose of performing New York State vehicle inspections in an amount not to exceed \$1,695.00, and

Further authorize Supervisor Peter to execute and administer an agreement with Opus Inspection (Opus) to provide connectivity and maintenance support of (1) NYVIP3 CVIS to the extent of service network services, warranty and training services as described in agreement

2023-076 **WHEREAS**, New York State Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance workers (L2022, ch670,§1) which took effect immediately on December 9, 2023 when Governor Hochul signed the legislation, and

WHEREAS, Real Property Tax Law §466-a allows for an exemption of up to 10% of the assessed valuation of the primary residence of volunteer firefighters and/or volunteer ambulance workers the annual reduction is 10% of the volunteer's real property tax, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board shall authorize Town Clerk to publish a legal notice for a public hearing to seek public comment and hold a public hearing on proposed Local Law 2 of the year 2023, to authorize the extension of such exemption to the extent authorized by State Law. Said hearing to be held on Thursday, January 26, 2023 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road.

2023-077 Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on Proposed Local Law No. 3 of 2023 Amending Chapter 151 entitle Noise in the Town of Schodack. Said hearing to be held on Thursday, February 9, 2023 at the Schodack Town Hall at 7:05 p.m.

2023-078 **WITHDRAWN: WHEREAS**, *a map, plan and report has been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schodack relating to the establishment of Consolidated Water District 101, Extension No. 8 in the Town of Schodack, County of Rensselaer, State of New York; and*

WHEREAS, in connection with the creation of the Consolidated Water District 101, Extension No. 8 the Town of Schodack will need to review the environmental impact, if any, associated with the creation of the aforesaid District.

NOW, THEREFORE, IT IS:

RESOLVED, that the town board of the Town of Schodack be designated as lead agency with respect to the environmental review associated with the creation of the Consolidated Water District 101, Extension No. 8 pursuant to Part 617 of the State Environmental Quality Review Act; and it is further

RESOLVED, that the town supervisor be authorized to sign any and all documents associated with the environmental review regarding the creation of Consolidated Water District

2023-079

WITHDRAWN: WHEREAS, a map, plan and report has been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schodack relating to the establishment of Consolidated Water District 101, Extension No. 8 in the Town of Schodack, County of Rensselaer, State of New York; and

WHEREAS, in connection with the creation of Consolidated Water District 101, Extension No. 8 the Town of Schodack will need to review the environmental impact, if any, associated with the creation of the aforesaid Extension.

WHEREAS, such map, plan and report was prepared by Laberge Group Ltd., competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Consolidated Water District 101, Extension No. 8, the general plan of Consolidated Water District 101, Extension No. 8, and the various expenses to be charged for real property located within the Extension; and

WHEREAS, the establishment of Consolidated Water District 101, Extension No. 8, requires compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations of the Department of Environmental Conservation, Part 617, State Environmental Quality Review Act, and the Town of Schodack has previously established that the Town Board act as lead agency in a coordinated review with the Involved Agencies and Interested Agencies for the review of plans and environmental impact, if any, of the proposed Consolidated Water District 101, Extension No. 8; and

WHEREAS, the Involved Agencies and Interested Agencies have been informed of the adoption by the Town of Schodack of a resolution dated December 8, 2022 in which the Town Board declared its intent to serve as Lead Agency in a coordinated manner with the Involved Agencies and Interested Agencies; and

WHEREAS, the Involved Agencies and Interested Agencies have either consented to the Schodack Town Board acting as the Lead Agency for this project or have not responded within the required time frame to object to the Lead Agency designation by the Schodack Town Board.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Schodack as lead agency has determined that the establishment of Consolidated Water District 101, Extension No. 8 as described in the map, plan and report prepared by Laberge Group Ltd. is a Type 1 Action and that establishment of the proposed Consolidated Water District 101, Extension No. 8 will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of Schodack be authorized to execute the Long Form Environmental Assessment Form with respect to the determination that the establishment of Consolidated Water District 101, Extension No. 8 is a Type 1 Action and that the establishment of Consolidated Water District 101, Extension No. 8 will not result in any significant adverse environmental impacts;
2. Based on its examination of the EAF, the criteria set forth in Sections 617.6 and 617.7 of the regulations, and such further investigation as the town board has deemed appropriate, no potential significant adverse environmental impacts are known;
3. Consent to proceed with the establishment of Consolidated Water District 101, Extension No. 8 will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;
4. A negative declaration is to be signed by the supervisor;
5. The Town Clerk of the Town of Schodack is hereby directed to cause to be filed and circulated the negative declaration in accordance with the requirements of SEQRA, a copy of the negative declaration shall be maintained in the Office of the Town Clerk in a file that will be readily accessible to the public, and the clerk shall mail copies, return receipt requested, to:

Office of the Commissioner
Department of Environmental Conservation
625 Broadway
Albany, New York 12233

and Environmental Notice Bulletin
NYSDEC – Attn: Jack Nasca
625 Broadway, 4th Floor
Albany, New York 12233-1750

6. All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

2023-080

WITHDRAWN: WHEREAS, a map, plan and report relating to the establishment of Town of Schodack Consolidated Water District 101, Extension No. 8 prepared by Laberge Group, Ltd., competent engineers, duly licensed by the State of New York, in manner and detail as determined by the Town Board of the Town of Schodack has been filed with the Town Clerk of the Town of Schodack in accordance with the requirements of the Town Law; and

WHEREAS, an Order was adopted by the Town Board of the Town of Schodack on December 8, 2022, reciting the filing of the map, plan and report, the boundaries of the proposed water district extension, the improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office in said Town for public inspection, and all other matters required by law to be stated; and

WHEREAS, the order set January 12, 2023, at 7:05 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, as the date, time and place of the public meeting to consider the map, plan and report, and to hear all persons interested in the subject, and to take action as required and authorized by law; and

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

WHEREAS, a hearing on the matter was held by the Town Board on the 12th day of January, 2023 beginning at 7:05 p.m. and the matter being fully discussed and all interested persons having been duly heard.

NOW, THEREFORE, IT IS RESOLVED AND DETERMINED:

- That the Notice of Public Hearing was published and posted as required by law and is otherwise sufficient;
- That all property and property owners within the limits of the proposed water district extension are benefitted thereby;
- That all property and property owners benefitted are included within the limits of the proposed water district extension;
- That it is in the public interest to establish said Town of Schodack Consolidated Water District 101, Extension No. 8;
- That the estimated cost of hookup fees shall equal Three Hundred and 00/100 (\$300.00) Dollars plus the purchase of an approved water meter; all constructions costs from the structure to the water tap are the responsibility of the property owners;

- *That Rensselaer County is funding the capital costs for this project and as a result there will be no additional debt incurred by Consolidated Water District 101 with respect to the creation of this water district extension;*
- *That nine parcels located within the proposed Consolidated Water District 101, Extension 8 shall participate with the repayment of the existing debt within the aforesaid Consolidated Water District 101 based upon the equivalent dwelling unit methodology in effect for Consolidated Water District 101 in the first year following the creation of this water district extension;*
- *That one parcel located in this water district extension is unimproved and vacant, and as a result operation and maintenance expenses for 2023 for the remaining eight parcels located within the proposed Consolidated Water District 101, Extension 8 for the first year shall equal Forty-Five and 00/100 (\$45.00) Dollars per quarter for the first 18,000 gallons of water consumed and Three Dollars and 00/100 (\$3.00) Dollars per 1,000 gallons over 18,000 gallons in the first year following the creation of this water district extension, or shall be in accordance with the rates approved by the Town Board should connection not occur within 2023;*
- *That pursuant to Section 209-f of the Town Law, approval of the New York State Comptroller will not be required for establishing Consolidated Water District 101, Extension 8 because Rensselaer County is paying all capital costs associated with the creation of this water district extension and since no additional debt through the issuance of bonds, notes, certificates or other evidences of indebtedness will be incurred or paid by the town therefor and that no debt service is proposed to be assumed pursuant to subdivision 12 of Section 198 of the Town Law; and it is*

FURTHER RESOLVED AND DETERMINED that the establishment of Town of Schodack Consolidated Water District 101, Extension No. 8, as set forth in the map, plan and report be approved and that the requested improvements be constructed and the necessary easements be obtained; and it is

FURTHER RESOLVED AND DETERMINED that this resolution shall be subject to a permissive referendum in the manner provided in Article Seven of the Town Law.

2023-081

Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on Proposed Local Law No. 1 of 2023 Amending Chapter 90 entitle Code in the Town of Schodack by deleting and repealing Chapter 90 and replacing it with a new chapter to provide for administration and enforcement of the New York State Uniform Fire Prevention and Building Code. Said hearing to be held on Thursday, February 9, 2023 at the Schodack Town Hall at 7:15 p.m.

- 2023-082** Authorize Kerrie Joiner, Human Resource Manager to post internally the full-time positions of Deputy Town Clerk for the Town of Schodack and allow the Supervisor to advertise in the official Town newspaper as necessary.
- 2023-083** Authorize the purchase of WatchGuard Firebox T40 with 3-yr Total Security Suite Item No. 22Z-00T-002Y6 at the Police Department from NewEgg for a cost not to exceed \$2,118.99. [Budgeted A-3120.4]
- 2023-084** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-0001 to 23-0112 on Abstract No. 2023-01, in the amount of \$403,178.75, including the claims paid (\$4,207.60) since the previous town board meeting.
- 2023-085** Authorize the December 2022 budget modifications, interfund loans and interfund transfers as provided in document dated January 2023 and recommended by the Comptroller.
- 2023-086** Authorize the Supervisor to execute a Quitclaim Deed on behalf of the Town to Susan Kugler, Marilyn Clopman, and Robert Cohen transferring title to approximately 13,277 square feet of land adjacent to the Saddle Club Hill subdivision to correct a description error between the parties' respective parcels, subject to Town Attorney approval as to form and substance.

January 26, 2023

- 2023-087** **WHEREAS**, Laberge Group, a duly licensed Engineering firm permitted to practice in the State of New York had previously been retained to prepare Contract Documents for Water District No. 10 –Water System Improvements (Project) which will replace the existing private company water system with a Town operated system, and
- WHEREAS**, Laberge Group has prepared the required Contract Documents necessary for the Projects, and
- WHEREAS**, the Board does hereby accept and approve the Contract Documents for bidding, and
- WHEREAS**, the Contract Documents inform potential bidders that the Town has not yet received all required governmental approvals and the Town will not be responsible for any costs incurred by any Bidder if the Town is unable to award the Project, and the
- NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is authorized to advertise for construction bids for the Project using the Contract Documents approved by the with a bid opening date of March 2, 2023 at 11:00 A.M.

- 2023-088** Authorize Supervisor Peter to execute and administer an annual maintenance agreement for the period of January 1 through December 31, 2023 with B & L Control Service Inc. for assistance, service and chemical products to treat the heating and cooling loops and cooling tower in an amount not to exceed \$3,900.00 for Town Hall, 265 Schuurman Road.
- 2023-089** Authorize Supervisor Peter to execute and administer a land and easement purchase agreement with Joel O'Neil for a pump station location in conjunction with the Maple Hill Road Sewer project being undertaken by the County and file necessary documents in Rensselaer County Clerk's Office when appropriate.
- 2023-090** Amend resolution 2022-352 as adopted December 29, 2022 to provide that the \$10,000 allocated for Dog Control Officer services shall be an annual fee expense for the calendar year 2023.
- 2023-091** **WITHDRAWN:** *WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on January 26, 2023 at 7:30 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 2 of 2023 Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers in the Town of Schodack, and*
- WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on January 16, 2023 and advertised in the January 16, 2023 edition to THE RECORD, official newspaper of the Town, and*
- WHEREAS, said public hearing was held on January 26, 2023 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 thereof, it is hereby*
- WHEREAS, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,*
- NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 2 of 2023 (P2-2023) to be known as Local Law _ of 2023 Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers in the Town of Schodack, and*
- BE IT FURTHER RESOLVED, that the Town Clerk, be and is hereby directed to enter said local law into the Code of the Town of Schodack and to give due notice to said local law to the Secretary of State.*
- 2023-092** Pursuant to Article 7 Section 140 of the Highway Law, the Highway Superintendent hereby appoints Kevin Webb, subject to final approval by the Rensselaer County Civil Service Commission, as an Operator 2, at an hourly rate as set forth in the Year 2023 adopted budget. Said appointment is effective as of February 6, 2023.

February 9, 2023

2023-093 **Withdrawn: WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on February 9, 2023 at 7:05 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 3 of 2023 Amending **Chapter 151 entitled Noise in the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on January 30, 2023 and advertised in the January 30, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on February 9, 2023 at 7:05 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

WHEREAS, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 3 of 2023 (P3-2023) to be known as Local Law 1 of 2023 Noise in the Town of Schodack, and

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

2023-094 **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on February 9, 2023 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 4 of 2023 Amending **Chapter 90 entitled Building Code Administration in the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on January 30, 2023 and advertised in the January 30, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on February 9, 2023 at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

WHEREAS, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 4 of 2023 (P4-2023) to

be known as Local Law 2 1 of 2023 Building Code Administration in the Town of Schodack, and

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

2023-095

WHEREAS, pursuant to the franchise agreement between Time Warner Cable (“TWC”) (now known as Charter Communications) and the Town of Schodack, TWC/Charter 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 2022 TWC/Charter paid the Town of Schodack \$93,383.92 in franchise fees, and

WHEREAS, TWC/Charter was levied a total of \$2,945.93 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/Charter Tax Department returned the Town’s Special Franchise tax bill, and

WHEREAS, TWC/Charter 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 2023 from the franchise fees paid during 2022,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of \$2,945.93 to Rensselaer County Bureau of Finance based on the 2022 TWC/Charter Utility report on said franchise properties assessed within the Town of Schodack.

- 2023-096** Amend resolution 2022-347 as adopted on December 8, 2022 as follows: Amend resolution 2022-055, as adopted on January 6, 2022, to reflect and not to exceed amount of **\$16,500.00** as follows: Appoint Girvin & Ferlazzo, P.C. as Labor Counsel to the Town, pursuant to retainer agreement dated January 3, 2022. This authorization shall not exceed ~~\$40,000.00~~ **\$26,500.00** without further board approval. [A-fund fund balance]
- 2023-097** **Withdrawn:** *Authorize Supervisor Peter to execute and administer a shared services agreement by and between the Town of Schodack and Rensselaer County dated January 1, 2023.*
- 2023-098** Approve the list of Volunteer Ambulance Workers Service Award Program Participants for all 2022 active Volunteer Ambulance Workers of the Castleton Volunteer Ambulance Service Inc., as submitted.
- 2023-099** Authorize Supervisor Peter to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub 654a copier on the third floor at the Town Hall, ID # 770GF, for the period February 2, 2023 to February 1, 2024 for \$1,166.88 annually. Contract includes 168,000 copies annually with an overage charge of \$0.00767 per copy.
- 2023-0100** Authorize Supervisor Peter to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for both the Konica Minolta Bizhub 284E copier in the Town Clerk's office, ID#731FL and for the Muratec MFX 3530 printer for Justice Court, ID#227FN, combined contract, for the period February 24, 2023 to February 23, 2024 for \$591.02 annually. Contract includes 30,660 copies annually with an overage charge of legal \$0.01932 per copy.
- 2023-0101** **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 30th day of January, 2023 received notice that Ryan Hoffman, owner of the business known as Pizza Trail, LLC is applying for an 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,

WHEREAS, pursuant to Alcohol Beverage Control Law §64(2A), an applicant must give the municipality thirty (30) day notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Schodack, that with respect to the application submitted by Ryan Hoffman doing business as Pizza Trails at 1685 US Rt. 9, 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, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Schodack hereby waives the thirty (30) day notice period in regard to Pizza Trails LLC at 1685 US Rt. 9, Schodack, New York allowing an earlier submission of the liquor license application.

2023-0102 Authorize refund of building permit fee in the amount of \$250.00 to SG Dharma Bums LLC for Building Permit Application, as Valarie Feldman, withdrew her request of a certificate of compliance inspection.

2023-0103 Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 2 of 2023 to amend Chapter 219 of the Schodack Town Code to permit residential garages in Highway Commercial Zones in the Town of Schodack. Said hearing to be held on Thursday, February 23, 2023 at the Schodack Town Hall at 7:05 p.m.

2023-0104 Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 3 of 2023 to amend Chapter 175 entitled Water Regulations of the Schodack Town Code in the Town of Schodack. Said hearing to be held on Thursday, February 23, 2023 at the Schodack Town Hall at 7:15 p.m.

2023-0105 **WHEREAS**, Laberge Group, a duly licensed Engineering firm permitted to practice in the State of New York had previously been retained to prepare Contract Documents for the Water Plant Bridge(Project) which will install a replacement bridge span for that destroyed in July 2021, as well as remove the temporary bridge span, and

WHEREAS, Laberge Group has prepared the required Contract Documents necessary for the Projects, and

WHEREAS, the Board does hereby accept and approve the Contract Documents for bidding, and

WHEREAS, the Contract Documents inform potential bidders that the Town has not yet received all required governmental approvals and the Town will not be responsible for any costs incurred by any Bidder if the Town is unable to award the Project, and the

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is authorized to advertise for construction bids for the Project using the Contract Documents approved by the with a bid opening date of March 9, 2023 at 11:00 A.M.

2023-0106 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, Laura Nardone Palmer has distinguished herself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to her position of Assistant Comptroller in the Town of Schodack, and

WHEREAS, Laura grew-up in Peekskill, New York and attended Hendrick Hudson High School, and

WHEREAS, Laura became a long-time resident of the Town of Schodack shortly after graduating from Siena College where she had studied accounting, and

WHEREAS, Laura began her career in the capital district as a full-time Tax Officer with Key Bank, NA, and

WHEREAS, in 2000 and 2001 Laura Palmer served the Town of Schodack as a Budget Officer, and

WHEREAS, on December 23, 2002 the Town Board of the Town of Schodack authorized the hiring of Laura Palmer as Comptroller in Training, and

WHEREAS, Laura assumed the position of Comptroller in Training on January 1, 2003 and position of Assistant Comptroller on January 1, 2004 as has served faithfully in this role under Supervisors: Eileen Natoli, Beth Secor, Dennis Dowds, David Harris and Charles Peter, until her retirement on February 16, 2023, and

WHEREAS, from early on, Laura demonstrated her commitment to the community by serving as a member of Sacred Heart Church, and

WHEREAS, Laura has been known for practically living at Town Hall, often arriving well before anyone else and staying late to tie-out the latest excel sheets she has been working on, making sure every service tap, curb box, nut, bolt and appurtenance are properly assigned to the fund it should be, and

WHEREAS, Laura has demonstrated her love of family by being the proud mother of Ryan, Michaela and Mathew, mother-in-law to Katie, Joe and Angela and super proud Oma to Michael and Patrick, Carmella and Jonathan and a loving and devoted wife of Keith ("Tee"), and often shares her love for family, gatherings, desserts and gardening with her coworkers and friends,

WHEREAS, it surely comes as no surprise, she will greatly miss her fellow employees, along with having snacks readily available in her drawer, reading contracts and analyzing map, plans and reports

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Laura Nardone Palmer, who has given herself to this community in so many ways and distinguished herself throughout her career bringing great pride to her family, her peers, her associates and her 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 9th day of February 2023 to acknowledge and honor Laura Palmer, upon her retirement, for her 20 plus years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to her.

2023-0107 Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-0107 to 23-0266 on Abstract No. 2023-02, in the amount of \$2,088,368.09, including the claims paid \$58,884.10.

2023-0108 Authorize the January 2023 budget modifications, interfund loans and interfund transfers as provided in document dated February 2023 and recommended by the Comptroller.

February 23, 2023

2023-109 Ratify and affirm appointing Martha Reed as Assistant to Assessor, at an hourly rate of \$21.00 effective February 20, 2023.

2023-110 Appoint Perry Natale as Police Chief, at an annual salary of \$97,000.00 effective February 27, 2023.

2023-111 Authorize Supervisor Peter to submit a 211 Waiver Application for Police Chief Perry Natale to the New York State Civil Service Commission for approval.

2023-112 WHEREAS, a map, plan and report has been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schodack relating to the establishment of Consolidated Water District 101, Extension No. 8 in the Town of Schodack, County of Rensselaer, State of New York; and

WHEREAS, in connection with the creation of the Consolidated Water District 101, Extension No. 8 the Town of Schodack will need to review the environmental impact, if any, associated with the creation of the aforesaid District.

NOW, THEREFORE, IT IS:

RESOLVED, that the town board of the Town of Schodack be designated as lead agency with respect to the environmental review associated with the creation of the Consolidated Water District 101, Extension No. 8 pursuant to Part 617 of the State Environmental Quality Review Act; and it is further

RESOLVED, that the town supervisor be authorized to sign any and all documents associated with the environmental review regarding the creation of Consolidated Water District 101, Extension No. 8 pursuant to Part 617 of the State Environmental Quality Review Act.

2023-113

WHEREAS, a map, plan and report has been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schodack relating to the establishment of Consolidated Water District 101, Extension No. 8 in the Town of Schodack, County of Rensselaer, State of New York; and

WHEREAS, in connection with the creation of Consolidated Water District 101, Extension No. 8 the Town of Schodack will need to review the environmental impact, if any, associated with the creation of the aforesaid Extension.

WHEREAS, such map, plan and report was prepared by Laberge Group Ltd., competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Consolidated Water District 101, Extension No. 8, the general plan of Consolidated Water District 101, Extension No. 8, and the various expenses to be charged for real property located within the Extension; and

WHEREAS, the establishment of Consolidated Water District 101, Extension No. 8, requires compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations of the Department of Environmental Conservation, Part 617, State Environmental Quality Review Act, and the Town of Schodack has previously established that the Town Board act as lead agency in a coordinated review with the Involved Agencies and Interested Agencies for the review of plans and environmental impact, if any, of the proposed Consolidated Water District 101, Extension No. 8; and

WHEREAS, the Involved Agencies and Interested Agencies have been informed of the adoption by the Town of Schodack of a resolution dated December 8, 2022 in which the Town Board declared its intent to serve as Lead Agency in a coordinated manner with the Involved Agencies and Interested Agencies; and

WHEREAS, the Involved Agencies and Interested Agencies have either consented to the Schodack Town Board acting as the Lead Agency for this project or have not responded within the required time frame to object to the Lead Agency designation by the Schodack Town Board.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Schodack as lead agency has determined that the establishment of Consolidated Water District 101, Extension No. 8 as described in the map, plan and report prepared by Laberge Group Ltd. is a Type 1 Action and that establishment of the proposed Consolidated Water District 101, Extension No. 8 will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of Schodack be authorized to execute the Long Form Environmental Assessment Form with respect to the determination that the establishment of Consolidated Water District 101, Extension No. 8 is a Type 1 Action and that the establishment of Consolidated Water District 101, Extension No. 8 will not result in any significant adverse environmental impacts;
2. Based on its examination of the EAF, the criteria set forth in Sections 617.6 and 617.7 of the regulations, and such further investigation as the town board has deemed appropriate, no potential significant adverse environmental impacts are known;
3. Consent to proceed with the establishment of Consolidated Water District 101, Extension No. 8 will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;
4. A negative declaration is to be signed by the supervisor;
5. The Town Clerk of the Town of Schodack is hereby directed to cause to be filed and circulated the negative declaration in accordance with the requirements of SEQRA, a copy of the negative declaration shall be maintained in the Office of the Town Clerk in a file that will be readily accessible to the public, and the clerk shall mail copies, return receipt requested, to:
Office of the Commissioner
Department of Environmental Conservation
625 Broadway
Albany, New York 12233
and
Environmental Notice Bulletin
NYSDEC – Attn: Jack Nasca
625 Broadway, 4th Floor
Albany, New York 12233-1750
6. All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

2023-114

WHEREAS, a map, plan and report relating to the establishment of Town of Schodack Consolidated Water District 101, Extension No. 8 prepared by Laberge Group, Ltd., competent engineers, duly licensed by the State of New York, in manner and detail as determined by the Town Board of the Town of Schodack has been filed with the Town Clerk of the Town of Schodack in accordance with the requirements of the Town Law; and

WHEREAS, an Order was adopted by the Town Board of the Town of Schodack on December 8, 2022, reciting the filing of the map, plan and report, the boundaries of the proposed water district extension, the improvements proposed, the estimated expense thereof, the proposed method of financing,

the fact that the map, plan and report are on file in the Town Clerk's Office in said Town for public inspection, and all other matters required by law to be stated; and

WHEREAS, the order set January 12, 2023, at 7:05 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, as the date, time and place of the public meeting to consider the map, plan and report, and to hear all persons interested in the subject, and to take action as required and authorized by law; and

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

WHEREAS, a hearing on the matter was held by the Town Board on the 12th day of January, 2023 beginning at 7:05 p.m. and the matter being fully discussed and all interested persons having been duly heard.

NOW, THEREFORE, IT IS RESOLVED AND DETERMINED:

- That the Notice of Public Hearing was published and posted as required by law and is otherwise sufficient;
- That all property and property owners within the limits of the proposed water district extension are benefitted thereby;
- That all property and property owners benefitted are included within the limits of the proposed water district extension;
- That it is in the public interest to establish said Town of Schodack Consolidated Water District 101, Extension No. 8;
- That the estimated cost of hookup fees shall equal Three Hundred and 00/100 (\$300.00) Dollars plus the purchase of an approved water meter; all constructions costs from the structure to the water tap are the responsibility of the property owners;
- That Rensselaer County is funding the capital costs for this project and as a result there will be no additional debt incurred by Consolidated Water District 101 with respect to the creation of this water district extension;
- That nine parcels located within the proposed Consolidated Water District 101, Extension 8 shall participate with the repayment of the existing debt within the aforesaid Consolidated Water District 101 based upon the equivalent dwelling unit methodology in effect for Consolidated Water District 101 in the first year following the creation of this water district extension;
- That one parcel located in this water district extension is unimproved and vacant, and as a result operation and maintenance expenses for 2023 for the remaining eight parcels located within the proposed Consolidated Water District 101, Extension 8 for the first year shall equal Forty-Five and 00/100 (\$45.00) Dollars per quarter for the first 18,000 gallons of water consumed and Three Dollars and 00/100 (\$3.00) Dollars per 1,000 gallons over 18,000 gallons in the first year following the creation of this water district extension, or shall be in accordance with the rates approved by the Town Board should connection not occur within 2023;

- That pursuant to Section 209-f of the Town Law, approval of the New York State Comptroller will not be required for establishing Consolidated Water District 101, Extension 8 because Rensselaer County is paying all capital costs associated with the creation of this water district extension and since no additional debt through the issuance of bonds, notes, certificates or other evidences of indebtedness will be incurred or paid by the town therefor and that no debt service is proposed to be assumed pursuant to subdivision 12 of Section 198 of the Town Law; and it is

FURTHER RESOLVED AND DETERMINED that the establishment of Town of Schodack Consolidated Water District 101, Extension No. 8, as set forth in the map, plan and report be approved and that the requested improvements be constructed and the necessary easements be obtained; and it is

FURTHER RESOLVED AND DETERMINED that this resolution shall be subject to a permissive referendum in the manner provided in Article Seven of the Town Law.

2023-115 Addendum from Richard Laberge Authorize Supervisor Peter to execute and administer Addendum Number 2020051-03 for professional services from the Laberge Group to assist the Town of Schodack for the NYSEFC (NYWIIA) Grant - Battisti Project in an amount not to exceed \$20,000.00.

2023-116 Appoint Barclay Damon LLP as Bond Counsel in accordance with 2023 fee schedule.

2023-117 ***WITHDRAWN: WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on February 23, 2023 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 5 of 2023 Amending Chapter 219 § 99(A)(1) entitled Nonconforming uses in the Town of Schodack, and***

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on February 13, 2023 and advertised in the February 13, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on February 23, 2023 at 7:05 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

WHEREAS, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 5 of 2023 (P5-2023) to be known as Local Law 2 of 2023 Nonconforming uses in the Town of Schodack, and

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

2023-118 **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on February 23, 2023 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 6 of 2023 Amending **Chapter 175 entitled Water Regulations in the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on February 13, 2023 and advertised in the February 13, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on February 23, 2023 at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

WHEREAS, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 6 of 2023 (P6-2023) to be known as Local Law \S 2 of 2023 Water Regulations in the Town of Schodack, and

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

2023-119 Authorize Kerrie Joiner, Human Resource Manager to post internally the full-time positions of Secretary to Planning/Zoning/Building Departments for the Town of Schodack and allow the Supervisor to advertise in the official Town newspaper as necessary.

2023-120 Pursuant to Article 3 Section 30 of the Town Law, the Town Clerk hereby appoints Bridget Baptiste Deputy Town Clerk at the hourly rate set forth in resolution 2022-344. Term to run concurrent with the term of Town Clerk and expires December 31, 2023. Effective March 6, 2023.

2023-121 **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on January 26, 2023 at 7:30 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 2 of 2023 Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers **in the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on January 16, 2023 and advertised in the January 16, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on January 26, 2023 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 thereof, it is hereby

WHEREAS, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 2 of 2023 (P2-2023) to be known as Local Law 3 of 2023 Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers in the Town of Schodack, and

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

March 9, 2023

2023-122 **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on February 23, 2023 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 5 of 2023 Amending **Chapter 219 § 99(A)(1) entitled Nonconforming uses in the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on February 13, 2023 and advertised in the February 13, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on February 23, 2023 at 7:05 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

WHEREAS, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 5 of 2023 (P5-2023) to be known as Local Law 4 of 2023 Nonconforming uses in the Town of Schodack, and

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

2023-123 Authorize Brian Brahm and Charles Halvax Water Operators to attend 44th Annual New York Rural Water Association's Technical Conference, May 22nd through May 24th at the Lake Placid Conference Center, Lake Placid, NY. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town per the 2022 adopted Town Budget, with are estimated cost of \$1,316.00.

2023-124 The Town of Schodack imposes the following conditions, on the management of water/sewer lines located along water main from Graw Road travelling east through the lands of Kristina Macyowskie and Scott Simpson within an agricultural district, maps of which are attached to this resolution showing the boundaries of the agricultural district in relation to the parcels indicated:

- (1) The only land and/or structures which will be allowed to connect to the proposed waterline or sewer within an agricultural district will be existing structures at the time of construction, future agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the date of filing of the Notice of Intent by the municipality.

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, special permit) is needed to move forward with project plans and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a "subdivision," in part, as "any tract of land which is divided into five or more parcels." Water and/or sewer service will not be provided to more than a total of four residences, buildings and/or structures on any tract of land which has been divided into parcels after the date of filing of the NOI by the municipality, where no local approval is required and the land is located within a county adopted, State certified agricultural district.

- (2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident's property may be removed by the municipality upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The municipality shall develop a hardship application to be filed with the municipality, approved by the County Department of Health, and agreed to by the Department of Agriculture and Markets.
- (3) If it can be demonstrated to the Department's satisfaction that the landowner requested the county to remove his or her land from an

agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.

- (4) If land is removed from a county adopted, State certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.

2023-125

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 27th day of February, 2023 received notice that Thomas Choquette, operating manager of the business known as Olde Post Golf Club is applying for an 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,

WHEREAS, pursuant to Alcohol Beverage Control Law §64(2A), an applicant must give the municipality thirty (30) day notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Schodack, that with respect to the application submitted by Ryan Hoffman doing business as Olde Post Golf Club at 92 Schuurman Road, 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, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Schodack hereby waives the thirty (30) day notice period in regard to Olde Post Golf Club at 92 Schuurman Road, Schodack, New York allowing an earlier submission of the liquor license application.

2023-126 Authorize Supervisor Peter to contract with musicians to perform at the 2023 Music in the Park as follows:

Gone Grey	May 30 th (rain date 5/31/23)	\$500.00
Peaceful Country Band	June 6 th (rain date 6/7/23)	\$575.00
Triskele	June 13 th (rain date 6/14/23)	\$950.00
Eric Peter Band	June 20 th (rain date 6/21/23)	\$800.00
Yankee Doodle Band	June 27 th (rain date 6/28/23)	\$600.00
Kyle Bourgault Band	August 1 st (rain date 8/2/23)	\$800.00
Jarrold	August 8 th (rain date 8/9/23)	\$500.00
Sundown Express	August 15 th (rain date 8/16/23)	\$500.00

2023-127 **WHEREAS**, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and

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

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the audit report submitted for Justice Court for the fiscal year 2022.

2023-128 Appoint Bridget Baptiste as Sub-Registrar of Vital Statistics pursuant to Section 4122 of the Public Health Law at salary set forth in resolution 2022-352.

2023-129 Authorize wing-persons that have worked twelve (12) consecutive hours to receive up to twenty (\$20.00) dollars meal allowance with receipt, or eight (\$8.00) dollars without receipt. Additionally, in the event that a wing-person is called in on the weekend or on a holiday, s(he) shall receive the above-entitled meal allowance after six (6) hours.

2023-130 Authorize Debra Curtis, Town Clerk, to attend the annual New York State Town Clerk’s Association Conference in Syracuse, New York, April 23 through April 26, 2023. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town per the 2023 adopted Town Budget, which are estimated to be \$1,136.09, as budgeted [A1410.4]

2023-131 Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 7 of 2023 to establishing a moratorium for Battery energy storage systems in the Town of Schodack. Said hearing to be held on Thursday, March 23, 2023 at the Schodack Town Hall at 7:15 p.m.

2023-132 Authorize Supervisor Peter to execute and administer the Intermunicipal PILOT Agreement for payments in-lieu of taxes on real property that contains Solar energy system by and between the Town of Schodack, Rensselaer County, Schodack Central School District and Green Dale Solar, LLC County Route 32.

2023-133 Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-0319 to 23-0413 on Abstract No. 2023-03, in the amount of \$819,117.26 including the claims paid \$28,197.05.

2023-134 Authorize the February 2023 budget modifications, interfund loans and interfund transfers as provided in document dated March 2023 and recommended by the Comptroller.

March 23, 2023

2023-135 Amend resolution 2023-129 as adopted on March 9, 2023 as follows: Authorize wing-persons that have worked twelve (12) consecutive hours to receive up to ~~twenty (\$20.00)~~ eleven (\$11.00) dollars meal allowance with receipt, or ~~eight (\$8.00)~~ five (\$5.00) dollars without receipt. Additionally, in the event that a wing-person is called in on the weekend or on a holiday, s(he) shall receive the above-entitled meal allowance after six (6) hours.

2023-136 Authorize the purchase of a BDP-BX370 Blu-Ray Player with Built-In Wi-Fi and HDMI, a HDMI Audio Extractor, 2 - 3ft Gripping high speed HDMI Cable, a 3 ft 3.5mm Stereo M to RCA male, 2 – Speaker Tote Bags, a Dual Compartment Speaker Stand Bag, a Padded Nylon Mixer/Equipment Bag and Projector Storm Travel Case from Audio-Video Corporation per quote dated March 9, 2023 at a cost not to exceed \$754.00. [Budgeted A7110.2]

2023-137 **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on March 23, 2023 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 7 of 2023 **A Local Law Establishing A Six-Month Moratorium on Battery Energy Solar Systems within the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on March 13, 2023 and advertised in the March 13, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on March 23, 2023 at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

WHEREAS, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 7 of 2023 (P7-2023) to be known as Local Law 5 of 2023 Battery Energy Solar Systems in the Town of Schodack, and

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

2023-138

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 6th day of March, 2023 received notice that Cheryl Harding, owner of the business known as Jimmy's Lakeside Grill is applying for an 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,

WHEREAS, pursuant to Alcohol Beverage Control Law §64(2A), an applicant must give the municipality thirty (30) day notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Schodack, that with respect to the application submitted by Terry Frederick doing business as Jimmy's Lakeside Grill at 266 County Rte. 7, 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, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Schodack hereby waives the thirty (30) day notice period in regard to Jimmy's Lakeside Grill at 266 County Rte. 7, Schodack, New York allowing an earlier submission of the liquor license application.

2023-139

WHEREAS, on February 9, 2023 the Schodack Town Board approved by resolution (2023-098) the Volunteer Ambulance Workers Service Award Program List of all 2022 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, they have certified on March 23, 2023 no changes were made to the listing,

NOW, THEREFORE, BE IT RESOLVED, that the Schodack Town Board authorizes Supervisor Peter 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.

2023-140 **WHEREAS**, Daniel and Faith Colvin (Owners) are the owners of property which is situated at 1631 Tina Lane, 199.4-4-18.1 in the Town of Schodack, County of Rensselaer, State of New York, as described more particularly in Book 8724 of Deeds at page 20 and recorded on January 3, 2019, in the Office of the Rensselaer County Clerk's Office (hereinafter "Property"), and

WHEREAS, as a condition of the Owners' desired modification of the existing subdivision approval to allow the construction of a single family residence, the Planning Board requires Owners to replace the existing storm sewer under Tina Lane as well as install a new storm sewer including structures and other appurtenances to continue the conveyance of the stormwater flow along, on and through Tina Lane in front of and through the Property and to dedicate to the Town a drainage easement and right-of-way and all improvements, including those improvements depicted in Exhibit A-1, allowing the construction and/or operation and/or continued placement of all drainage improvements on the Property to guide and to promote the drainage under and/or onto and/or through the subject area;

WHEREAS, an Agreement has been prepared;

NOW THEREFORE BE IT RESOLVED THAT the Town Supervisor or his designee is hereby authorized to execute all necessary documents to accept and effectuate the acceptance of said conveyances.

2023-141 Appoint members to the Town of Schodack/Village of Castleton-on-Hudson Waterfront Advisory Committee as follows: Steven Rivers to a three year term to expire on December 31, 2025, Thomas Phillips and Michael Wiley to two year terms to expire on December 31, 2024 and Glenn Camingo to one-year term to expire on December 31, 2023 as members of the Local Waterfront Revitalization Program Consistency and concur with the Village of Castleton-on-Hudson that Robert Mello is the Chair.

April 13, 2023

2023-142 **WHEREAS**, BIDS FOR: WATER DISTRICT NO. 10 were received on March 2, 2023; and

WHEREAS, the Town's consulting engineers, Laberge Engineering & Consulting Group, Ltd., have submitted their report relative to their analysis of bids.

NOW, THEREFORE, BE IT RESOLVED THAT the recommendation of said Engineers be hereby accepted, approved and adopted; and

BE IT FURTHER RESOLVED THAT: WATER DISTRICT NO. 10 BASE BID be hereby awarded to: American Evergreen, Inc. 3 Agway Drive, Rensselaer, New York 122144 in the amount of **\$2,237,210**.

2023-143 **WHEREAS**, BIDS FOR: WATER PLANT BRIDGE were received on March 9, 2023; and

WHEREAS, the Town's consulting engineers, Laberge Engineering & Consulting Group, Ltd., have submitted their report relative to their analysis of bids.

NOW, THEREFORE, BE IT RESOLVED THAT the recommendation of said Engineers be hereby accepted, approved and adopted; and

BE IT FURTHER RESOLVED THAT: WATER PLANT BRIDGE be hereby awarded to: William J. Keller & Sons Construction Corporation, 1435 US Route 9, Castleton-on-Hudson, New York 12033 in the amount of **\$1,082,280.10**.

2023-144 Authorize Supervisor Peter to execute and administer Addendum Number 2021094-01 for professional services from the Laberge Group to assist the Town of Schodack for construction phase services related to replacing the Town's Water Plant bridge in an amount not to exceed \$61,500.00 including a \$3,000.00 allowance for reimbursable expenses.

2023-145 Authorize Supervisor Peter to execute ASCAP License Agreement, subject to review and approval as to form by Attorney to the Town and authorize payment not to exceed \$400.00 for the licensing fee to ASCAP.

2023-146 Authorize Supervisor Peter to execute Movie. License Agreement, subject to review and approval as to form by Attorney to the Town and authorize payment not to exceed \$1,704.75 for the licensing fee to Swank Motion Pictures, Inc.

2023-147 Appoint Michael Canestro and Steven Kelly as Summer Grounds persons, under the direction of Brian Brahm, Highway Superintendent, at an hourly rate set forth in the 2023 annual budget effective April 17, 2023 and additionally allow Wing-person(s) to provide vacation coverage when necessary under the direction of Brian Brahm, Highway Superintendent.

2023-148 Authorize Supervisor Peter to execute and administer agreement on behalf of the Town of Schodack with Rensselaer County to participate in the collection of the 2023 Household Hazardous Waste (HHW) on July 29, 2023.

2023-149 Authorize Supervisor Peter to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for Justice Court Xerox B405DN ID#908FV contract, for the period April 15, 2023 to April 14, 2024 for \$423.30 annually. Contract includes 25,596 copies annually with an average charge of \$0.01580 per copy.

2023-150 Authorize Supervisor Peter to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for Assessor's Office Xerox X5225 ID#973CH contract, for the period April 15, 2023 to April 14, 2024 for \$577.50 annually. Contract includes 12,000 copies annually.

2023-151 Authorize the Supervisor to compensate Bruce Goodall, Transfer Station Director, for Seventy-two hours (72) at his current rate, not to exceed \$2,101.68, in lieu of vacation time earned due to reimbursement for his 2021 Workers Compensation case, current accrued vacation time and the limit an employee can transfer to the next year per policy.

2023-152 Adopt the fee schedule for Spring Clean-Up Days (May 11, 12 & 13) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16")	\$ 2.00
Rimmed tires	\$ 6.00
TVs, computer monitors (limit of 2 items per household)	FREE
Propane Tanks	FREE
Furniture (limit of 3 items per household)	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

*****Please note: all other pricing remains the same*****

2023-153 Appoint Erika Pratt as Planning/Zoning Secretary on a full-time basis at the hourly rate of \$20.00 effective May 15, 2023. [This is a budgeted item. B-3620, B-8010 & B-8020]

2023-154 Authorize Kerrie Joiner, Human Resource Manager to attend the SHRM Conference in Verona, New York, September 10-12, 2023. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town an estimated total cost of \$982.82, as budgeted. [This is a budgeted item. A1430.4]

2023-155 **WHEREAS**, the Town of Schodack and the Village of Castleton entered into an Intermunicipal agreement dated November 21, 2013 for the Village's water system to interconnect with the Town's water system, allowing the Village to purchase water from the Town, and

WHEREAS, section VI(i) of said agreement allows for an annual increase in the rate charged to the Village in correlation to the consumer price index average published in January each year, and

WHEREAS, the consumer price index less food and energy average published in January 2023 was 5.6% and the current rate charged to the Village is \$4.89 per 1,000 gallons of water,

NOW THEREFORE IT BE RESOLVED, that effective January 1, 2023 the rate charged to the Village of Castleton for the purchase of water shall be \$4.89 per 1,000 gallons.

2023-156 Authorize Town Board to prepare and circulate an RFP for new cooling tower at Town Hall.

2023-157 **WHEREAS**, a map, plan and report relating to the establishment of Town of Schodack Consolidated Water District 101, Extension No. 8 prepared by Laberge Group, Ltd., competent engineers, duly licensed by the State of New York, in manner and detail as determined by the Town Board of the Town of Schodack has been filed with the Town Clerk of the Town of Schodack in accordance with the requirements of the Town Law; and

WHEREAS, an Order was adopted by the Town Board of the Town of Schodack on December 8, 2022, reciting the filing of the map, plan and report, the boundaries of the proposed water district extension, the improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office in said Town for public inspection, and all other matters required by law to be stated; and

WHEREAS, the order set January 12, 2023, at 7:05 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, as the date, time and place of the public meeting to consider the map, plan and report, and to hear all persons interested in the subject, and to take action as required and authorized by law; and

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

WHEREAS, a hearing on the matter was held by the Town Board on the 12th day of January, 2023 beginning at 7:05 p.m. and the matter being fully discussed and all interested persons having been duly heard; and

WHEREAS, it having been duly resolved and determined following such hearing that:

- The Notice of Public Hearing was published and posted as required by law and is otherwise sufficient;

- All property and property owners within the limits of the proposed water district extension are benefitted thereby;
- All property and property owners benefitted are included within the limits of the proposed water district extension; and
- It was in the public interest to establish said Town of Schodack Consolidated Water District 101, Extension No. 8, and to grant, in whole, the relief sought; and

WHEREAS, it having been then and there duly resolved that establishment of said Town of Schodack Consolidated Water District 101, Extension No. 8, be approved, and

WHEREAS, and the permission of the New York State Comptroller is not required for the creation of Town of Schodack Water District 101, Extension No. 8, and

WHEREAS, that the Town Board resolution of February 23, 2023, having been adopted subject to permissive referendum approving the creation of consolidated Water District 101, Extension 8 and no petition for a referendum having been filed.

NOW, THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED that the Town of Schodack Consolidated Water District 101, Extension No. 8, be created so as to include therein the following lands which are hereby established as the Town of Schodack Consolidated Water District 101, Extension No. 8 and which lie wholly within the Town of Schodack, County of Rensselaer, State of New York, and as bounded and described in Schedule "A" attached hereto, and it is further,

ORDERED, RESOLVED AND DETERMINED that the Town Clerk is directed to cause a certified copy of this Order, Resolution and Determination to be recorded in the Office of the Clerk of the County of Rensselaer within ten (10) days after the adoption thereof, and a certified copy thereof be submitted to the Department of Audit and Control at Albany, New York as provided by §209-g of the Town Law; and it is further,

ORDERED, RESOLVED AND DETERMINED, that the establishment of Town of Schodack Consolidated Water District 101, Extension No. 8, as set forth in the map, plan and report be approved; and it is further

ORDERED, RESOLVED AND DETERMINED, the requested improvement shall be constructed, and the necessary easements and lands be acquired, and such water district extension shall be known and designated as the Town of Schodack Consolidated Water District 101, Extension No. 8, in the Town of Schodack and shall be bounded and described as set forth in Schedule "A" annexed hereto.

SCHEDULE A

Town of Schodack
Rensselaer County, New York
Waiter District Boundary Description
Consolidated Water District 101, Extension No. 8

The following is intended to describe the bounds of the proposed water district in the Town of Schodack, Rensselaer County, State of New York. This District is shown on the map entitled "Consolidated Water District 101, Extension No. 8 Proposed Boundary" prepared by Laberge Group, dated November 14, 2022. The parcels listed below by Rensselaer County Tax Parcel Identification Number, as of November 2022, are proposed to be included in the proposed district extension:

Lands N/E of Tax Parcel ID Acreage
Skyview Motel/MNM Bros, LLC 220.-3-2.2 3.00
Pine Haven Owner LLC 210.-4-9 46.65
Pilot Travel Centers LLC #146 220.-2-14.1 7.54
Delhaize America Dist. LLC 220.-3-8.2 101.90
Pyle Corporation . 220.-3-2.1 16.71
Delbert L. Bent 200.-9-30 1.13
Philip Meppen ~ 210.-4-14.1 2.53
Hillcrest Tavern Partners LLC 200.-6-8 3.05
RDM Living Trust 227.-1-3 37.90

- 2023-158** Amend resolution 2023-054 as adopted January 13, 2023 to add Perry Natalie – Police Chief as follows: Pursuant to Section 510 of the Town of Schodack Personnel and Procedure Handbook, direct Comptroller’s office, the 2023 monthly cell phone reimbursement rate amount will be \$30.00 and pursuant to Section 506 the positions to receive reimbursement are as follows: Brian Brahm – Highway Superintendent, Shawn Zinzow – Water and Sewer Forman, Toby Goodall – Foreman, Charles Halvax – Water & Sewer Operator, Larry Perez – Senior Forman, Bruce Goodall – Transfer Station Director, John Lewis – Transfer Station Employee, Thomas King – Building Inspector, Kevin Konig –Director of Building and Grounds and further direct that Sheila Golden – Youth Director **and Perry Natalie – Police Chief** will be provided a cell phone at a cost to the Town of Schodack and to amend Section 506 & 510 of the Town of Schodack Personnel Policy and Procedure Handbook (Expense Reimbursement & Telephone/Cell Phone...) to reflect same.
- 2023-159** Designate the additional following banks as depositories for all Town funds for the calendar year 2023: M&T Bank, Metropolitan Commercial Bank.
- 2023-160** Authorize the Supervisor Peter to transfer a maximum amount of \$1,000,000.00 from the General Fund’s unassigned, unappropriated fund balance to purchase a 6-month short term treasury bill yielding approximately 4.75% through the Town’s investment advisor at M&T Bank, at no additional risk to the Town.
- 2023-161** Authorize the Comptroller’s recommendation to direct the Town Supervisor to pay the claims #23-0414 to 23-0625 on Abstract No. 2023-04, in the amount of \$1,037,716.70 including the claims paid \$706,677.28.

2023-162 Authorize the March 2023 budget modifications, interfund loans and interfund transfers as provided in document dated April 2023 and recommended by the Comptroller.

April 27, 2023

2023-163 Amend resolution 2023-126 as adopted March 9, 2023 as follows:
Authorize Supervisor Peter to contract with musicians to perform at the 2023 Music in the Park as follows:

Gone Grey	May 30 th (rain date 5/31/23)	\$ 500.00
Peaceful Country Band	June 6 th (rain date 6/7/23)	\$ 575.00
Triskele	June 13 th (rain date 6/14/23)	\$ 950.00
Eric Peter Band	June 20th (rain date 6/21/23)	\$ 800.00
Rocky and the Moosemen	June 20 th (rain date 6/21/23)	\$ 1,200.00
Yankee Doodle Band	June 27 th (rain date 6/28/23)	\$ 600.00
Kyle Bourgault Band	August 1 st (rain date 8/2/23)	\$ 800.00
Jarrold	August 8 th (rain date 8/9/23)	\$ 500.00
Sundown Express	August 15 th (rain date 8/16/23)	\$ 500.00

2023-164 **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, Patricia Loomis has distinguished herself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to her position of Senior Justice Court Clerk in the Town of Schodack, and

WHEREAS, Trish has been a lifelong resident of the Town of Schodack and graduated from Maple Hill High School Class of 1984, and

WHEREAS, Trish began her career working in private sector first at Resurrection Nursing Home and then at Fleet Norstar Bank in the Village of Castleton, often juggling her responsibilities as a loving and caring mom of two young boys, and

WHEREAS, Trish enhanced her career on November 18, 1997 when she began her position as part-time Clerk in Justice Court, serving in that position until April 12, 1998, continuing to enrich her career she was appointed full-time Deputy Town Clerk effective April 4, 1998, and served alongside Donna Conlin until October 10, 2000 when she was appointed Temporary Court Clerk effective October 10, 2000 and subsequently appointed to full-time Justice Court Clerk effective October 12, 2000 and Village of Castleton Court April 2006 through April 2014, and

WHEREAS, continuously serving as Court Clerk Trish rose to the rank of Senior Justice Court Clerk in 2003 for the Town of Schodack in one of the busiest and most competent court in Rensselaer County, and

WHEREAS, Trish as Senior Clerk dedicated countless hours over her career sharing her wisdom and expertise training her Assistant court clerks and being a member of the New York State Association of Magistrates Court Clerks for 20 plus years, and

WHEREAS, she has worked efficiently and effectively alongside of Court Officers William Dikant, William Gonzales and Joel Montross and has assisted Special Prosecutor Philip Danaher, and

WHEREAS, Trish has served faithfully in this role under Justice Paul Peter and Justices: James Bult, Alex Shannon, Bruce Wagner and Ryan Mullahy and Supervisors: Michael Glavin, Joseph McCabe, Eileen Natoli, Beth Secor, Dennis Dowds, David Harris and Charles J. Peter until her retirement on May 5, 2023, and

WHEREAS, Trish has demonstrated her love of family by being a loving partner to her soul mate, Kenneth Holmes; dedicated mother to Justin and Steven; attentive step-mother to Sonja and Whitney; proud Mimi to Sophia, Julia and Augustine and devoted puppy-mommy to Magnolia, and

WHEREAS, it surely comes as no surprise she often shares her love of their classic 1964 Ford Galaxy 500 and their Harley Davidson motorcycle cruises with her coworkers and friends and vacationing in Lake George with her family.

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Patricia Loomis, who has given herself to this community in so many ways and distinguished herself throughout her career bringing great pride to her family, her peers, her associates, and her 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 27th day of April, 2023 to acknowledge and honor Patricia Loomis, upon her retirement, for her 25 plus years of service to the Town of Schodack. A copy of this resolution, suitably engrossed, will be transmitted to her.

2023-165 Ratify and affirm pursuant to Section 165-a of the General Municipal Law, authorizing the use of the woodchipper on April 19, 2023 at Woodlawn Cemetery to chip debris from heavy wet snow that took down several large trees and branches.

May 11, 2023

2023-166 Amend resolution 2023-152 as adopted on April 13, 2023 to include May 18, 19 and 20 as follows:
Adopt the fee schedule for Spring Clean-Up Days (May 11, 12 & 13) **and (May 18, 19 and 20)** at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16")	\$ 2.00
Rimmed tires	\$ 6.00
TVs, computer monitors (limit of 2 items per household)	FREE
Propane Tanks	FREE
Furniture (limit of 3 items per household)	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

*****Please note: all other pricing remains the same*****

2023-167 To approve the 2023 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on: Morey Park Road, Morey Park Hill, Sailors Lane, Ferndale Road, Phillips Road, Briarwood Drive, Huckleberry Road, Simons Road and Old Coach Drive and portions of Burden Lake and Clove Road. Further, Crack Fill/Single Chip Seal treatments shall be applied on: Shufelt Road, Bame Road, Irish Hill Road and portion of Burden Lake Road (150 to No. Schodack Road). Crack Fill Only to be applied to: Sand Road

2023-168 Appoint Thomas Distefano part-time park attendant on a part-time basis at the hourly rate as set forth in the Year 2023 adopted budget effective April May 17, 2023.

2023-169 Amend resolution 2023-060 as adopted on January 13, 2023 as follows: Approve contracts and authorize Supervisor Peter to execute and administer contracts with Castleton Volunteer Ambulance Service, Inc., and Nassau Ambulance for provision of emergency medical services for 2023 as set forth in the Year 2023 adopted budget. Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance. **To amend budgeted amount for Nassau Ambulance from \$83,566.00 to \$115,000.00 (SM 4540.4)**

2023-170 Provisionally appoint Justin Kelley as full-time sworn police officer for the Town of Schodack for the purpose of attending Zone 5 Police Academy in June 2023 and to complete necessary training under the direction of the Schodack Police Department effective May 12, 2023. [Candidate having successful completed a background investigation psychological and medical evaluation, pending selection from the Rensselaer Civil Service List, Town of Schodack Resident preferred list as Certificated on April 6, 2023]

2023-171 Authorize Supervisor Peter to execute and administer Addendum Number 2023045-00 professional services from the Laberge Group to assist the Town of Schodack for construction phase services related to replacing the SD5 E. Schodack WWTP UV Disinfection in an amount not to exceed \$125,000.00 including a \$5,000.00 allowance for reimbursable expenses.

2023-172 Authorize Supervisor Peter to execute and administer easement agreement for ingress and egress with real property owners tax map 209.-11-1.1 at 11 Corracunna Way subject to approval by Attorney to the Town as to form.

2023-173 WHEREAS, a map, plan and report had originally been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York, and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Battisti Water District No. 10 in the Town of Schodack, County of Rensselaer, State of New York had previously been filed in the town clerk's office; and

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

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

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

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

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

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

WHEREAS, in connection with the increase in the maximum cost of the improvements for Battisti Water District No. 10 the Laberge Group, Ltd., competent engineers, prepared an addendum to the original map, plan and report, a copy of which is attached hereto and made a part hereof; and

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

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

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

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

NOW, IT IS HEREBY ORDERED, that the town board of the Town of Schodack shall meet and hold a public hearing at the Schodack Town Hall in said town, on the 8th day of June, 2023 at 7:05 p.m., local time, to consider increasing the maximum cost of the improvements for Battisti Water District No. 10 \$2,735,010 pursuant to Section 209-h of the Town Law of the State of New York.

- 2023-174** Amend resolution 2022-344 as adopted December 8, 2023 to adjust Diane Lebrecht hourly rate to \$24.50 Secretary to Highway and Secretary to Park effective April 17, 2023.
- 2023-175** Authorize Supervisor Peter to execute and administer the Memorandum of Agreement by and between the Town of Schodack and United Public Service Employees' Union (UPSEU) Schodack Police Department dated May 11, 2023
- 2023-176** Appoint Ryan Condo and Michael Miller as part-time police officers at an hourly rate as set forth in resolution 2022-344 (\$25.75/hour) and 2022-352 (\$27.95/hour) respectively.
- 2023-177** Authorize purchase of Viking gym in an amount not to exceed \$25,000.00 [Parkland Funds] and further allow that donation toward the Viking gym shall be reallocated to Parkland Funds.
- 2023-178** Authorize Supervisor Peter to execute and administer Addendum Number 2023061-00 for professional services from the Laberge Group to assist the Town of Schodack related to developing a Schodack Park Splash Pad concept plan in an amount not to exceed \$7,000.00 plus reimbursable expenses.
- 2023-179** Addendum for Town Hall Building Authorize Supervisor Peter to execute and administer Addendum Number 2023060-00 for professional services from the

Laberge Group to assist the Town of Schodack for Feasibility Study related to possible addition to Town Hall building to house Justice Court operations in an amount not to exceed \$24,000.00 plus reimbursable expenses.

2023-180 Authorize William Morgan Sole Assessor to attend 2023 Cornell Seminar of Professional Development entitled Appraisal Principles and Procedures, July 17th through 21st on-line course. All appropriate expenses are to be borne by the Town per the 2023 adopted Town Budget, with are estimated cost of \$445.00. [A-1355.4]

2023-181 Authorize the appropriation of the Highway Equipment Capital Reserve Fund, established by Resolution 2010-422 in an amount not to exceed \$110,000.00 as follows:

Tandem Axle Dump Truck for \$110,000.00 with a probable useful life of fifteen (15) years. This resolution is subject to permissive referendum as specified in GML §6-c.

2023-182 Authorize the purchase of a 2024 International, Model HV620, Tandem Axle Dump Truck with All Season Dump Body, HTE Cross Conveyor Shoulder Machine, Plow, Wing Plow with Material Spreader at a cost not to exceed \$293,062.00 from Navistar, Inc. pursuant to County of Onondaga Purchasing Contract No. 8996, contingent upon resolution #2023-181. [Insurance reimbursement and Capital Reserve funds]

2023-183 **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 20th day of April, 2023 received notice that Steven Feldman operating manager of the business known as Herbert's Caterers Inc./ DBA Birch Hill catering is applying for an 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,

WHEREAS, pursuant to Alcohol Beverage Control Law §64(2A), an applicant must give the municipality thirty (30) day notice of the pending liquor license

application unless the municipality consents to waive this thirty (30) day requirement;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Schodack, that with respect to the application submitted by Steven Feldman doing business as Birch Hill Catering at Stablegate Farm at 2085 Payne Road, 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, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Schodack hereby waives the thirty (30) day notice period in regard to Birch Hill Catering at Stablegate Farm at 2085 Payne Road, Schodack, New York allowing an earlier submission of the liquor license application.

2023-184 Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-0626 to 23-0790 on Abstract No. 2023-05, in the amount of \$469,176.32 including the claims paid \$207,519.60.

2023-185 Authorize the April 2023 budget modifications, interfund loans and interfund transfers as provided in document dated May 2023 and recommended by the Comptroller.

May 25, 2023

2023-186 Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on Proposed Local Law No. 8 of 2023 Amending Chapter 151 entitle Noise in the Town of Schodack. Said hearing to be held on Thursday, June 8, 2023 at the Schodack Town Hall at 7:10 p.m.

June 8, 2023

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

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

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

WHEREAS, said map, plan and report was prepared by Laberge Group Ltd., competent engineers, duly licensed by the State of New York, showing the

boundaries of the proposed water district and the general plan of the proposed water district; and

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

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

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

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

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

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

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

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

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

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

WHEREAS, the town board of the Town of Schodack scheduled a public hearing pursuant to Section 209-h of the Town Law to be held on June 8, 2023

at 7:05 p.m. at Schodack Town Hall, 265 Schuurman Road, Castleton, New York 12033; and

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

WHEREAS, the public hearing was thereafter closed.

NOW, THEREFORE, IT IS RESOLVED AND DETERMINED:

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

2023-190

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on June 8, 2023 at 7:10 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 8 of 2023 Amending **Chapter 151 entitled Noise in the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on May 29, 2023 and advertised in the May 31, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on June 8, 2023 at 7:10 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

WHEREAS, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 8 of 2023 (P8-2023) to be known as Local Law 6 of 2023 Noise in the Town of Schodack, and

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

- 2023-191** Authorize Supervisor Peter to execute and administer an easement on tax Map No. 199.-6-10 in consideration of \$4,300.00 to install a sewer line along the front of their property near their well site.
- 2023-192** Authorize Supervisor Peter to execute and administer the Annual Certification - Section 8 Housing Choice Voucher Program.
- 2023-193** Authorize the agreement between the Town of Schodack and Verizon for seasonal charges for the 13 cellular telephones to be used for the Town of Schodack Youth and Recreation summer program at a cost of \$4.99 per phone per month, plus per minute \$0.25, and 200 text messages per phone. Verizon mobile to mobile and nights and weekends are unlimited. Estimated charges are approximately 1235 calls or \$75.00. Rates per NYS Contract No. PS63766. Service will incur a total of approximately 6 weeks of billing or approximately \$182.00 in charges Said phones to be utilized by the Camp Directors for the duration of the camp. (As budgeted A7310.4)
- 2023-194** Authorize the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

Assistant Directors: Andrew Brunner, Jessica Dryzmala and Riley Donovan

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

Art and Crafts Director: Victoria Roberts

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

Facilities and Waterfront Director: Patrick Austin

Camp Nurses: Andrea Cavagnaro and Heather Brewer

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

EMT for the Park: Rebecca Hall

Lifeguard:

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

STEM Instructor: Bryan VanVliet

STEM Assistant: Connor Mead

STEM Counselor: Callie Rae Haller and Jennifer Schank

Special Needs Counselor: Daniel Bently and Alexandra Stuto

Summer Soccer Instructor:

Summer Volleyball Instructor:

Substitute Counselors:

Transportation Director: Sarah Lussier

WSI: Tim Christiansen

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2023-198 Authorize Supervisor Peter to execute and administer an annual maintenance agreement, including parts and labor, with Eastern Copy Products, LLC for the Konica Minolta Bizhub C308 copier at the Police Station, for the period June 4, 2023 to June 3, 2024 for \$635.22 annually. Contract includes 42,000 b/w copies and 3,000 color copies annually with an overage charge of \$0.00940 and \$0.08042 respectively per copy.

2023-199 Amend resolution 2023-94 as adopted on February 9, 2023 to reflect an increase as follows: Amend resolution 2022-055, as adopted on January 6, 2022, to reflect and not to exceed amount of ~~\$16,500.00~~ **\$26,500.00** as follows: Appoint Girvin & Ferlazzo, P.C. as Labor Counsel to the Town, pursuant to retainer agreement dated January 3, 2022. This authorization shall not exceed ~~\$10,000.00~~ ~~\$26,500.00~~ **\$36,500.00** without further board approval. [A-fund fund balance]

2023-200 Authorize Kerrie D. Joiner, Human Resource Manager to post internally the full-time position of Operator I/Operator II at the Highway Department and authorize advertising in the official Town newspaper as necessary.

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

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

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

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

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

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

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

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

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

2023-202 Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-0791 to 23-0923 on Abstract No. 2023-06, in the amount of \$217123.93 including the claims paid \$47,479.27.

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

June 22, 2023

2023-204 Rescind resolution 2023-199 as adopted on June 8, 2023 and adopt the following: Amend resolution 2023-55 as adopted on January 12, 2023 to increase the not to exceed amount by 10,500.00 as follows: Appoint Girvin & Ferlazzo, P.C. as Labor Counsel to the Town, pursuant to retainer agreement dated January 1, 2023. This authorization shall not exceed ~~\$10,000.00~~ **\$20,500.00** without further board approval.

2023-205 Amend resolution 2023-194 as adopted on June 8, 2023 to remove and add additional staff for Summer Camp as follows:
Authorize the following Town of Schodack Day Camp employees for the Summer Youth and Recreation Program as recommended by the Director of Youth and Recreation:

Assistant Director: ~~Andrew Brunner~~ **Dylan Kolb**

Counselors: **Alexa Burger, Fiona Gokey and Jake Tucker**

Camp Nurse: Amanda Fish, Shannon Hibbs and Joanne Post

- 2023-206** Authorize Supervisor Peter to execute and administer Stipulation of Settlement PERB Case No. A2022-152 in conjunction with Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO (Toby Goodall) and The Town of Schodack, Employer.
- 2023-207** Amend resolution 2022-352 as adopted December 29, 2022 to adjust Ralph Southworth Part-time Police Officer hourly rate to \$27.95 effective June 22, 2023.
- 2023-208** Authorize Kerrie D. Joiner, Human Resource Manager to post internally the part-time position of Clerk at the Police Department and authorize advertising in the official Town newspaper as necessary.
- 2023-209** Authorize Supervisor Peter to accept proposal and execute and administer Testing Services Agreement with Terracon Consultants – NY, Inc. for soils, compaction, and concrete testing relative to the Water Plant Bridge.
- 2023-210** Authorize Supervisor Peter to execute and administer a revised and updated version of the land and easement purchase agreement with Joel O’Neil, as previously authorized by the Board (Resolution 2023-86), for a pump station location in conjunction with the Maple Hill Road Sewer project being undertaken by the County, and to file necessary documents in Rensselaer County Clerk’s Office when appropriate.
- 2023-211** Appoint James Hallenbeck and Anthony Gullo as part-time police officers at an hourly rate as set forth in resolution 2022-344 (\$25.75/hour).
- 2023-212** **WHEREAS**, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and
- WHEREAS**, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,
- NOW, THEREFORE, BE IT RESOLVED** that the Town Board accepts the audit report submitted for Building Department Funds and Town Clerk Funds for the fiscal years 2022.
- 2023-213** Authorize Supervisor Peter to execute and administer easement and purchase agreement with Scott S. and Cheryl Simpson for a water tower location in conjunction with the Route 9 Water project being undertaken by the County, and to file necessary documents in Rensselaer County Clerk’s Office when appropriate.

July 13, 2023

2023-214

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the public hearing was thereafter closed.

NOW, THEREFORE, IT IS RESOLVED AND DETERMINED:

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

2023-215

WHEREAS, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievements of those who have given so generously to their community, exemplifying the ideas and values cherished by this great Town, and

WHEREAS, longevity of life is a blessing for an individual and for a community which benefits from the knowledge, creativity, and experiences this individual brings to all, and

WHEREAS, the town of Schodack recognizes with respect and admiration the contribution of senior citizens to our community, and

WHEREAS, Jean Lemka was born in Schodack Landing on July 3, 1924 and grew up on the family owned apple orchard in Schodack Landing. She attended Castleton Union School where she skipped two grades which enabled her to graduate at 16 years old as class valedictorian in 1940. She then attended Ithaca College where she majored in Music, she subsequently taught Music in Greenville, NY until 1947., and

WHEREAS, in 1946, Jean married Henry Adams and they raised their children Tom, David, Brad and Gayle in the Town of Schodack and now have 5 grandchildren and 7 great grandchildren, and

WHEREAS, Jean taught private music lessons, mostly piano, plus many other instruments and voice, she worked as an organist for many local churches and played at various weddings, and was the pianist for the Hendrick Hudson Male chorus, and

WHEREAS, Jean also worked at the Post office from 1980 to 2001, and

WHEREAS, in 1983, Jean married William Bookhop, together they spent time traveling, going on cruises and performing with the Hendrick Hudson Male chorus, and

WHEREAS, Jean also enjoys reading, gardening, weeding and loves when friends and family drop by for visits, and

WHEREAS, Jean attributes her longevity to good, clean, farm living

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Jean Lemka Adams Bookhop, who has given herself to this community in so many ways and distinguished herself throughout her careers bringing great pride to her family, her peers, her associates and her 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 13th day of July to acknowledge and honor Jean Lemka Adams Bookhop for her long life and prosperity, upon her milestone birthday of ninety-nine years and wish her many more. A copy of this resolution, suitably engrossed, will be transmitted to her by the Supervisor.

2023-216

WHEREAS, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievements of those who have given so generously to their community, exemplifying the ideas and values cherished by this great Town, and

WHEREAS, longevity of life is a blessing for an individual and for a community which benefits from the knowledge, creativity, and experiences this individual brings to all, and

WHEREAS, the town of Schodack recognizes with respect and admiration the contribution of senior citizen to our community, and

WHEREAS, Edna was born in Winslow Arizona on July 27, 1923, and

WHEREAS, as a young woman she moved to California and then to New York where she went to Cosmetology school, and

WHEREAS, in 1960, Edna married Kenneth L. Lorette in Bennington, Vermont, soon after they, along with help from family members, built their home on Brookview Road in the Town of Schodack and were married for over 50 years, together they spent time traveling and enjoying weekends at their camp on Sacandaga Lake, and

WHEREAS, for 30 years Edna was owner and operator of Edna's Beauty Salon on Columbia Turnpike (across from the Dutch Reform Church at the traffic light), and

WHEREAS, Edna was a member of many community softball teams and developed a love for all sports, and

WHEREAS, Edna claims her secret to longevity is always being positive and being a hard worker

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Edna Lorette, who has given herself to this community in so many ways and distinguished herself throughout her careers bringing great pride to her family, her peers, her associates and her 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 13th day of July to acknowledge and honor Edna Lorette for her long life and prosperity, upon her milestone birthday of

one hundred years and wish her many more. A copy of this resolution, suitably engrossed, will be transmitted to her by the Supervisor.

2023-217

WHEREAS, on November 9, 2021 the Town Board of the Town of Schodack (the "Town" adopted a bond resolution (the "Original Bond Resolution") authorizing the construction and installation of new water distribution system for Battisti Water District #10, including rights in land, meter pits, remote read meters, service lines to the curb box, fire hydrants, and the acquisition of equipment, machinery or apparatus (the "Purpose") at a maximum estimated cost of \$2,432,000, and the issuance of serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$2,432,000; and

WHEREAS, the Town Board of the Town has determined that the maximum estimated cost of the Purpose has increased by \$303,010 (the "Additional Cost") to an aggregate maximum cost of \$2,735,010; and

WHEREAS, the Town Board of the Town desires to approve adopt this Supplemental Bond Resolution to approve the expenditure of the Additional Cost and the increase in the maximum cost of the Purpose;

WHEREAS, the Town Board of the Town has determined that the Purpose constitutes a "Type II Action" for the purposes of the New York State Environmental Quality Review Act and the regulations thereunder; and

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town (by favorable vote of not less than two-thirds of all the members of the Board) as follows:

Section 1. The Town Board hereby approves an increase in the maximum cost of the Purpose by \$303,010 to a total aggregate maximum cost of \$2,735,010 and the expenditure of such sum to finance the cost of the Purpose.

Section 2. It is hereby determined and declared that (a) the aggregate maximum cost of the Purpose, as estimated by the Board, is \$2,735,010, (b) pursuant to the Original Bond Resolution, \$2,432,000 and certain grant money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes issued pursuant to the Original Bond Resolution and proceeds of available grants.

Section 3. Other than as set forth herein, the provisions of the Original Bond Resolution shall remain in full force and effect.

Section 4. This resolution shall take effect immediately upon adoption.

2023-218

The Schodack Town Board has determined that the Sewer District 5 (East Schodack) Waste Water Treatment Plant disinfection improvements being required by NYSDEC as part of the most recent State Pollution Discharge

Elimination (SPDES) permit are a Type II action under the NYS Environmental Quality Review Act (SEQRA) with no further environmental review being required.

2023-219 Authorize the Town of Schodack to utilize services provided by Scrapper Smith and to accept fee schedule as provided as attached for the collection of propane tanks and fire extinguishers at Household Hazardous Waste collection Day, July 29, 2023.

2023-220 Amend Ratify and affirm amending resolution 2023-126 as adopted March 9, 2023 authorizing Supervisor Peter to contract with musicians to perform at the 2023 Music in the Park as follows:

Peaceful Country Band ~~June 6th (rain date 6/6/23)~~ August 23rd \$575

2023-221 All Civil Service requirements having been met for the position of Police Officer, the Town hereby appoints Timothy J. Hajec to the position of full-time Police Officer effective July 17, 2023 at 5th year level salary as set forth in the Collective Bargaining Agreement between the Town of Schodack and Schodack Police Department, United Public Service Employees Union (UPSEU) dated January 1, 2020 through December 31, 2023.

2023-222 Appoint Cody Seeberger pursuant to Article 7 Section 140 of the Highway Law and as recommended by the Highway Superintendent subject to final approval by the Rensselaer County Civil Service Commission, as an Operator 1, at an hourly rate as set forth in the Year 2023 adopted budget. Said appointment is effective as of July 14, 2023.

2023-223 Amend resolution 2023-194 as adopted on June 8, 2023 to add additional staff for Summer Camp as follows:
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:
Counselors: Mike Goebel, Kylah Grimm and Nick Novak
Special Needs Counselor: Patricia Mead

2023-224 **WHEREAS**, Laberge Group, a duly licensed Engineering firm permitted to practice in the State of New York had previously been retained to prepare Contract Documents for Route 9 South –Water System Improvements (Project) which will replace the existing private company water system with a Town operated system, and

WHEREAS, Laberge Group has prepared the required Contract Documents necessary for the Projects, and

WHEREAS, the Board does hereby accept and approve the Contract Documents for bidding, and

WHEREAS, the Contract Documents inform potential bidders that the Town has not yet received all required governmental approvals and the Town will not be responsible for any costs incurred by any Bidder if the Town is unable to award the Project, and the

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is authorized to advertise for construction bids for the Project using the Contract Documents approved by them with a bid opening date of August 17, 2023 at 11:00 A.M.

2023-225

WHEREAS, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievements of those who have given so generously to their community, exemplifying the ideas and values cherished by this great Town, and

WHEREAS, longevity of life and dedication of service are blessing for an individual and for a community which benefits from the knowledge, creativity, and experiences this individual brings to all, and

WHEREAS, the town of Schodack recognizes with respect and admiration the contribution of senior citizen to our community, and

WHEREAS, Daniel “Danny” Morgan was born on a farm in Oyster Bay, New York to Irish immigrants, and

WHEREAS, following high school Danny was employed by the U.S. Post Office and served in the U.S. Army Reserves, and

WHEREAS, in 1956, Danny married Margaret Teresa “Tessie” Cassley, together they raised their 4 children, John, Daniel, Mary, James in Schodack Landing, and

WHEREAS, he proudly cherished his grandchildren, Erin Colleen, Molly, Gena, Sean Brendan, Eilis, Bryan, Aidan, Tonya and Great-grandchildren, Bailey, Morgan and Quinnlin, and

WHEREAS, Danny was a long-time employee of James Ackroyd and Sons in Albany and retired member of the International Brotherhood of Teamsters, Local 294, and

WHEREAS, Danny continued to serve his community as an active member of the Ancient Order of Hibernians and beginning in 1955 as a charter member of the Schodack Landing Fire Company and served as a member of the Board of Fire Commissioners during his tenure with the Schodack Landing Fire District.

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Daniel Morgan, who has given himself to this community in so many ways and distinguished himself throughout his careers 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 13th day of July to acknowledge, honor and recognize Daniel Morgan for his long life, prosperity, and dedication to the Schodack Landing Fire Company and Schodack Landing Fire District. A copy of this resolution, suitably engrossed, will be transmitted to his family members by the Supervisor.

2023-226 Authorize Supervisor Peter to execute and administer a shared services agreement by and between the Town of Schodack and Rensselaer County dated January 1, 2023.

2023-227 Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-0924 to 23-1145 on Abstract No. 2023-07, in the amount of ~~\$929,871.84~~ 997,051.21 including the claims paid \$67,179.37.

2023-228 Authorize the June 2023 budget modifications, interfund loans and interfund transfers as provided in document dated July 2023 and recommended by the Comptroller.

August 10, 2023

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

Jarred Double Barreled	August 8 th (rain date 8/9/23)	\$500.00
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2023-230 Authorize Kerrie D. Joiner, Human Resource Manager to post internally the full-time position of Operator I/Operator II at the Highway Department and authorize advertising in the official Town newspaper as necessary.

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

WHEREAS, Ti Sales is a Level I certified distributor for Neptune and is the exclusive supplier of Neptune Technology Group Inc. products in the upstate

New York market area from which a quote was received on June 5, 2023 from Ti-Sales Inc.,

NOW, THEREFORE BE IT RESOLVED to authorize purchase of a MRX920V4 Neptune Mobile Data Collector with RF Data Logging feature which is compatible with the Town’s Neptune water meters., plus 600 Neptune 360 Advanced Module Annual Subscription for AMR and Neptune 360 Advanced AMR Software Set-up and training in an amount not to exceed \$17,318.30 as per quote QTE0063144 dated June 5, 2023. [ARPA funding]

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

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

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

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

- 2023-235** Authorize ESCO Heating and Cooling to remove a heat pump in the 1st floor hall way and install a new 19,000 BTU heat pump in an amount not to exceed \$10,500.00.
- 2023-236** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-1146 to 23-1329 on Abstract No. 2023-08, in the amount of \$1,384,112.76 including the claims paid \$132,716.91.
- 2023-237** Authorize the July 2023 budget modifications, interfund loans and interfund transfers as provided in document dated August 2023 and recommended by the Comptroller.

September 14, 2023

- 2023-238** Ratify and affirm replacement of transmission and clutch in the 2002 International Roll-off as per quote dated August 1, 2023 from W & W Truck Transmission Repair Service, Inc. in an amount not to exceed \$9,798.51.
- 2023-239** Ratify and affirm amending resolution 2023-167 as adopted on May 11, 2023 to reflect Additional roads to be paved as follows: To approve the 2023 Road Program as proposed by the Superintendent of Highways to resurface with hot-mix asphalt on: **Edinburgh Drive, Scotland Lane, Hunters Road**, Morey Park Road, Morey Park Hill, Sailors Lane, Ferndale Road, Phillips Road, Briarwood Drive, Huckleberry Road, Simons Road and Old Coach Drive and portions of Burden Lake and Clove Road. Further, Crack Fill/Single Chip Seal treatments shall be applied on: Shufelt Road, Bame Road, Irish Hill Road and portion of Burden Lake Road (150 to No. Schodack Road). Crack Fill Only to be applied to: Sand Road
- 2023-240** Authorize Supervisor Peter to execute and administer a contract with PCI Utility Billing, a third-party payment vendor used by Catalis Tax & Cama, Inc. software to enable the Receiver of Taxes to accept credit and/or debit card payments for water and sewer payments. As per contract, there will be user charge of 2.75% added to the payment amount per credit card transaction and/or \$2.95 user charge added to each debit card transaction.
- 2023-241** Authorize Chief Natale to purchase of 13 ft x 16 ft Hardtop Wood Gazebo Item No. A102008110 from Home Depot to be installed at the shooting range in an amount not to exceed \$2,449.99.
- 2023-242** Resolved that the 2023 Budget Presentation Meeting will be held Monday, October 2, 2023 at 5 p.m. Further, the following schedule was set to review the 2024 Tentative Budget:

Tuesday,	October 17, 2023	6 p.m.
Wednesday,	October 18, 2023	6 p.m.
Thursday,	October 19, 2023	6 p.m.

2023-243 Authorize Supervisor Peter to execute and administer 2023-2024 Snow and Ice Agreement with Rensselaer County Department of Engineering and Highways for reimbursement for snow and ice removal on Stony Point Road.

2023-244 **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 17 through 23 as *Constitution Week*,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack does hereby proclaim the week of September 17 through 23 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.

2023-245 **WHEREAS**, Chapter 174 & 176 of the Town of Schodack Code (Sewer Regulations) provides for capital costs to be allocated to each parcel of property within the sewer district based on the assessed valuation, units or front footage of property along which sewer mains are constructed or a combination of these methods as approved by the Town Board, and

WHEREAS, The Town Board defined the basis, through the adoption of Resolution No. 2019-117 on March 14, 2019, on which capital costs are to be allocated that is in accordance with the districts' legal formation and/or method by which the capital costs were approved, and

NOW THEREFORE BE RESOLVED that the Town Board of the Town of Schodack updates the definitions of an equivalent dwelling unit (EDU), for all Town Sewer Districts, as follows:

Town of Schodack/Village of Castleton

Sewer District Property Class Codes

Sewer Equivalent Dwelling Unit (EDU) Schedule

<u>Property Class Code per Assessor's Manual and Property Description</u>		<u>Capital-O&M EDU</u>
200	Residential Dwellings	1 EDU per dwelling unit-additional units may be assigned for incidental commercial usage Residential parcels - 1 EDU per buildable lot or lots greater than 10,000 sq. ft. where connection is feasible.
300	Vacant Land-no O&M EDU for Vacant Properties	* Commercial parcels - For large parcels, EDU's may be assigned to vacant Properties based upon the assessed value per acre at the discretion of the Board.
400	Commercial Properties	** 1 EDU
410	Living Accommodations	
411	Apartments	** 1 EDU per dwelling unit (VOC)

	416	Mobile Home Park	**	1 EDU per dwelling unit
480	Multi-Use Structures			
	482	2-3 story structure with 1st Floor Commercial and upper floor apartments/offices	**	EDU(s) based upon main floor use of structure plus an additional EDU for each dwelling/office
	484	1 Story multi-use	**	EDU(s) based upon commercial use of structure plus an additional EDU for each dwelling/office
600	Community Services			
	612	Schools-day		1 EDU per 20 students/staff
	633	Homes for the Aged-Nursing Home		.75 EDU per bed
	682	Recreation Facilities-bike path, Nature Trail w/o sewer		Exempt
	695	Cemetery		Exempt
800	Public Services			
				Exempt
900	Wild, Forested Conservation Land & Public Parks			
				Exempt

Commercial Property Class Codes with public water connections (excluding Sewer District #6) not specifically identified above, in general, will be assigned 1 EDU plus additional EDU's for every 40,000 gallons, or portion thereof, of water usage in excess of 40,000 gallons per year at the discretion of the Board. Entities using over 1 million gallons/year may be assigned units on a separate basis.

Sewer Districts without public water connections will be assigned EDU's based upon the above table or, if necessary, in accordance with the use of the property, excluding the component for water usage.

Sewer District #6 properties shall use EDU's calculated per annual Resolution for all Town Water Districts.

2023-246 **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 defined the basis, through the adoption of Resolution No. 2013-218 on October 24, 2013, on which capital costs are to be allocated that is in accordance with the districts' legal formation and/or method by which the capital costs were approved, and

NOW THEREFORE BE RESOLVED that the Town Board of the Town of Schodack updates the definitions of an equivalent dwelling unit (EDU), for all Town Water Districts, as follows:

<u>Property Type</u>	<u>Property Code</u>	<u>Equivalent Dwelling Unit (EDU) Assigned</u>
<i>A typical property is defined as a single family residence with estimated annual water usage of 72,000 gallons or less.</i>		
Exempt Properties	Varies, 315,822, 971	Cemetery without water use, underwater land, catch basins, access roads, water and/or sewer district owned parcels, water

supply, wetlands and homeowner associations.

Residential Properties

Vacant Land	311	0.75 EDU
Vacant Land - Rural 10 acres or less	314	0.50 EDU (less than .10 acres, then 0 EDU)
Vacant Land - Rural over 10 acres	322	1.00 EDU
1 family w/ no water main on the road	210	0.0 EDU
1 family year round residence w/ curb stop, w/ easement or flag lot, dwelling > 600 feet from curb stop	210	0.50 EDU
1 family, with acreage	210	1.00 DU
1 family year round residence w/accessory apartment	215	1.50 EDU
2 family	220	2.00 EDU
3 family	230	3.00 EDU
With acreage, Multi-purpose	240,280,281	Based on property specifics using definitions contained herein, except water usage is not a component. (i.e. 1 family plus 1 apartment = 1.50 EDU)
With Incidental Commercial Use. Incidental Commercial use is defined as a residence which has been partially converted or adapted for commercial use with the primary use being residential.	283	2.00 EDU (1 EDU for Residential plus EDU for Commercial) The residential component may increase based on property specifics using definitions contained herein (i.e. 1 family plus 1 apartment = 1.50 EDU). Additional units will be added based upon actual water usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in Excess of 72,000 gallons for usage greater than the first 72,000 gallons. *
With small improvement	312	1.00 EDU

<u>Property Type</u>	<u>Property Code</u>	<u>Equivalent Dwelling Unit (EDU) Assigned</u>
Commercial Vacant Land Properties		
Vacant Land; Commercial Vacant with small improvement; Agricultural Vacant Land	330,331,105	An assessed value per acre of less than or equal to \$10,000 shall have an EDU value of .25, an assessed value per acre greater than \$10,000 and less than or equal to \$25,000 shall have an EDU value of .50, and an assessed value per acre greater than \$25,000 shall have an EDU value of .75; then dividing the total assessed value of the property by \$20,000 (2017-AAV) to determine the units of assessment and then multiplying the EDU value by the units of assessment, rounded up to the nearest quarter. AAV-Average Assessed Value is calculated annually based upon the average assessed value per acre of residential vacant property in property code no. 311 for all Town Water Districts. Should properties become water users, additional units will be added based upon actual usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
Parking Lots, Mining/Quarry	438, 720	1.0 EDU. Should properties become water users, additional units will be added based upon actual usage at the rate of 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^

Commercial Residential Properties

Apartments, Mobile Home Parks	411, 416	1.0 EDU; plus 0.50 EDU per apartment/mobile home; plus 0.50 EDU for each excess 36,000 gallons or portion thereof in excess of the total of the EDUs per apartment/mobile home times 72,000 gallons.*
Hotel, Motel	414, 415	1.0 EDU; plus 1.00 EDU per 3 rooms Or portion thereof; plus 1/3 of 1.00 EDU for each excess 24,000 gallons used or portion thereof in excess of the total of the EDUs per 3 rooms times 72,000 gallons.*

Commercial Properties

Commercial Properties as listed: Restaurants, Diner/Luncheonettes, Fast Food Franchises, Motor Vehicle Service, Auto Dealers – Sales & Service, Auto Body/ Tire/ Related Auto, Automatic Car Wash, Mini Warehouse (self storage), Lumber Yards, Trucking Terminals, Other Storage/ Warehouse/ Distribution Facilities, Retail Services, Neighborhood Shopping Centers, Drive-In Branch Bank, Office Building, Professional Building, Dog Kennel/ Veterinary Clinic, Multiple Use, Converted Residence, One Story Small Structure, One Story Small Structure – Multi Occupancy, Minimart, Schools, Other Educational Facilities, Religious, Benevolent & Moral Associations, All Other Health Facilities, Governmental Highway Garage, Governmental Office Building, Police & Fire Protection, Recreational Facility, Industrial, Electric & Gas	421, 422, 426, 430, 431, 433, 434, 442, 444, 447, 449, 450, 452, 462, 464, 465, 472, 480, 481, 483, 484, 485, 486, 612, 615, 620, 632, 642, 651, 652, 662, 682, 700, 870	1.0 EDU; plus 1.00 EDU for every 72,000 gallons or portion thereof in excess of 72,000 gallons.*^
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* Based upon actual water consumption for the period July 1 – June 30 preceding the adoption of the assessment roll, or
^ Based upon estimated water consumption for non-connected properties per DEC design flow guidelines as follows: .01 gallon/square foot/day for Warehouse/Storage Facilities or

.1 gallon/square foot/ day for Office/Retail Facilities discounted by 50% of estimated water usage.

- 2023-247** Waive the requirement pursuant to Chapter 177§1 of the Code of the Town of Schodack to hold Water Rate hearings on or before October 20th each year, in order to schedule said hearings at a special meeting at a later date to be determined.
- 2023-248** Waive the requirement pursuant to Chapter 176§4 of the Code of the Town of Schodack to hold Sewer Rent hearings on or before October 20th each year, in order to schedule said hearings at a special meeting at a later date to be determined.
- 2023-249** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 1. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2023-250** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 3. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2023-251** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of the capital charges for Water District Number 101. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2023-252** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 2a. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.
- 2023-253** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 8. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

2023-254 Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 9. Said hearing shall be held on Thursday, October 26, 2023 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

2023-255 Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the Assessment rolls for Capital Charges for Consolidated Sewer District Number 1. Said hearing shall be held on Thursday, October 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2023-256 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 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2023-257 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 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2023-258 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 26, 2023 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

2023-259 Authorize Town Clerk to publish legal notice of hearing to seek public input relative to the 2023 Preliminary Budget and proposed fees for 2023 to be held on Thursday, October 26, 2023 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road as soon thereafter as the above sewer district hearing is concluded.

2023-260 Adopt the fee schedule for Fall Clean-Up Days (October 19, 20 & 21) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16") (limit of 10 items per household)	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors (limit of 2 items per household)	FREE
Propane Tanks	FREE

Furniture (limit of 3 items per household)	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

*******Please note: all other pricing remains the same*******

2023-261 **WHEREAS**, the Town of Schodack was the recipient of a Community Development Block Grant (CDBG) award administered by the New York State Office of Community Renewal; and

WHEREAS, participation in this program requires two public hearings; the first being to seek direction and comments on the application for funding and the second to allow the public an opportunity to comment on its implementation; and

WHEREAS, the Town held the first of two required public hearings on the 2021 Public Infrastructure project on February 11, 2021, prior to submitting its application; and

WHEREAS, the Town has implemented much of the CDBG funded 2021 Public Infrastructure project activities, making it appropriate for holding the required second public hearing; and

NOW, THEREFORE, BE IT RESOLVED, by the Members of the Town Board of Schodack: That the Town Clerk is hereby authorized to publish a Notice of Public Hearing to be held on September 28, 2023 at 7:05 p.m. at the Town Offices to provide an opportunity for the Town to:

- a. Provide the citizens of the Town with information about the performance and status of activities for the ongoing NYS CDBG project #1039PW29-21, Schodack Battisti Drinking Water Improvements.
- b. Provide citizens adequate opportunity to participate in the review of the performance and status of activities for the ongoing project.

2023-262 Authorize Supervisor Peter to provide a letter of support to the Village of Castleton in regard to the dedicated River Access to the waterfront in the Village of Castleton.

2023-263 Amend resolution 2023-153 as adopted on April 13, 2023 as follows: Appoint Erika Pratt as Planning/Zoning Secretary on a full-time basis at the hourly rate of ~~\$20.00~~ \$21.00 effective ~~May 15, 2023~~ September 18, 2023. [This is a budgeted item. B-3620, B-8010 & B-8020]

2023-264 Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 9 of 2023 to determine extending a moratorium for Battery energy storage systems in the Town of Schodack. Said hearing to be held on Thursday, September 28, 2023 at the Schodack Town Hall at 7:15 p.m.

2023-265 Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-1330 to 23-1514 on Abstract No. 2023-09, in the amount of \$1,896,680.54, including the claims paid \$156,551.32.

2023-266 Authorize the August 2023 budget modifications, interfund loans and interfund transfers as provided in document dated September 2023 and recommended by the Comptroller.

September 28, 2023

2023-267 Ratify and affirm appointing Pamela Barra-Harter as Police Department Clerk on a part-time basis (up to 30 hours per week) at the hourly rate of \$21.00 effective September 25, 2023.

2023-268 **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for public hearing to be held by said Town on September 28, 2023 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law No. 9 of 2023 **A Local Law Establishing A Six-Month Moratorium on Battery Energy Solar Systems within the Town of Schodack, and**

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on September 18, 2023 and advertised in the September 18, 2023 edition to THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on September 28, 2023 at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part thereof, it is hereby

WHEREAS, that Town Board of the Town of Schodack, after due deliberation finds that it is in the best interest of the Town to adopt said local law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby adopts Proposed Local Law Number 9 of 2023 (P9-2023) to be known as Local Law 7 of 2023 Battery Energy Solar Systems in the Town of Schodack, and

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

2023-269 The Town Board authorizes the Comptroller to utilize up to \$7,500.00 of capital project funds from Water District No. 10 to pay WD#1 for transitional water costs incurred between September 1 and December 31st.

2023-270 **WHEREAS**, bids for: Route 9 South Water Improvements were received on September 7, 2023; and

WHEREAS, the Consulting Engineers, Laberge Engineering & Consulting Group Ltd., have submitted their report relative to their analysis of bids.

NOW, THEREFORE, BE IT RESOLVED THAT the recommendation of said Engineers be hereby accepted, approved and adopted; and

BE IT RESOLVED THAT the Route 9 South Water Improvements Project be hereby awarded to:

William J. Keller and Sons Construction, Corp.
1435 Route 9, Castleton, New York 12033

in the amount of \$6,519,966.00 contingent upon a concurrent charge order being executed to modify pay items number 81 (8" valves) and number 88 (PRV #2); and

BE RESOLVED THAT the Town Supervisor is authorized to execute all documents required to execute the contract and concurrent change order to implement this project; and

BE IT FURTHER RESOLVED THAT the project may utilize American Recovery Plan Act (ARPA) funds to complete the project if necessary.

2023-271 Authorize parking lot at town hall to be prepared, tack coated, shim and paved as per quote dated August 29, 2023 from HMA Contracting Corp. in an amount not to exceed \$87,090.00. (work to be completed on Saturday/Sunday as not to interrupt business traffic) A-1620.2

2023-272 Appoint W. Gregory Gersch as a member of the Board of Assessment Review at salary as set forth in Year 2023 adopted budget. Term to expire September 30, 2028.

2023-273 **WHEREAS**, the Town Building Inspector has reported to the Town Board that a building or structure known as Old Forge Road (Tax Map 201.12-2-6) should be removed; and

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

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

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

RESOLVED, that a hearing shall be held before the Town Board in this matter on November 9, 2023 at 7:05 p.m., to determine whether the owner has complied with such notice, and to take such other and further actions as may be authorized by Chapter 99.

2023-274 Authorize Supervisor Peter to execute and administer service agreement for the Police Station with ESCO Heating & Cooling Inc. for the period of August 1, 2023 to December 31, 2023 in an amount not to exceed \$500.00.

2023-275 Authorize Kerrie Joiner, Human Resource Manager to post internally the part-time position of Assistant Police Chief for the Town of Schodack and allow the Supervisor to advertise in the official Town newspaper as necessary.

October 12, 2023

2023-276 Ratify and affirm authorizing the purchase of a 2023 Chevy Tahoe 4x4 Police vehicle based on NYS OGS mini bid at a cost not to exceed ~~\$77,121.00~~ \$72,000.00. [Capital Reserve Fund]

2023-277 Pursuant to Article 7 Section 140 of the Highway Law, the Highway Superintendent hereby appoints Cory Morales, subject to final approval by the Rensselaer County Civil Service Commission, as an Operator 2, at an hourly rate as set forth in the Year 2023 adopted budget. Said appointment is effective as of October 16, 2023.

2023-278 Authorize Highway Department to install Stop signs on Pinewood Avenue at the intersection of Inglewood Avenue and on Clearview Blvd at the intersection of Crescent Drive.

2023-279 Authorize Supervisor Peter to execute and administer easement and purchase agreement with Kristina Macyowskie for a water tower location in conjunction with the Route 9 Water project being undertaken by the County, and to file necessary documents in Rensselaer County Clerk's Office when appropriate.

2023-280 Authorize Supervisor Peter to execute and administer NYS Department of Taxation and Finance RP-5217 and TP-584 and any other necessary paperwork to transfer titles of six vacant land parcels to the town of Schodack from Rensselaer County for the purpose of public use as per correspondence dated September 22, 2023.

2023-281 Authorize Supervisor Peter to execute and administer Addendum Number 2023112-00 for professional services from the Laberge Group to assist the Town of Schodack for Construction Oversight related to Maple Hill Road Sewer extension in an amount not to exceed \$15,000.00 plus reimbursable expenses.

- 2023-282** The Board of the Town of Schodack authorizes the Schodack Town Court to apply for a FCAP grant in the 2023-24 grant cycle up to \$30,000.00.
- 2023-283** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-1515 to 23-1673 on Abstract No. 2023-10, in the amount of \$1,258,211.05, including the claims paid \$16,828.73.
- 2023-284** Authorize the September 2023 budget modifications, interfund loans and interfund transfers as provided in document dated October 2023 and recommended by the Comptroller.

October 26, 2023

2023-285 **WHEREAS**, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievements of those who have given so generously to their community, exemplifying the ideals and values cherished by this great Town, and

WHEREAS, Paul Walter Peter 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 Town Justice in the Town of Schodack, and

WHEREAS, Paul Peter is a lifelong resident of the Town of Schodack, graduating from Maple Hill High in 1967, and

WHEREAS, Paul Peter has spent his entire life working, side by side with his family on the Peter's Dairy Farm, and

WHEREAS, upon the death of his father, the presiding Judge Albert Peter, Paul Peter was duly appointed as a Town Justice for the Town of Schodack on July 23rd. 1992 subsequently won election that November to fill his father's unexpired term, and is currently up for reelection to his 9th term, and

WHEREAS, Paul has served faithfully in that capacity for 31 plus years, where he brings his values of hard work and dedication to his job as Town Justice, he is trusted to be fair, responsive, honest and always doing the right thing, and

WHEREAS, this makes Judge Peter the longest serving Justice in the history of Schodack, and

WHEREAS, he has efficiently resolved thousands of cases in one of the county's busiest courts, and

WHEREAS, likewise, Judge Peter was elected Justice of the Village of Castleton in 1994 and served in that capacity until the village closed in 2010, and

WHEREAS, on October 1, 2023 the Honorable Paul Peter was recognized at the New York State Magistrates' annual conference with their highest honor and named 2023 Eugene W. Salisbury Magistrate of the Year by the New York State Magistrates Association and

WHEREAS, according to the association, an award committee ascertains that the winner's public and judicial conduct has been free from even the appearance of impropriety; that he exhibits sound temperament, attentiveness, patience and impartiality on the bench; that he is studious in the knowledge of principles of the law and diligent in endeavoring to ascertain the facts; and that his tenure on the bench has been of a sufficient length to demonstrate he commands respect of the local electorate, and

WHEREAS, Paul continues to demonstrate his commitment to the community by serving as a life member of the Castleton Fire Company and both Rensselaer County and Columbia County Magistrate Boards, and

WHEREAS, Paul has demonstrated his love of family as he and his wife Janette celebrated 46 years of marriage in April of this year and are proud of their son Charles, daughter-in-law Cathleen and grandchildren Lily and Emma daughter Susan, and her boyfriend Wil Walker

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Paul Peter, who has given himself to this community in so many ways, distinguishing himself throughout his careers and, as a longtime resident of this great Town, 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, be it

FURTHER RESOLVED, that the Legislative Body of the Town of Schodack will pause in its deliberations on the 26th of October 2023 to acknowledge and honor Paul Walter Peter, upon his achievement of being named the 2023 Magistrate of the Year, for his more than 31 years of service to the Town of Schodack. A copy of this resolution, suitably engrossed, will be transmitted to him by Supervisor Peter.

- 2023-286** Appoint Edward Barnes as part-time police officer at an hourly rate as set forth in resolution 2022-344 (\$25.88/hour).
- 2023-287** All Civil Service requirements having been met for the position of Police Officer, the Town hereby appoints Dalton Austin-Michaud to the position of full-time Police Officer effective October 30, 2023 at 4th year level salary as set forth in the Collective Bargaining Agreement between the Town of Schodack and Schodack Police Department, United Public Service Employees Union (UPSEU) dated January 1, 2023 through December 31, 2025.
- 2023-288** Appoint Ralph Southworth as Assistant Police Chief on a part-time basis at the hourly rate of \$ 35.00 effective October 27, 2023.
- 2023-289** Provisionally appoint Timothy J. Hajec the position of Police Sergeant at an

hourly rate of \$36.67 effective October 27, 2023.

2023-290 NOW, THEREFORE, BE IT RESOLVED, that the water rate for the sale of excess water supply for operations and maintenance pursuant to Sale of Water, for the period of January 1, 2024 through December 31, 2024, to be charged by Bulk Commercial Water Sales from Enterprise Town-Wide Water Supply is \$10.00 per 1,000 gallons or portion thereof.

2023-291 NOW, THEREFORE, BE IT RESOLVED, that the water rate for the sale of excess water supply for operations and maintenance pursuant to Sale of Water, for the period of January 1, 2024 through December 31, 2024 to be charged by Water District No. 1 to Water District No. 3 is \$6.90 per 1,000 gallons or portion thereof.

2023-292 NOW, THEREFORE, BE IT RESOLVED, that the water rate for the sale of excess water supply for operations and maintenance pursuant to Sale of Water Service Contract dated June 24, 2010 (Resolution No. 2010-229), for the period of January 1, 2024 through December 31, 2024 to be charged by the Town-Wide Water Supply Enterprise Fund to Schodack Consolidated Water District No. 101 is \$2.00 per 1,000 gallons or portion thereof.

2023-293 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 26th day of October 2023, 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 2024 billing period for water rates for Water District No. 1 (Clearview) for 168 users shall be \$60.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

2023-294 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 October 26, 2023 at 7:10 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 26th of October 2023, 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 241.5 units and adopted on October 26, 2023 and filed in the office of the Town Clerk of the Town of Schodack.

2023-295 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 26th day of October 2023, 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 2023 billing period for water rates for Water District No. 3 (Maplecrest) for 44 users shall be \$80.00 for the first 18,000 gallons and \$4.00 for each additional 1,000 gallons or portion thereof.

2023-296 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 October 26, 2023 at 7:10 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 26th of October 2023, 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 44.5 units and adopted on October 26, 2023 and filed in the office of the Town Clerk of the Town of Schodack.

2023-297

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 26th day of October 2023, 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 2023 billing period for water rates for Water District No. 101 for 403 existing users shall be \$45.00 for the first 18,000 gallons and \$3.00 for each additional 1,000 gallons or portion thereof,

FURTHER RESOLVE that commencing with the first quarter 2023 billing period water rates for residential out of district users for Water District No. 101 for 8 existing users shall be \$115.00 for the first 18,000 gallons and \$3.00 for each additional 1,000 gallons or portion thereof.

2023-298

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 October 26, 2023 at 7:10 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 26th of October 2023, 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 1,009 units and adopted on October 26, 2023 and filed in the office of the Town Clerk of the Town of Schodack.

2023-299

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 26, 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 October 26, 2023 at 7:10 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 26th of October 2023, 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 33.5 units and adopted on October 26, 2023 and filed in the office of the Town Clerk of the Town of Schodack.

2023-300

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 26, 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 October 26, 2023 at 7:10 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 26th of October 2023, 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 248.25 units and adopted on October 26, 2023 and filed in the office of the Town Clerk of the Town of Schodack.

2023-301

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 26, 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 October 26, 2023 at 7:10 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 26th of October 2023, 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 210 units and adopted on October 26, 2023 and filed in the office of the Town Clerk of the Town of Schodack.

2023-302

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on October 26, 2023 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 26th day of October 2023, 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 2023 billing period for the sewer rents for Sewer District No. 6 (Exit 10) for 78 users shall be \$7.50 per thousand based on water meter.

2023-303 WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on October 26, 2023 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 26th day of October 2023, 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, 2023 to June 30, 2023) the sewer rents for Sewer District No. 5 (East Schodack) for 29 users shall be \$450.00 semi-annual rate per unit.

2023-304 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 October 26, 2023 at 7:20 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 26th of October, 2023, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Sewer District No. 5, Extension 1,

NOW, THEREFORE, BE IT RESOLVED that the said assessment roll be and the same is hereby affirmed for Extension 1 as 30 units and filed in the office of the Town Clerk of the Town of Schodack.

2023-305 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 October 26, 2023 at 7:20 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 26th of October, 2023, the time and place specified in said hearing to receive and consider any comments regarding the assessment roll for Sewer District No. 5, 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 32 units and filed in the office of the Town Clerk of the Town of Schodack.

2023-306

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on October 26, 2023 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 26th day of October 2023, 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, 2023 to June 30, 2023) the sewer rents for Sewer District No. 8 (Schodack Landing) for 71 units shall be \$226.00 semi-annual rate per unit.

2023-307

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 October 26, 2023 at 7:20 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 26th of October, 2023, 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 76 units and filed in the office of the Town Clerk of the Town of Schodack.

2023-308 WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on October 26, 2023 to consider proposed sewer rents for Consolidated Sewer District No. 1 (Castleton, Castleridge, Brickyard and Hamilton) 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 26th day of October 2023, 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, 2023 to June 30, 2023) the sewer rents for Sewer District No. 1 (Castleton, Castleridge, Brickyard and Hamilton) for 204 users shall be \$210.00 semi-annual rate per unit.

2023-309 WHEREAS, the Town Board of the Town of Schodack, Rensselaer County, has completed an assessment roll in connection with the financing of Consolidated Sewer #1 (Castleton, Castleridge, Brickyard and Hamilton) Capital Costs of the collection system and that portion of non-reimbursed Capital Costs of the 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 October 26, 2023 at 7:20 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 26th of October, 2023, 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 as calculated based on tax assessment rolls and filed in the office of the Town Clerk of the Town of Schodack.

2023-310 Ratify and affirm that the adjustments to the 2024 Tentative Budget are as follows:

**Town of Schodack
Tentative to Preliminary Budget Analysis*
2024**

		APPROPRIATIONS PROVISIONS	+/- ESTIMATED REVENUE	+/- UNEXPENDED BALANCE	AMOUNT TO BE RAISED BY TAXES
Tentative Budget		13,028,479.45	5,901,295.00	543,070.45	6,584,114.00
A1355.2	Assessor Records Mgmt Ofcr -	(10,000.00)	-	(10,000.00)	-
A1460.1	Personal Services	(7,569.00)	-	(7,569.00)	-
A1620.1	Buildings - Personal Services	(1,154.00)	-	(1,154.00)	-
A1620.2	Buildings - Equipment	(30,000.00)	-	-	(30,000.00)
A1620.4	Buildings - Contractual Fire Protection - Personal	(41.00)	-	(41.00)	-
A3410.1	Services	(5,000.00)	-	(5,000.00)	-
A3410.4	Fire Protection - Contractual	(3,100.00)	-	(3,100.00)	-
A5132.4	Town Garage - Contractual	1,626.00	-	1,626.00	-
A6410.4	Publicity - Contractual	10,000.00	-	10,000.00	-
A7310.1	Youth - Personal Services	6,833.00	-	6,833.00	-
A7310.2	Youth - Equipment	200.00	-	200.00	-
A7310.4	Youth - Contractual	9,000.00	-	9,000.00	-
A7410.4	Libraries - Contractual	(10,000.00)	-	(10,000.00)	-
A8160.1	Landfill - Personal Services	280.00	-	280.00	-
A8160.4	Landfill - Contractual	(2,600.00)	-	(2,600.00)	-
A8189.1	Recycling - Personal Services	3,260.00	-	3,260.00	-

A8189.4	Recycling - Contractual	(2,500.00)	-	(2,500.00)	-
A8389.4	Water Misc. - Contractual	1,488.00		1,488.00	-
<u>REVENUES</u>					
A5031	Transfers - Parkland Funds		1,500.00	(1,500.00)	-
	Net A Fund Adjustment	(39,277.00)	1,500.00	(10,777.00)	(30,000.00)
B8340.2	Water Trans & Dist Equipment	2,500.00	-	2,500.00	-
	Net B Fund Adjustment	2,500.00	-	2,500.00	-
DB5130.2	Machinery - Equipment		140,000.00	-	(140,000.00)
	Net DB Fund Adjustment	-	140,000.00	-	(140,000.00)
EW	Enterprise - Townwide Water Supply	139,146.00	34,441.00	104,705.00	-
SF1	Nassau Lake West Fire Protection Dist	148,700.00	-	-	148,700.00
SF2	Schodack Fire Protection District	50,000.00	-	-	50,000.00
		198,700.00	-	-	198,700.00
SM	Schodack Ambulance District	(0.45)	-	(0.45)	-
SS5	East Schodack Sewer District - new	29,883.00	25,700.00	(5,547.00)	9,730.00
SS5	East Schodack Sewer District - old	3,683.00	-	-	3,683.00
SS6	Miller Rd/Exit 10 Sewer District	171,292.00	150,800.00	20,492.00	-
SS8	Schodack Landing Sewer District	74,679.00	32,850.00	5,191.00	36,638.00
SSC1	Castleton Consolidated Sewer District	157,471.00	86,260.00	9,394.00	61,817.00
	Net Sewer District Adjustments	437,008.00	295,610.00	29,530.00	111,868.00
SW1	Clearview Water District	97,756.00	69,030.00	28,089.00	637.00
SW3	Maple Crest Water District	21,776.00	15,750.00	6,026.00	-

SW9	Route 20 Water District	-	(4.00)	-	4.00
SWC1	Consolidated Water District	431,530.00	137,500.00	291,363.00	2,667.00
	Net Water District Adjustments	551,062.00	222,276.00	325,478.00	3,308.00
	South Landing Fire District	-	-	-	-
	South Schodack Fire District	292,963.00	4,500.00	-	288,463.00
	Schodack Center Fire District	1,219,832.00	1,005,602.00	-	214,230.00
	East Schodack Fire District	213,820.00	98,060.00	-	115,760.00
	Schodack Valley Fire District	486,658.00	3,000.00	-	483,658.00
	Nassau Fire District	223,216.00	217,474.00	-	5,742.00
	Preliminary Budget per 10/26/23 TB mtg	16,754,107.00	7,923,758.00	994,506.00	7,835,843.00

*The Tax Base will be updated with the latest assessment data, therefore an updated exemption impact report will be included with the preliminary budget.

- 2023-311** Resolve that the Town Board of the Town of Schodack approves the selection of the following Health Insurance coverage plans for the period January 1, 2024 through December 31, 2024:
- Authorize the selection of CDPHP-HMO Insurance for Health Insurance coverage effective January 1, 2024.
 - Authorize the selection of MVP-HMO Insurance for Health Insurance coverage effective January 1, 2024.
 - Authorize the selection of NYSHIP Medicare Empire Plan Insurance for Health Insurance coverage effective January 1, 2024, to employees hired prior to September 28, 2006 (eligible at retirement).
 - Authorize the selection of Humana Medicare LPPO Insurance coverage effective January 1, 2024.

November 9, 2023

2023-312 ***WITHDRAWN: WHEREAS***, the Town Building Inspector reported to the Town Board that a building or structure known as Old Forge Road (Tax Map 201.12-2-6) should be repaired or removed; and

WHEREAS, the Town Board wished to proceed pursuant to Chapter 99 of the Schodack Code, relating to Unsafe Buildings; and

WHEREAS, it was resolved that the Building Inspector shall, pursuant to §99-2(B) forward a notice with the particulars required therein to the owner, directing the owner to commence the securing or removal of the buildings/debris within 30 days and to complete such securing or removal within 60 days; and

WHEREAS, a copy of that notice was filed in the office of the Rensselaer County Clerk, pursuant to the provisions of §99-2(D); and

WHEREAS, resolution 2023-278 adopted on September 28, 2023, scheduled a hearing on this matter on November 9, 2023 at 7:05 p.m., to determine whether the owner has complied with such notice, and to take such other and further actions as may be authorized by Chapter 99; and

WHEREAS, the hearing was held on November 9, 2023 at the time and place as specified in the notice; and

WHEREAS, proof was submitted of timely service of notice pursuant to Chapter 99; and

WHEREAS, based on proof submitted at the hearing, the remaining premises located at Old Forge Road (Tax Map 201.12-2-6) are unsafe for human habitation and should be removed;

NOW THEREFORE BE IT RESOLVED that said remaining premises located at Old Forge Road shall be removed by the town,

BE, IT FURTHER RESOLVED that all costs and expenses in said removal shall be assessed on the property at Od Forge Road (Tax Map 201.12-2-6) and that said charges shall be levied and collected as provided by law.

2023-313 Approve the attached Transfer Station Fee schedule, to be effective January 1, 2024.

Effective: January 1, 2024

(518) 477-8491

TOWN OF SCHODACK TRANSFER/RECYCLING STATION RULES AND REGULATIONS

For more information on our Transfer Station please visit <http://www.schodack.org/transfer-station-and-recycling>

- 1) The Town of Schodack Transfer/Recycling Station is for use by Town residents only and is for disposal of refuse generated within the Town of Schodack. Proof of residency **and** vehicle registration **must be provided** in order to utilize the facility.
- 2) **Credit cards, personal checks or money orders are acceptable forms of payment at the Transfer Station. For credit card use, a convenience fee of \$1.75 or 2.45% (whichever is higher) will be applied to each transaction.**

Brush will be accepted up to 30 minutes before closing each day.

3) The Schodack Transfer/Recycling Station area shall be open for disposal as follows:

Tuesday	7:00 a.m. - 5:00 p.m.
Wednesday	7:00 a.m. - 2:00 p.m.
Thursday	7:00 a.m. - 2:00 p.m.
Friday	7:00 a.m. - 2:00 p.m.
Saturday	7:00 a.m. - 3:00 p.m.

The Transfer Station is closed all day Sunday, Monday and Holidays as posted.

4) Residents will be required to pay for each 30-gallon bag, or portion thereof, of refuse disposed of as follows:

a) 52-bag punch card	\$ 104.00
b) 12-Bag Punch Card	\$ 30.00
c) 30-gallon bag or equivalent	\$ 3.00 each

(Previously purchased punch cards will be honored)

5) **There will be an additional charge for:**

a) Refrigerators, freezers, dehumidifiers, air conditioners***	\$12.00 each or 6 punches
b) Metal goods:	\$ 6.00 each or 3 punches
Stoves, washers, dryers, water tanks, riding lawn mowers, Bulk metals	
c) Tires (subject to limit of 10 tires total annually)	
Car and light truck	\$ 4.00 each or 2 punches
Tires with rims	\$ 6.00 each or 3 punches
Larger tires	*PRICED BY SIZE*
*Dirty tires will be subject to approval for acceptance by the Transfer Station Director or his Designee	
d) Bulky furniture **	\$10.00 each or 5 punches
e) Household construction debris, 30-gallon container	\$10.00 each or 5 punches
f) Propane tanks	\$ 6.00 each or 3 punches
g) Push Mowers	\$ 5.00 each or 3 punches
h) Gas Grills, Bicycles	\$ 5.00 each or 3 punches
i) Televisions, Computers, Monitor & Rear Projection Televisions ***	FREE
j) Computer tower only ***	FREE
k) Misc. Electronic – printers, copiers, typewriters, radios, microwaves ***	FREE

**Bulky Furniture, i.e.: Sofas, stuffed chairs, mattresses, box springs, rugs etc.

***All Electronics not containing Freon

The Director of the Transfer/Recycling Station or his designee has sole authority to determine ultimate cost of bulky items brought in.

6) **RECYCLING IS MANDATORY. NO RECYCLABLES SHOULD BE PLACED IN THE REFUSE CONTAINER.**

7) **THE FOLLOWING RECYCLABLES WILL BE ACCEPTED AT NO ADDITIONAL CHARGE:**

- a) Newspapers/Magazines/Junk Mail – white paper. Books (hard & soft cover) Shredded paper (bagged)
- b) Tin cans
- c) Glass bottles/jars
- d) Plastic bottles or containers (only recyclable codes 1 - 7)

- e) Used oil and filters.
 - f) Batteries - car and rechargeable
 - g) Anti-Freeze
 - h) Corrugated cardboard/Box Board/Brown
 - l) Clothes – CCMS - Anchor
 - j) Grass, Leaves and branches less than four (4) inches in diameter
- 8) **MATERIALS PROHIBITED AT THE TOWN OF SCHODACK TRANSFER/RECYCLING STATION:**
- a) Industrial waste
 - b) Infectious waste
 - c) Sludge
 - d) Hazardous waste
 - e) Commercial construction and demolition debris
 - f) Trees and tree stumps
 - g) Gas, Kerosene and Fuel Oil
 - h) Ashes of any kind
- 9) As a consideration to our neighbors, all open loads should be covered and secured while traveling to and from the Transfer Station.

Any violations of these rules and regulations will void tipping privileges.

SPECIAL DATES & HOURS:

SPRING CLEAN-UP - May 16,17, and 18, 2024 **7 A.M. through 3 P.M.**

FALL CLEAN-UP - October 17, 18, and 19, 2024 **7 A.M. through 3 P.M.**

SHREDDING DAY – April 27th – Town of East Greenbush **9 A.M. - 12 P.M.**

July 27th – Town of Schodack **9 A.M. - 12 P.M.** October 26th - City of Rensselaer **9 A.M. - 12 P.M.**

HOUSEHOLD HAZARDOUS WASTE DAY

July 27th, 2024 – Town of Schodack

Limited time slots available for the following dates:

May 18th, 2024 – City of Troy
 September 14th, 2024– Town of Brunswick
 October 19th, 2024 – Town of Bethlehem

The following days have been designated as 2023 holidays and the Transfer Station will be **closed**:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Tuesday	May 28th	Memorial Day*
Thursday	July 4th	Independence Day
Tuesday	September 3rd	Labor Day*
Thursday	November 28th	Thanksgiving Day
Friday	November 29th	Day after
Wednesday	December 25 th	Christmas Day

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

2023-314

Based on October 26th, 2023 budget discussions, adopt the following changes to the 2024 Preliminary Budget

**Town of Schodack
Preliminary to Adopted Budget Analysis*
2024**

			+/-	+/-	AMOUNT TO
		APPROPRIATIONS	ESTIMATED	UNEXPENDED	BE RAISED
		PROVISIONS	REVENUE	BALANCE	BY TAXES
	Preliminary Budget	16,754,107.00	7,923,758.00	994,506.00	7,835,843.00
A-1110.4	Justice Court - Personal Services	731.00	-	731.00	-
A-1220.1	Supervisor - Personal Services	10,000.00	-	10,000.00	-
A-1355.1	Assessor - Personal Services	(74.00)	-	-	(74.00)
A-1410.1	Town Clerk - Personal Services	236.00	-	236.00	-
A-1430.1	Human Resources - Personal Services	(4,007.00)	-	-	(4,007.00)
A-3120.1	Police - Personal Services	44,282.00	-	44,282.00	-
A-6310.4	Community Action	5,000.00	-	5,000.00	-
A-7110.1	Parks - Personal Services	873.00	-	873.00	-
A-7310.1	Youth Programs - Personal Services	507.00	-	507.00	-
A-9030.8	Social Security	5,680.00	-	5,680.00	-
A-9060.8	Health Insurance - Active	5,260.00	-	5,260.00	-
A-9060.81	Health Insurance - Retiree	2,580.00	-	2,580.00	-
A-962	Provision for Capital Reserve	20,000.00	-	20,000.00	-
A1081	PILOTS	-	(19,000.00)	19,000.00	-
A2210	Services for Other Governments	-	50,000.00	-	(50,000.00)
A2610	Fines and Forfeiture	-	25,000.00	(4,540.00)	(20,460.00)
A3005	Mortgage Tax	-	25,000.00	(4,541.00)	(20,459.00)
		-	-	-	-

	Net A Fund Adjustment	91,068.00	81,000.00	105,068.00	(95,000.00)
B-9030.8	Social Security	150.00	-	150.00	-
B-9060.8	Health Insurance - Active	(28,080.00)	-	(28,080.00)	-
B-9060.81	Health Insurance - Retiree	(160.00)	-	(160.00)	-
B-9901	Transfer to DB Fund	100,000.00	-	100,000.00	-
		-	-	-	-
	Net B Fund Adjustment	71,910.00	-	71,910.00	-
DB-9060.8	Health Insurance - Active	23,641.00	-	-	23,641.00
DB-9060.81	Health Insurance - Retiree	2,646.00	-	-	2,646.00
DB-1081	PILOTS		(6,000.00)	-	6,000.00
DB512R	Appropriate Capital Reserve		24,000.00	-	(24,000.00)
		-	-	-	-
	Net DB Fund Adjustment	26,287.00	18,000.00	-	8,287.00
	South Landing Fire District	166,050.00	-	-	166,050.00
	Adopted Budget per 11/9/23 TB mtg	17,109,422.00	8,022,758.00	1,171,484.00	7,915,180.00

*The Tax Base will be updated with the latest assessment data, therefore an updated exemption impact report will be included with the Adopted budget.

2023-315 WHEREAS, the Town Board met on Tuesday, October 26, 2023 at the Schodack Town Hall, as specified in the Notice of Public Hearing for the 2024 Preliminary Budget, with said notice appearing in the October 20, 2023 edition of The Record, and was posted on October 20, 2023, and

WHEREAS, said public hearing was held on October 26, 2023 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 Preliminary Budget or any part thereof,

NOW, THEREFORE, BE IT RESOLVED that the 2024 Preliminary Budget, and

as hereinafter set forth, is hereby adopted.

2023-316 Authorize \$1,300,000.00 interfund transfer from the B Fund to DB Fund as per the 2023 Budget.

2023-317 Authorize \$250,000.00 to be transferred into the Highway (DB Fund) Capital Reserve Fund.

2023-318 Authorize Kerrie D. Joiner, Human Resource Manager to post internally the part-time position of Justice Clerk and authorize advertising in the official Town newspaper as necessary.

2023-319 **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 30th day of October, 2023 received notice that Cheryl Harding, owner of the business known as Jimmy's Lakeside Grill is applying for an 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,

WHEREAS, pursuant to Alcohol Beverage Control Law §64(2A), an applicant must give the municipality thirty (30) day notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Schodack, that with respect to the application submitted by Cheryl Harding doing business as Jimmy's Lakeside Grill at 266 County Route 7, 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, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Schodack hereby waives the thirty (30) day notice period in regard to Jimmy's Lakeside Grill at 266 County Route 7, Schodack, New York allowing an earlier submission of the liquor license application.

- 2023-320** Authorize Supervisor Peter to execute and administer Addendum Number 2023128-00 for professional services from the Laberge Group to assist the Town of Schodack for NYSDEC WQIP grant administration services related to Sewer District #5 Disinfection Improvements Project in an amount not to exceed \$8,000.00 plus reimbursable expenses.
- 2023-321** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-1674 to 23-1829 on Abstract No. 2023-11, in the amount of \$512,405.98, including the claims paid \$117,192.18.
- 2023-322** Authorize the October 2023 budget modifications, interfund loans and interfund transfers as provided in document dated November 2023 and recommended by the Comptroller.

December 14, 2023

- 2023-323** Ratify and affirm authorizing William Morgan Sole Assessor to attend Application of the Three Approaches to Value November 29th, December 1st, 4th, 6th, and 7th on-line course. All appropriate expenses are to be borne by the Town per the 2023 adopted Town Budget, with an estimated cost of \$470.00. [A-1355.4]
- 2023-324** Ratify and affirm authorizing the purchase of a 2024 Chevrolet 2500HD Silverado Crew Cab Pickup Truck with hitch and mini strobe pursuant to GML 103(16) from DeNooyner Chevrolet, Inc. purchasing contract bid number 23-0908-1 Franklin County at a cost not to exceed \$57,134.75. [DB Fund Balance]
- 2023-325** Ratify and affirm authorize the purchase of a Ford F350 with Dump body from Scorpio Motors LLC dba Greenwich Ford at a cost not to exceed \$ 71,000.00 [A Fund Balance]
- 2023-326** **WHEREAS**, the Town of Schodack accepted the offer of dedication of Scotland Lane and Hunters Road, from Highland Hills Subdivision, developer Victor Gush by resolution 2004-337 on September 9, 2004, and

WHEREAS, they should be included in total mileage inventories for the Town of Schodack , and

WHEREAS, Pursuant to federal statute, states are required to submit public road mileage annually to the Federal Highway Administration (FHWA). In August 2012, FHWA significantly expanded the extent of the state road network subject to federal reporting. Under the expanded federal reporting requirements, states must now report data on ALL public roadways regardless of ownership, and

WHEREAS, as a result of the new requirement, the New York State Department of Transportation (NYSDOT) has re-inventoried and re-measured all municipal roads resulting in gains or losses in total mileage.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Schodack shall add the following roads and mileage to their inventory: Scotland Lane and Hunters Road.

2023-327 **WITHDRAWN:** *Authorize Town Clerk to publish a notice for a public hearing to seek public comment on Proposed local law No. 10 of 2023 to Amending Chapter 197-2 and 197-16 entitled Eligibility in the Town of Schodack in accordance with Section 467 of the Real Property Tax Law. Said hearing to be held on Thursday, Jan 11, 2024 at the Schodack Town Hall at 7:15 p.m.*

2023-328 Authorize Supervisor Peter to execute and administer a School Resource Officer (SRO) agreement dated December 21, 2023 by and between Schodack Central School District and the Town of Schodack to be effective January 1, 2024.

2023-329 Authorize Supervisor Peter to solicit expressions of interest from engineering firms listed on the 2022 Region 1 Local Design Services Agreement list, rank the responding firms, and contract with the top ranked firm to submit a BridgeNY grant application due January 14, 2024. Upon grant award the Supervisor is authorized to contract with the top rank firm to provide subsequent design, ROW incidentals, ROW acquisition, permitting, coordination, grant administration and construction phase services for the Brookview Station Road bridge over the Moordenerkill. The contract amount for preparation of the BridgeNY grant application shall not exceed \$8,000.

2023-330 Reinstate Jordan Harrington to the position of full-time Police Officer effective January 1, 2024 at 5th year level salary as set forth in the Collective Bargaining Agreement between the Town of Schodack and Schodack Police Department, United Public Service Employees Union (UPSEU) dated January 1, 2023 through December 31, 2025. This reinstatement is contingent upon the review and approval of the civil service commission, and departmental review.

2023-331 **WHEREAS**, the Town of Schodack has been engaged by Duck Pond Realty LLC in regard to interest in pursuing a NYSESD Focused Attraction of Shovel Ready Tracts New York (FAST NY) Grant opportunity for pre development activities associated with a 41 acre parcel located at 1707 Duck Pond Rd; and

WHEREAS, The Town of Schodack Town Board, after due consideration, has determined that it is desirable and in the public interest to submit an application to Empire State Development for a FAST NY Grant Program; and

WHEREAS, the Town of Schodack maintains land use control over the proposed project site; and

WHEREAS, the proposed project is in accordance with Town planning objectives; and

WHEREAS, the proposed financing is appropriate for the specific project; and

WHEREAS, the proposed project facilitates effective and efficient use of existing and future public resources to promote economic development; and

WHEREAS, where applicable, the project seeks to attract, create, and sustain employment opportunities; and

WHEREAS, the Town Board hereby authorizes and directs the Supervisor to submit an application for financial assistance under the Focused Attraction of Shovel Ready Tracts New York (FAST NY) Grant Program; and

WHEREAS, the project will develop and enhance infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in The Town of Schodack.

NOW THEREFORE BE IT RESOLVED that the Town Board hereby supports and will sponsor an application for FAST NY funding for the Duck Pond Road Redevelopment Project located at 1707 Duck Pond Road and will administer the grant in accordance with all applicable rules and regulations established by NYSESD, and

BE IT FURTHER RESOLVED, that the Town Supervisor hereby is authorized to execute and file an application on behalf of the Town of Schodack with the NYS Empire State Development Corporation for a FAST NY grant on behalf of the Town and Duck Pond Realty LLC; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized and designated as the representative and to act as such in connection with the application to provide additional information as may be required including all understandings and assurances contained in the application; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to execute any contract and/or agreement with Empire State Development in connection with the Application and his designee is further authorized to request and expend funds from New York State to said contract and/or agreement; and

BE IT FURTHER RESOLVED, to the extent all or any actions hereby authorized have been executed and/or performed by the Supervisor all are hereby ratified and confirmed and this Resolution take affect immediately.

2023-332 Full-time employees (non-union) are given the following holidays for the year 2024:

<u>Date</u>	<u>Holiday</u>
January 1	New Year’s Day Observance
January 15	Martin Luther King, Jr. Day
February 19	Presidents Day
May 27	Memorial Day

July 4	Independence Day Observance
September 2	Labor Day
October 14	Columbus Day
November 11	Veterans Day Observance
November 28	Thanksgiving Day
November 29	Day after Thanksgiving
December 25	Christmas
December 26	Christmas [Day after Christmas holiday]

2023-333 Designate Transfer Station holidays for year 2024 as follows:

<u>Date</u>	<u>Holiday</u>
May 28	Memorial Day Observance*
July 4	Independence Day
September 3	Labor Day Observance*
November 28	Thanksgiving Day
November 29	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.

Floating Holidays consist of: New Year's Day, Employee Birthday (union Only), Martin Luther King's Day (non-union only), Presidents' Day, Columbus Day and Veteran's Day, Election Day (union only), Christmas, Day after Christmas (non-union only)

2023-334 Adopt the following annual salary expense for the calendar year 2024:

Town Board Members		\$	12,500.00	
Town Justices		\$	36,633.00	
Court Officer		\$	29.57	/hour
Secretary to the Town Justice		\$	26.00	/hour
Secretary to the Town Justice		\$	25.00	/hour
Secretary to the Town Justice		\$	22.00	/hour
Supervisor		\$	70,725.00	
Secretary to the Supervisor		\$	27.46	/hour
Public Information Officer		\$	5,801.00	
Comptroller		\$	89,400.00	
Assistant Comptroller		\$	39.81	/hour
Accountant		\$	31.07	/hour
Human Resources Manager		\$	32.50	/hour
Receiver of Taxes		\$	43,479.00	
Deputy Tax Receiver		\$	19.92	/hour
Senior Tax Clerk		\$	15.99	/hour
Tax Clerk		\$	15.33	/hour
Tax Clerk		\$	15.33	/hour
Budget Officer		\$	4,289.00	
Sole Assessor		\$	57,204.00	
Assistant to the Assessor		\$	21.74	
Data Collector		\$	16.34	/hour
Board of Assessment Review (BAR)- Chair		\$	582.00	
BAR Members		\$	492.00	
BAR- Secretary		\$	276.00	
Town Clerk		\$	69,446.00	
Deputy Town Clerk-FT		\$	21.74	/hour
Deputy Town Clerk		\$	21.74	/hour
Records Management		\$	30.27	/hour
Buildings/Janitorial		\$	23.50	/hour
Police Chief		\$	100,395.00	
Assistant Police Chief		\$	35.00	/hour
Police Clerk		\$	21.74	/hour
Police Chief Confidential Assistant		\$	-	/hour
P/T Police Officers - 1		\$	26.79	/hour
P/T Police Officers -2		\$	28.93	/hour
Dog Control Officer		\$	-	
Highway Superintendent		\$	82,800.00	
W/S Manager		\$	26.79	/hour
Secretary to Highway Superintendent		\$	25.36	/hour
Secretary to Park		\$	25.36	/hour
Park Attendants		\$	16.17	/hour
Director of Youth and Recreation		\$	13,187.00	
Historian		\$	2,637.00	
Director of Transfer Station Operations		\$	62,832.00	
Park Manager		\$	23.50	/hour
Building Inspector		\$	35.77	/hour
Assistant Building Inspector		\$	36.13	/hour
Building, Planning & Zoning Dept Secretary		\$	21.74	/hour
Registrars of Vital Statistics		\$	1,500.00	
Director of Planning and Zoning		\$	64,936.00	
Secretary to Director of P/Z		\$	27.85	
Secretary for P/Z Meetings		\$	21.74	/hour
Zoning Board Chairperson		\$	2,390.00	
Zoning Board Members		\$	1,495.00	
Planning Board Chairperson		\$	4,779.00	
Planning Board Members		\$	2,988.00	
Summer Grounds		\$	16.86	/hour
Wingmen		\$	16.04	/hour
Flaggers		\$	15.00	/hour
Pee Wee Wrestling Instructors		\$	600.00	
Water Safety Instructor		\$	3,200.00	
Camp Directors		\$	3,600.00	
Asst Director/Special Needs Supervisor		\$	2,000.00	
Pool and Summer School Director		\$	3,000.00	
Camp Nurse		\$	3,000.00	
Summer Soccer Director		\$	1,200.00	
Arts and Crafts Director		\$	3,200.00	
Transportation Director		\$	3,200.00	
Assistant Directors		\$	100.00	/hour
Lifeguards		\$	22.00	/hour
Bus Aides		\$	15.00	/hour
Counselors		\$	15.00	/hour

1 Board of Assessment Review – Chairperson- \$97.00/meeting; Members - \$82.00/meeting and Secretary - \$46.00/meeting-6 meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

2 Director of Planning - \$38,961.60; Director of Zoning - \$25,974.40

3 Secretary to Director of Planning/Zoning - Hourly rate (\$21.74) paid for attendance at planning/zoning meetings only.

4 Zoning Board Chairperson - \$199.17/meeting-12 meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

5 Zoning Board Members - \$124.58/meeting-12 meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

6 Planning Board Chairperson - \$227.57/meeting-21 meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

7 Planning Board Members - \$142.29/meeting-21 meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

2023-335 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 January 1, 2024 with a Six Million Dollar Umbrella, single occurrence with a Twelve Million Dollar aggregate for the premium not to exceed \$186,659.63.

2023-336 Authorize selection of Cyber Security insurance policy with Coalition, effective January 1, 2024 for the premium not to exceed \$4,780.36.

2023-337 Authorize the Comptroller’s recommendation to direct the Town Supervisor to pay the claims #23-1830 to 23-2042 on Abstract No. 2023-12, in the amount of \$1,772,567.42, including the claims paid \$179,345.30.

2023-338 Authorize the November 2023 budget modifications, interfund loans and interfund transfers as provided in document dated December 2023 and recommended by the Comptroller.

December 28, 2023

2023-339 The Organizational Meeting of the Town Board will be held on January 11, 2024 at 7 p.m. at the Schodack Town Hall at 265 Schuurman Road.

2023-340 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, Tracey Lee Rex has distinguished herself as a person of outstanding ability, establishing a high standard of integrity, and imparting a sense of fairness and compassion to her position of Councilperson in the Town of Schodack, and

WHEREAS, Tracey Rex has been a life-long resident of the Town of Schodack, daughter of Robert and Jacqueline Rex, a proud mother of Brandon and Kyle Bennett and a graduate of Maple Hill High School class of 1990, and

WHEREAS, Tracey was first elected Councilperson on November 3, 2015 assuming the position on January 1, 2016 and has served faithfully in this role under Supervisors: Dennis Dowds, David B. Harris and Charles Peter until her retirement on December 31, 2023, and notably never missed a meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Legislative Body of the Town of Schodack is moved to honor Tracey Lee Rex, who has given herself to this community in so many ways and distinguished herself throughout her career bringing great pride to her family, her peers, her associates and her 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 28th day of December 2023 to acknowledge and honor Tracey Lee Rex upon her retirement, for her 8 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to her.

- 2023-341** Amend resolution 2023-334 as adopted December 14, 2023 as follows:
Assistant Directors \$20.00 ~~100.00~~/hour
- 2023-342** Authorize comptroller to pay claim reimbursement for the rental equipment used on Town of Kinderhook property that was inaccurately issued a stop work order, as per voucher dated December 27, 2023 in an amount not to exceed \$550.00.
- 2023-343** Authorize Debra Curtis, Town Clerk, to execute and administer a contract with eBizDocs (formerly Image Data) and NYSID for document scanning services for oversized plans of associated building permits at a cost not to exceed \$2,518.50, as budgeted. Funds to be encumbered from 2023 Records Management budget to be utilized in 2024.
- 2023-344** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #23-2043 to 23-2106 on Abstract No. 2023-13, in the amount of \$57,979.96, including the claims paid prior of \$1,510.30.
- 2023-345** Authorize the December 2023 budget modifications, interfund loans and interfund transfers as provided in document dated December 2023 and recommended by the Comptroller.