

**1DATE:** DECEMBER 29, 2021

**KIND OF MEETING:** TOWN BOARD

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DEBRA L. CURTIS

**PRESIDING OFFICER:** DAVID B. HARRIS

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

**MEMBERS ABSENT:**

**ATTORNEY:** CHRISTOPHER LANGLOIS, ESQ.

**COMPTROLLER:** PAUL HARTER

**OTHERS PRESENT:** DAWNE KELLY, ASSISTANT TO THE SUPERVISOR

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Supervisor Harris called the December 29, 2021 meeting to order at 7:01 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

**Briefing of Resolution Agenda**

S. Harris reviewed the resolutions on the agenda. All were self-explanatory.

**Public Comment:** None.

**Review of Abstracts of Claims and Budget Amendments:** The Board reviewed claims #21-2141 to 21-2240 on Abstract No. 2021-13, in the amount of \$668,419.25, including the claims paid (\$27,575.67) since the previous town board meeting.

**Public Hearing  
Proposed Local Law 4-2021  
Opting Out of Cannabis On-Site Consumption**

S. Harris opened the public hearing for proposed local law 4-2021 at 7:05 p.m.

The Town Clerk read the Affidavit of Publication seeking public comment on proposed Local Law No. 4 of 2021 (PLL4-2021), opting out, pursuant to section 131 of the Marijuana Regulation and Taxation Act (MRTA), of allowing cannabis on-site consumption establishments within the jurisdiction of the Town of Schodack. Said notice was posted on the Town Clerk's signboard, the Town's website and published in the local newspaper, *The Record*, on December 17, 2021.

S. Harris asked for public comment regarding PLL4-2021. T. Murdick, President of the Nopiates Committee, stated that, under the MRTA, municipalities were being forced to make

a decision based on limited information regarding the allowance of Cannabis and noted that New York was misleading in terms of the amount of revenue a municipality would receive. Per the Office of Cannabis Management, all taxes and license fees for cannabis on-site consumption and retail dispensaries would be deposited into a single revenue fund. Any and all costs for the regulation of cannabis would be paid out first, with the remaining funds being dispersed to counties and towns based upon their allotted percentages. He expressed concern with the vague guidance from NYS, the lack of clarity and information to make an informed decision. He quoted a study regarding the revenue brought in by the state of Colorado, who was the first to legalize retail dispensaries. In the study, it was determined that for every dollar brought in for revenue, three to four dollars were spent for the rehabilitation of addicts.

V. Feldman of Payne Road expressed her support for on-site cannabis consumption based upon the benefit it would have on the town and community. In the past, cannabis use had been seen as an activity done solely in privacy; however, by opting into on-site consumption, it would allow for individuals to congregate and create a community feel. She added that on-site consumption could also support local businesses such as gas stations and local restaurants. As other municipalities had chosen to opt-out of on-site consumption, she asked the town board to opt in, as it would create an opportunity for the town with benefits that outweighed the consequences.

The following public comments had been received via email and were duly filed in the Office of the Town Clerk:

K. Vecchione wrote "To the Schodack Town Board: I feel that, at the present time, the town should opt out of both the dispensaries and the lounges as we do not have enough information as to how it will be handled, how municipalities will be affected, both monetarily and in law enforcement and what citizens rights will be. At the present time, we can opt out and if we later on want to opt in, we can do that. If we choose to allow either the sale of marijuana or both the sale and the "lounges" associated with the sale right now, it will be very difficult to opt out, if the town even can, in the future. Observation of municipalities who choose to allow one or both, presently, can be done for a time and a wiser decision can then be made. The monetary tax enticement is not necessarily worth it right now."

L. Moulton wrote: "Good evening, first, I would like to extend my apologies for not being able to deliver these thoughts in person. I am disabled with chronic pain and this weather has made my symptoms flare and traveling to the Town Hall an impossibility. Secondly, I am writing to please ask the town to opt in and allow cannabis retail and on-site consumption establishments. We can start with the logical argument, if there are liquor stores and bars in Schodack, dispensaries and on-site consumption should be equally accepted. However, I really want to bring a different perspective to your discussion, that of disability and ableism. Cannabis saved my life and is the only treatment option for pain relief for me without turning to opioids. I am 25, and I got sick at 16. If I didn't have access to cannabis I would have been an addict before I was 20. Cannabis helps hundreds of thousands of disabled humans survive, cope, and thrive. Denying accessible cannabis is ableist. I know the counter argument, New York State has medical cannabis. But if you've never tried New York's medical cannabis, you know that the THC levels are so low you are basically paying an absurd amount of money for CBD, which does not provide the pain relief

that many disabled people need. It is not an appropriate answer to the need for medical cannabis, and retail dispensaries will increase cannabis accessibility for disabled people all over and help everyone like me here in Schodack. Retail cannabis allows for more product, stronger product, a larger number of strains and hybrids to choose from for maximum health benefits, as well as an influx of taxes and jobs. Please don't take this away from us and make it even harder to access the treatment we need. I hope you take my thoughts into consideration when making your decision. Thank you for your time."

K. Anandha of OM Shanti Yoga & Healing Arts wrote: "As a local business of Schodack I want to share my opinion on local dispensary and cannabis establishments. I believe it will bring customers and tax money to the town that is much needed. I used to work at a dispensary in Mass. and the local town taxes were immense. I[t] would be stupid not to bring in more business traffic and tax money to our town- and my business included. Why give it away to the next town over? There is a huge market for cannabis and if for no other reason the money alone is worth it. Plus, it's medicine- it's no worse but better than a cigarette or a beer. Yet we have restaurants and liquor stores and bars on every corner. Let's end the prohibition and not push to fight it. OPT IN!!!!!"

R. A. Layaou of Jammin' Ink Tattoo wrote: "To whom this may concern. I am an established business owner in the town of Castleton on the Hudson. I strongly believe in the future of our towns, cities and State. We need to say Yes. Yes, to the cannabis retail dispensaries and on-site consumption establishments. If we want better roads, better schools, better economy, then we need to get on board with what is guaranteed to bring millions per year in taxes alone. It can also bring business to all the other small business owners, that desperately need it since the last two years have been so trying on us all. Please reconsider not to "opt out", our future needs this."

An anonymous individual wrote: "I have owned a small business here in Schodack for 20 years. I would welcome cannabis dispensaries and on-site consumption establishments. Please do not opt out."

**Board Comment:** S. Harris asked for comments from the board and received none.

Hearing no further comments, C. Bult made a motion to close the public hearing at 7:13 p.m. Seconded by C. Swartz. 5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

### **Public Comment – Open**

R. Loveridge and C. Peter of the Rensselaer County Legislature commended S. Harris for his service to the Town of Schodack for the past four years and presented him with a proclamation on behalf of the legislature. S. Harris thanked the legislature and said that he was happy to work with them as a team for those four years. He added that their teamwork helped pave the way for future growth.

## **Board Discussion - Resolutions**

**Resolution 2021-306:** C. Bult asked if the replacement of the control panel will fix the short-term needs of the heating system. D. Kelly said yes. The new panel would fix the communication issue between the boilers allowing them to function normally and adequately maintain heat in the town hall. Currently, the aqua stat was being utilized to turn the boilers on. C. Bult and S. Harris thanked D. Kelly for her efforts.

**Resolutions 2021-308 & 2021-309:** S. Harris noted that Stuart McKnight and Kenneth Holmes would be presented with their proclamations at a later date. He commended them for their hard work and dedication to the town and said they would be greatly missed.

**Resolution 2021-299 & 2021-300:** C. Bult asked for confirmation that an ayes vote would be to opt out of either on-site consumption or retail dispensaries and a noes vote would opt in. Atty. Langlois said yes and advised that following the first and second motions, a role vote should be conducted.

### **Public Hearing Proposed Local Law 5-2021 Opting Out of Cannabis Retail Dispensaries**

S. Harris made a motion to open the public hearing for proposed local law 5-2021 at 7:20 p.m. Seconded by C. Swartz. 5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

The Town Clerk read the Affidavit of Publication seeking public comment on proposed Local Law No. 5 of 2021 (PLL5-2021), opting out, pursuant to section 131 of the Marijuana Regulation and Taxation Act (MRTA), of allowing cannabis retail dispensaries within the jurisdiction of the Town of Schodack. Said notice was posted on the Town Clerk's signboard, the Town's website and published in the local newspaper, *The Record*, on December 17, 2021.

S. Harris welcomed public comment on PPL5-2021. M. Wilde of WildeRoots explained that it was his desire to open a cannabis retail dispensary on his property located on Route 20. He said the location would maintain a small footprint, conduct business during regular business hours, follow state regulations and create job opportunities for the town. With regard to a comment made at the first public hearing, he said it was his understanding (of the law) that licensing fees would go to the Marijuana Regulation and Taxation Act Board only and all tax revenue would be dispersed accordingly, with three percent going to municipalities who opt-in. As the projection for revenue was approximately \$5-10 Million, this could be a great benefit to the town. He asked the board to consider opting in and stop revenue from leaving NYS.

T. Murdick (President of the Nopiates Committee) remarked that his information regarding the revenue had come directly from the Office of Cannabis Management and reiterated that there was potential for no revenue to come to the towns, similar to lottery funds not benefiting schools. Under the Nopiates Committee, cannabis was viewed as a gateway drug which contributed to substance abuse. He expressed concern that there was no way to

test an individual to know their level of influence as you would with a breathalyzer test for alcohol. He felt there would be no way to stop an individual from purchasing cannabis at an establishment and smoking it in their vehicle.

The following comments were received via email and were duly filed in the Office of the Town Clerk:

L. Piorkowski of County Route 7 wrote: "I am a resident of Schodack and I'd like to add my support to keeping marijuana consumption legal in our town. I personally do not use cannabis in any form; however I understand it is big business. Our community will benefit from the tax revenue as well as traffic generated through our town, which will benefit other local businesses. Many people combine errands and if they are able to stop at a dispensary on their way to the grocery, or vice versa, they will. If not, they will drive to the nearest town that serves them and give their business there. If alcohol is legal to buy and drink in our town, so should marijuana be. On the spectrum of dangerous substances, it falls well below alcohol. My vote is let them consume it, buy it, enjoy it."

D. Ooms wrote: "I am emailing you to give my vote about cannabis being in the Schodack area. I vote for the cannabis to be in the Schodack area. It would be nice to see clean and safe cannabis around the local area. Right now I drive out of state to get cannabis products and I think it would be convenient to have one closer. This would also help the tax revenue in Schodack and help with finances. I hope this goes through so it can help the town of Schodack. Thank you!"

K. Downes wrote: "Positive things for the community with a marijuana dispensary. Please consider the positive things that a dispensary would bring to the area, money, future business owners, income for the area, it's really a no brainer, its already legal, [you] must allow it here. Please. Thank you."

C. Lail wrote: "Schodack should opt in to allowing cannabis retail dispensaries! There is so much money that can come from the sales that would keep Schodack the beautiful place it is but with better roads, more funding for the school district and not to mention jobs! People drive to Massachusetts to buy from there then come back to NY it's silly to pass up on all those potential sales coming into our town!"

P. Erikson of County Route 7 wrote: "Of Schodack and Castleton-on-Hudson from the retail dispensary law. To be clear I support siting retail marijuana dispensaries in Schodack and Castleton on Hudson. Large companies will find a way to supply the residents of those towns. It would be best to have small local retailers make and hopefully keep that money locally."

L. M. White-Rivers of NY 20 wrote: "Recent changes to the law have allowed the possibility for Cannabis Dispensaries to open in the State of New York, and there is a business wishing to open along route 20 a few miles from the eastern border of the Town of Schodack. Provided the opportunity arises, this business would be located on the adjacent property to my residence. I have lived at this address for close to 20 years. The health, viability and success of this Town is important to me. Cannabis as a substance, activity or panacea is of no consequence to me. I have no opinion on its use or benefits – I don't use it. It is a non-issue

in my life. What I do have an opinion on however, is the building of a dispensary next to my home. I have no problem with it whatsoever. In fact, Route 20 seems the perfect place to recapture money that is hemorrhaging out of the state by New York residents who are driving to Massachusetts to buy the product. I have seen Massachusetts business boldly advertising on billboards along I-90 in Albany attempting to draw any customer base away! Clearly there is a market if they are paying for billboards a state away. When I heard that Wilde Construction was considering the property next door for that usage, I walked over and spent an hour or more talking to Mike about his vision. I wanted to understand for myself what the plan was, after all – it is directly next door. Wilde described a business that was streamlined and classy. It would be competitive with operations that are found in California and Colorado. He was building a team of professionals; lawyers, accountants and architects that would keep the business plan on track and ensure that all legal, bookkeeping and taxation requirements were being met. Of course, there is revenue to be generated for the hosting town, but it was just as important in Wilde's mind to support the community with tangible and useful endeavors like softball fields and playgrounds. His construction company is often giving back to charitable events. As I consider what a dispensary would look like next to my home of 20 years, I believe it would be a clean and quiet use of the space. Issues like noise, trucks, dust and ground water quality will not arise as they do with more commercial and industrial land-use. The curb appeal of such a business would be modern and clean and even a little bit trendy. It would be a welcome change from the industrial look of Route 9. As the closest neighbor to a possible dispensary in the Town of Schodack, I truly have no issue or objection with the plan, and it is my hope that the Town considers opting in."

L. Haggerty wrote: "Cannabis Retail is coming to New York State and I feel that it would be a positive act to approve the local law proposal. The additional taxes could be used for infrastructure (extending water and sewer I.e.) improvements, stabilize taxes, etc. Why let the additional taxes go to other surrounding communities. Many of cannabis customers are driving thru Schodack to get to the Pittsfield Dispensary. Now they can come to Schodack and will also use local businesses for such things as gas, food, antique shopping etc."

**Board Comment:** S. Harris asked if there was any board comment on PLL5-2021. None was received.

Hearing no further comments, C. Bult made a motion to close the public hearing at 7:28 p.m. Seconded by C. Kenney. 5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

### **Adoption of Resolutions**

The resolutions voted upon reflect additions, deletions and amendments approved by the consensus of the majority Board.

**EXPLANATION: Bracketed and strikethrough indicates language that was stricken from the resolution when adopted. Underlined indicates language that was added to the resolution when adopted. A WITHDRAWN resolution is so noted and italicized.**

The Town Clerk dispensed with roll vote for resolutions 2021-299 and 2021-300.

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

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

**2021-299) WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said Town on December 9, 2021, at 7:05 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law #4 of 2021 relating to opting out, pursuant to Section 131 of the Marijuana Regulation and Taxation Act, of allowing cannabis on-site consumption establishments with the jurisdiction of the Town of Schodack; and

**WHEREAS**, notice of said public hearing was duly posted on the Town Clerk's official sign board on December 17, 2021 and advertised in the December 17, 2021 edition of THE RECORD, official newspaper of the Town, and

**WHEREAS**, said public hearing was held on December 29, 2021 at 7:05 p.m. at the Schodack Town Hall and all interested parties were permitted an opportunity to submit comment on behalf of, or in opposition to, said proposed local law or any part hereof, and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby adopts Proposed Local Law Number 4 of 2021 (P4 of 2021) to be known as Local Law #4 of 2021 of the Town of Schodack, and

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

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

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

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

**2021-300) WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said Town on December 9, 2021, at 7:20 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law #5 of 2021 relating to opting out, pursuant to Section 131 of the Marijuana Regulation and Taxation Act, of allowing retail dispensaries with the jurisdiction of the Town of Schodack; and

**WHEREAS**, notice of said public hearing was duly posted on the Town Clerk's official sign board on December 17, 2021 and advertised in the December 17, 2021 edition of THE RECORD, official newspaper of the Town, and

**WHEREAS**, said public hearing was held on December 29, 2021 at 7:05 p.m. at the Schodack Town Hall and all interested parties were permitted an opportunity to submit comment on behalf of, or in opposition to, said proposed local law or any part hereof, and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby adopts Proposed Local Law Number 5 of 2021 (P5 of 2021) to be known as Local Law #5 of 2021 of the Town of Schodack, and

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

1 Ayes 4 Noes. **MOTION DEFEATED.** Ayes – D. Harris. Noes – J. Bult, M. Kenney, S. Swartz, T. Rex.

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

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

**2021-301)** Ratify and affirm authorizing Supervisor Harris to execute and administer a shelter agreement with Mohawk Hudson Humane Society for the 2022 calendar year to satisfy the requirements of the New York State Department of Agriculture and Markets Law. It is the policy of the Town that owners, if located, shall be responsible for charges incurred at Mohawk Hudson Humane Society when pets are claimed, as may be allowed by law. Terms and conditions of the contract are subject to approval by Attorney to the Town as to form and substance.

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

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

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



**2021-302)** Ratify and affirm authorizing Supervisor Harris to execute and administer the Memorandum of Agreement by and between the Town of Schodack and United Public Service Employees' Union (Schodack Police Department dated November 30 2021.

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

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

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

**2021-303)** Ratify and affirm authorizing Joel Montross, Court Officer to attend Taser Training at S&K Prevention in Latham, New York, December 10, 2021. All appropriate expenses (milage and registration) are to be borne by the town at a cost of \$728.95.

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

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

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

**2021-304)** Authorize Debra Curtis, Town Clerk, to execute and administer a contract with Image Data and NYSID for document scanning services for building permit oversized plans and microfilming of all associated building permits at a cost not to exceed \$3,999.47 as budgeted. Funds to be encumbered from 2021 Records Management funds to be utilized in 2022.

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

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

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

**2021-305)** Authorize purchase QNAP Diskless System Network Storage for server at the Police Department from Newegg under state contract in an amount of \$2,819.99 each. Funds to be encumbered from 2021 Police Department funds for be utilized in 2022.

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

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

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

- 2021-306)** Authorize Supervisor Harris to execute and administer an agreement with ESCO heating and cooling to install a new Johnson Control pane for the water source heat pump system loop at a cost not to exceed \$6,500.00.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

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

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

- 2021-307)** The Organizational Meeting of the Town Board will be held on January 6, 2022 at 7 p.m. at the Schodack Town Hall at 265 Schuurman Road.  
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.

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

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

- 2021-308)** **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**, Stuart McKnight 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 Police Officer in the Town of Schodack, and

**WHEREAS**, Stu has been a life-long resident of the Town of Schodack, graduating from Maple Hill High class of 1975, and

**WHEREAS**, Stu entered the US Army on September 10, 1975 where he served as a vehicle mechanic until his discharge on September 10, 1978, and

**WHEREAS**, Stu began his career as a Police Officer on October 1, 1982 and served faithfully in this role under Supervisors: G. Jeffrey Haber, Beth Morgan, John Nelson, Michael Glavin, Joseph McCabe, Eileen Natoli and Beth Knauf Secor and Police Chiefs: John Belardo, David Adams, David Schlinder and Bernhard Peter, and

**WHEREAS**, Stu assumed the position of part-time Police Officer on January 1, 2004 and continued to serve faithfully in this role under Supervisors: Beth Knauf Secor, Dennis Dowds, David Harris and Police Chiefs: Bernhard Peter, Joseph Belardo and John Hourigan until his “2<sup>nd</sup> retirement” on December 31, 2021, and

**WHEREAS**, from early on, Stu demonstrated his commitment to the community by serving 20 years in the U.S Army Reserves, an active member of Castleton Fire Company and a member of Trinity Lutheran Church, and

**WHEREAS**, Stu has demonstrated his love of family by being a father to Scott and Emily and step-father to John and Kristen grandfather to Finley, Cora, Sawyer, Niko, and Luka and often shares his love for snow, snowmobiling and 4-wheeling with his coworkers and friends, and

**WHEREAS**, Stu enjoys spending time at his camp in the Town of Duane with family and friends; especially when Jenny the deer pays a visit, and

**WHEREAS**, it surely comes as no surprise, he will greatly miss sharing the escapades of travels near and far, as we will miss hearing of them.

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislative Body of the Town of Schodack is moved to honor Stuart McKnight, who has given himself to this community in so many ways and distinguished himself throughout his career bringing great pride to his family, his peers, his associates and his community by being a person of commitment, integrity and an impressive role model for all, and be it

**FURTHER RESOLVED**, that the Legislative Body of the Town of Schodack will pause in its deliberations on the 29<sup>th</sup> day of December 2021 to acknowledge and honor Stuart McKnight, for his 39 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to him.

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

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

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

**2021-309) 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**, Ken Holmes has distinguished himself as a person of outstanding ability, establishing a high standard of integrity, and has imparted a sense of fairness, and compassion to his position of Highway Superintendent in the Town of Schodack, and

**WHEREAS**, Ken has been a 23 year resident of the Town of Schodack, and

**WHEREAS**, Ken began his career as a Specialty Pavements and Construction Equipment Craftsman in the United States Air Force on July 30, 1975, and

**WHEREAS**, Ken retired from the Air Force in 1997 as a Master Sergeant with 22 years of service, and

**WHEREAS**, Ken assumed the position of Highway Superintendent on January 1, 1998 and has served faithfully in this role under Supervisors: Joseph McCabe, Eileen Natoli, Beth Secor, Dennis Dowds, David Harris until his retirement on December 31, 2021, and

**WHEREAS**, from early on, Ken demonstrated his commitment to the community by serving in South Schodack Fire Company and as a member of the VFW Post 7337, and

**WHEREAS**, Ken has demonstrated his love of family by being a father to Sonja and Whitney; step-father to Justin and Steven; Puppy-daddy to Magnolia and grandfather to Sophia, Julia and Augustina, and

**WHEREAS**, it surely comes as no surprise he often shares his love of his classic 1964 Ford Galaxy 500 and his Harley motorcycle with his coworkers and friends, and he will greatly miss sharing the escapades of Magnolia as we will miss hearing of them.

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislative Body of the Town of Schodack is moved to honor Kenneth Holmes, who has given himself to this community in so many ways and distinguished himself throughout his career bringing great pride to his family, his peers, his associates and his community by being a person of commitment, integrity and an impressive role model for all, and be it

**FURTHER RESOLVED**, that the Legislative Body of the Town of Schodack will pause in its deliberations on the 29<sup>th</sup> day of December 2021 to acknowledge and honor Kenneth Holmes, upon his retirement, for his 20 years of service to the Town of Schodack and a copy of this resolution, suitably engrossed, will be transmitted to him.

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

C. Swartz made a motion to adopt the following resolution, as amended, seconded by C. Bult:

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

**2021-310)** Pursuant to Article 7 Section 140 of the Highway Law, the Highway Superintendent hereby appoints Byron Hempstead, 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 2022 adopted budget. Said appointment is effective as of December 30, 2021 January —, 2022.

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

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

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

**2021-311)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #21-2141 to 21-2240 on Abstract No. 2021-13, in the amount of \$668,419.25, including the claims paid (\$27,575.67) since the previous town board meeting.

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

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

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

**2021-312)** Authorize the December 2021 budget modifications, interfund loans and interfund transfers as provided in document dated December 29, 2021 and recommended by the Comptroller.

**BUDGET MODIFICATIONS**

	<b>Fund/ Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>2021</b>				
<b>70</b>	A-960-1410.4000	Town Clerk - Contractual	167.03	
	A-960-1410.1000	Town Clerk - Personal Services		167.03
	To modify the budget for Town clerk mileage to Bank			
<b>71</b>	A-960-3120.1010	Police Grant – Rens Co DWI General	1,420.68	
	A-509-2260.9999	Police Safety Services - Other Gov'ts	1,420.68	
	To modify the budget for General Crack Down grant awards			

<b>72</b>	A-960-3410.1000	Fire Protection - Personal Services	43.64	
	A-509-4320.9999	Fire Protection - Overtime		43.64
	To modify the budget for Alan Roehr 11/23 call out 218 Miller Rd.			
<b>73</b>	A-960-7110.4000	Parks - Contractual	588.24	
	A-960-7110.1000	Park - Personal Services		588.24
	To modify the budget for purchases over budget			
<b>74</b>	A-960-8160.1100	Refuse & Garbage - Overtime	702.13	
	A-960-8189.1000	Recycling - Personal Services	882.23	
	A-960-8189.1100	Recycling - Overtime	702.12	
	A-960-8189.2000	Recycling - Equipment	11,661.00	
	A-960-8160.2000	Refuse & Garbage - Equipment		11,661.00
	A-960-8189.4000	Recycling - Contractual		2,286.48
	To modify the budget for Highway employee OT coverage, Roll-off encumbrances			
<b>75</b>	A-960-9010.8000	State Retirement - Benefits	10,280.00	
	A-960-1990.4000	Contingency - Contractual		1,404.00
	A-960-9015.8000	Police Retirement - Benefits		8,876.00
	To modify the budget for increased Town contribution percentages			
<b>76</b>	A-960-9060.8100	Medical Insurance - Retiree	20,650.22	
	A-960-1990.4000	Contingency - Contractual		20,650.22
	To modify the budget for Arno (NYSHIP) and Roy (CDPHP) retirements			
<b>77</b>	B-960-9060.8000	Medical Insurance - Employee	794.06	
	B-960-9060.8100	Medical Insurance - Retiree	1,847.62	
	B-960-1990.4000	Contingency - Contractual		2,641.68
	To modify the budget for A fund retirees expense posted to B fund & add' l 25% Town Contribution			
<b>78</b>	DB-960-5110.1100	Road Repairs - Overtime	10.08	
	DB-960-5110.1100	Road Repairs - Personal Services		10.08
	To modify the budget for Overtime for Partridge Dr. Tree Cleanup			

#### BUDGET MODIFICATIONS

	<b>Fund/ Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>2021</b>				

<b>79</b>	DB-960-5130.4000	Machinery - Contractual	3,562.76	
	DB-960-5110.4000	Road Repairs - Contractual		3,562.76
	To modify the budget for Town vehicle part purchases			
<b>80</b>	DB-960-5140.4000	Brush & Weeds - Contractual	2,980.60	
	DB-960-5140.1000	Brush & Weeds - Personal Services		2,980.60
	To modify the budget for tree services above budget			
<b>81</b>	DB-960-9010.8000	State Retirement - Benefits	13,245.00	
	DB-960-9040.8000	Workers Comp - Benefits		5,935.06
	DB-960-9050.8000	Unemployment Insurance - Benefits		6,700.00
	DB-960-9060.8100	Medical Insurance - Retiree		609.94
	To modify the budget for increased Town contribution percentages			
<b>82</b>	DB-960-9060.8000	Medical Insurance - Employee	2,256.22	
	DB-960-9060.8100	Medical Insurance - Retiree		2,256.22
	To modify the budget for Duncan, Koch retirement & Add' l 25% Town Contribution			
<b>83</b>	EW-960-9010.8000	Enterprise Water - State Retirement - Benefits	1,648.00	
	EW-960-1990.4000	Enterprise Water - Contingency - Contractual		1,648.00
	To modify the budget for increased Town contribution percentages			
<b>84</b>	SS5-960-8130.4000	SS5 - Sewer Treatment - Contractual	201.94	
	SS5-960-9010.8000	SS5 - State Retirement - Benefits	483.00	
	SS5-960-1990.4000	SS5 - Contingency - Contractual		684.94
	To modify the budget for income survey & Increased retirement contribution percentages			
<b>85</b>	SS6- 960-8130.1100	SS6 - Sewer Treatment - Overtime	506.62	
	SS6-960-8130.1000	SS6 - Sewer Treatment - Personal Services		506.62
	To modify the budget for Operator OT in district			
<b>86</b>	SS6-960-8130.1008	Sch Ctr Sewer - Dunkin Donuts Personal Service	280.58	
	SS6-960-8130.4008	Sch Ctr Sewer - Dunkin Donuts Contractual	632.50	
	SS6-960-9030.8008	Sch Ctr Sewer - Dunkin Donuts Soc Security	21.46	
	SS6-960-9060.8008	Sch Ctr Sewer - Dunkin Donuts Health Ins	-	
	SS6-509-5031.9999	Sch Ctr. Sewer - Transfers	934.54	
	To modify the budget for reimbursement of Dunkin Donut expenditures			

<b>87</b>	SS6-960-9010.8000	Sch Ctr Sewer - State Retirement	1,137.00	
	SS6-509-5031.9999	Sch Ctr. Sewer - Transfers	34.11	
	SS6-960-1990.4000	Sch Ctr Sewer - Contingency - Contractual		1,102.89

To modify the budget for increased Town contribution percentages & Reimburse for 3% of time for DD

#### BUDGET MODIFICATIONS

<b>Fund/</b>				
	<b>Department #</b>	<b>Fund / Department Name</b>	<b>Increase</b>	<b>Decrease</b>
<b>2021</b>				
<b>88</b>	SS8-960-9010.8000	Sch Land Sewer - State Retirement - Benefits	499.00	
	SS8-960-1990.4000	Sch Land Sewer -Contingency - Contractual		499.00
	To modify the budget for increased Town contribution percentages			
<b>89</b>	SSC1-960-9010.8000	Castleton Sewer - State Retirement - Benefits	450.00	
	SSC1-960-1990.4000	Castleton Sewer -Contingency - Contractual		450.00
	To modify the budget for increased Town contribution percentages			
<b>90</b>	SW1-960-8320.1100	Clearview Source - Overtime	637.32	
	SW1-960-8320.1000	Clearview Source - Personal Services		637.32
	To modify the budget for Operator time in district			
<b>91</b>	SW1-960-9010.8000	Clearview State Retirement - Benefits	203.00	
	SW1-960-9030.8009	Clearview State Retirement - Benefits Supply	824.00	
	SW1-960-1990.4000	Clearview - Contingency - Contractual		203.00
	SW1-960-1990.4009	Clearview - Contingency - Supply		824.00
	To modify the budget for increased Town contribution percentages			
<b>92</b>	SW3-960-8340.1000	Maple Crest - Personal Services	32.68	
	SW3-960-8340.1100	Maple Crest - Overtime		32.68
	To modify the budget for Operator time in district			
<b>93</b>	SW3-960-9010.8000	Maple Crest State Retirement - Benefits	138.00	
	SW3-960-1990.4000	Maple Crest - Contingency - Contractual		138.00
	To modify the budget for increased Town contribution percentages			
<b>94</b>	SWC1-960-9010.8000	Consolidated Water State Retirement - Benefit	523.00	
	SWC1-960-1990.4000	Consolidated Water - Contingency - Contractual		523.00
	To modify the budget for increased Town contribution percentages			



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

### **Executive Session**

C. Swartz made a motion at 7:34 p.m. to enter into an executive session of the Town Board pursuant to §105(f) of the Open Meetings Law.. Seconded by C. Kenney.

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

S. Harris informed the audience that there would be no further business following the executive session.

C. Swartz made a motion at 7:49 p.m. to adjourn the executive session. Seconded by C. Rex.

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

### **Adjournment**

As there was no further business before the Board, C. Kenney made a motion to adjourn the 12/29/21 Town Board meeting at 7:49 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk

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