

**Meeting of the Castleton Village Board of Trustees
November 21, 2013**

The Village Board began its meeting at 6:30 p.m. at Schodack Town Hall. Present was the following: Mayor Joseph Keegan, Trustee Ryan, Trustee Practico, Trustee Martin and Village Clerk Lill. Trustee Pratico motioned for Resolution #34 of 2013 authorizing Mayor Keegan to sign contract with Barton & Loguidice to consult with the Village Board and the Planning Board on the proposed project by Castleton Paperboard LLC not to exceed \$5,000, seconded by Trustee Ryan and carried. At 6:32 upon motion of Practico and seconded by Ryan, and passed unanimously, the Village Board adjourned into executive session for the purpose of conferring with counsel. The Village Board closed the executive session at 6:56 and moved into the large room upstairs for the joint meeting with the Town Board.

**Castleton Village Board of Trustees and the Schodack Town Board
Special Meeting - November 21, 2013**

Attendance: Mayor Keegan

Attorney Crist

Trustee Ryan

Trustee Pratico

Trustee Martin

Village Clerk Lill

Supervisor Dowds

Councilperson Curtis

Councilperson Swartz

Councilperson Bult

Councilperson Kenney

Attorney Gruenberg

Attorney Salazar

Town Clerk Conlin

At 7:01pm, Supervisor Dowds opened the meeting of the Town Board. At 7:01pm Mayor Keegan then opened the meeting of the Village Board. At the request of the Town Supervisor Mayor Keegan lead all in the Pledge of Allegiance. The Meeting was held a Schodack Town Hall.

Supervisor Dowds said both boards would be going into executive session.

At 7:04 pm, Councilperson Bult motioned for the Town Board to enter into executive session, seconded by Councilperson Swartz and carried.

At 7:04 pm, Mayor Keegan motioned for the Village Board to enter into executive session, seconded by Trustee Ryan and carried. The Village Board went down to a room on the first floor.

At 8:10 pm Councilperson Bult motioned for the Town Board to exit executive session, seconded by Councilperson Kenney and carried.

At 8:10 pm. Trustee Ryan motioned for the Village Board to exit executive session, seconded by Trustee Martin and carried.

PUBLIC COMMENT

Supervisor Dowds informed all in attendance that there would likely be two resolutions passed by both boards, one a SEQRA resolution that there was no significant impacts and a second resolution by each board to approve the agreement to be signed by the Mayor and Town Supervisor.

Attorney Salazar for the Town stated for the record that under New York State Town Law the Town could only sell surplus in the district. As such, if there is not enough water for the district the Town under the NYS Town Law cannot sell water. Crist noted that the statute had been presented (Town Law 198).

Both boards then opened up the floor to public hearing.

When asked, Supervisor Dowds once again described both resolutions to be passed by the Town and the Village.

Ed Prevost spoke and asked what District that the water was to come from. Supervisor Dowds said District One, at a spot behind Maplecrest where the two lines intersect. Dowds said that the water was going to be transported via existing Village infrastructure from the intersection of both the Village and Town lines. Dowds said that the Village would be afforded rights via an easement between 1508 and 1510 Maplecrest because the Village needs to get power back to the interconnection. Prevost said that the Village should recognize District 7. Dowds pointed to the only portion of the agreement referencing District 7, that the Village shall have the sole and exclusive right to sell water within the Village's water service area which includes water district 7. Dowds read from a portion of the proposed agreement. Mayor Keegan welcomed Prevost to come to any Village Board meeting if he had any concern about the Village raising rates. Prevost said it was not fair that that District 7 did not get any hookup fee. Dowds controverted that stating that District 7 owned no infrastructure. Crist noted that the only way that area received any water was entirely through the Village's infrastructure in that all infrastructure used to service that area was owned by the Village. Crist added that District 7 was entirely in an area that the Village has as its exclusive service area and could only serve it and asked Dowds if he agreed and Dowds said "yes." Crist said that any time that there was an increase the Village notified the Town Board. Dowd said a couple of years ago the Town looked at the legal aspects of water district 7 is that it is "controlled by and served by" the Village of Castleton.

Ray Lemka inquired who was paying for the connection. Dowds said that the Village of Castleton on Hudson will be paying for the connection. Keegan said that there would be one meter. Lemka asked about the sale price and how much the Village would be charging water district 7. Dowds said “that is up to the Village.” When asked about the current rates, Keegan said he “did not know the rates off hand.” A discussion about the amount that was being bought and sold to East Greenbush.

Councilperson Curtis motioned for the Town’s Resolution #269, waiving a reading of the resolution, stating no further review of the proposed action is required under SEQRA, seconded by Councilperson Bolt and carried. All were in favor.

Councilperson Bult motioned for the Town’s Resolution #270, waiving a reading of the resolution, authorizing the Town Supervisor to execute the water supply agreement between the Town of Schodack and the Village of Castleton on Hudson, seconded by Councilperson Kenney and carried. All were in favor.

Trustee Martin motioned for the Village’s Resolution #35 (attached), waiving a reading of the resolution, stating no further review of the proposed action is required under SEQRA, seconded by Trustee Ryan and carried. All were in favor.

After reading the entirety of Resolution #36, Mayor Keegan motion to pass the Village’s Resolution #36 (attached) for the Mayor to execute the water supply agreement between the Town of Schodack and the Village of Castleton on Hudson, seconded by Trustee Ryan and carried. All were in favor.

The Village Board was invited by the town Board to stay at the meeting while the Town passed certain unrelated resolutions.

Thereafter, at 8:36pm, Councilperson Kenney motioned to adjourn, seconded by Councilperson Curtis and carried.

At 8:36pm, Trustee Pratico motioned to adjourn, seconded by Trustee Ryan and carried.

Enclosures : Resolution #36 and Resolution #37

~ADJOURNMENT~