

**Town of Schodack  
Town Board Meeting  
December 9, 2021**

Public Session - 7 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Public Hearing -- 7:05 p.m. on proposed Local Law # 4 of 2021 to seek public comment on opting out, pursuant to Section 131 of the Marijuana Regulation and Taxation Act, of allowing cannabis retail dispensaries and cannabis on-site consumption establishments with the jurisdiction of the Town of Schodack

Watch via livestreaming <https://townhallstreams.com/towns/schodack>

**Public Comment –**

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

**2021-281)** Amend resolution 2021-02 as follows: 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: December ~~29~~ ~~30~~ Close of Business

**2021-282)** **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 retail dispensaries and 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 November 29, 2021 and advertised in the November 30, 2021 edition of THE RECORD, official newspaper of the Town, and

**WHEREAS**, said public hearing was held on December 9, 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.

**2021-281) WHEREAS**, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of Battisti Water District No. 10 in the Town of Schodack, County of Rensselaer, State of New York, has heretofore been filed in the Town Clerk's Office; and

**WHEREAS**, a map, plan and report relating to the establishment of the proposed Battisti Water District No. 10 prepared by Laberge Group Ltd., competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, has been filed with the Town Clerk 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 reciting the filing of the map, 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 for public inspection, and all other matters required by law to be stated; and

**WHEREAS**, the order set July 9, 2020 at 7:05 p.m. at the Town of Schodack Town Hall, 265 Schuurman Road, Castleton, New York, as the date, time and place of the public hearing to consider the map, plan and report, and to hear all persons interested in the subject thereof, and to take such 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 9<sup>th</sup> day of July, 2020, beginning at 7:05 p.m. and the matter being duly discussed and all interested persons having been duly heard; and

**WHEREAS**, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a meeting of the Town Board conducted on the 9<sup>th</sup> day of July, 2020 at the Town of Schodack Town Hall; and

**WHEREAS**, the Town Board on July 9, 2020, approved the creation of the Battisti Water District No. 10 subject to the approval of the Office of the State Comptroller; and

**WHEREAS**, on November 17, 2021, the Office of the State Comptroller approved the creation of the Battisti Water District No. 10 at a cost not to exceed \$1,790,000.00; and

**WHEREAS**, the resolution of the Office of the State Comptroller approving the creation of the Battisti Water District No. 10 is attached hereto and made a part hereof as Exhibit A.

STATE OF NEW YORK DEPARTMENT OF AUDIT AND CONTROL

In the Matter  
of the

Application of the Town of Schodack, Rensselaer County, New York, for permission of the State Comptroller to establish Water District No. 10 in said Town, pursuant to Article 12 of the Town Law.

WHEREAS, application has been duly made to the undersigned by the Town Board of the Town of Schodack, Rensselaer County, New York, by its Supervisor, pursuant to section 194 of the Town Law, for the permission of the State Comptroller to establish Water District No. 10 in said Town in accordance with such application and resolutions of the Town Board adopted on July 9, 2020; and

WHEREAS, we are informed that the Town of Schodack intends to apply for the maximum amount available for a Water Infrastructure Improvement Act (WILA) grant from the New York State Environmental Facilities Corporation for this project; and

WHEREAS, we are informed that the Town of Schodack has applied for the maximum amount available for a Community Development Block Grant (CDBG) from the New York State Homes and Community Renewal for this project; and

WHEREAS, notice of such application to the State Comptroller has been given to the County Legislature of Rensselaer County, New York, by the State Comptroller in the manner prescribed by section 194 of the Town Law; and

WHEREAS, the undersigned has duly examined such application.

NOW, THEREFORE, pursuant to such examination and upon such application of the Town Board of the Town of Schodack, the undersigned does hereby find and determine after due deliberation:

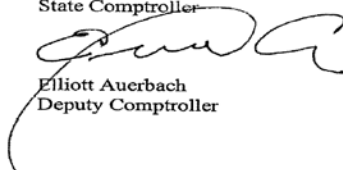
- (1) That the public interest will be served by the establishment of Water District No. 10 in the Town of Schodack in accordance with such application.
- (2) That the cost of the proposed district will not be an undue burden upon the property therein.

I, THOMAS P. DiNAPOLI, Comptroller of the State of New York, do hereby order that such application of the Town Board of the Town of Schodack for permission to establish Water District No. 10 be, and the same hereby is, approved and I do hereby permit the establishment of said district in accordance with the description referred to in a resolution of July 9, 2020, at a cost not to exceed \$1,790,000.

Executed in duplicate by the Comptroller of the State of New York, this 17<sup>TH</sup> day of November, 2021.

THOMAS P. DiNAPOLI  
State Comptroller

By

  
Elliott Auerbach  
Deputy Comptroller

**RESOLVED AND DETERMINED:**

- (a) That the petition is signed and acknowledged or proved as required by law and
- (b) complies with requirements of Town Law, Section 191 as to sufficiency of signers and is otherwise sufficient and notice of hearing was published and posted as required by law, and it is otherwise sufficient;
- (c) That all property and property owners within the proposed district are benefited thereby;
- (d) That all the property and property owners benefited are included within the limits of the proposed district;

- (e) That it is in the public interest to establish the Battisti Water District No. 10;
- (f) That the first year cost of debt repayment to finance the construction of the district improvements for typical properties within the district shall be determined by the ability to obtain grants to assist in decreasing the amount to be financed and the cost of financing; annual debt service will be spread across the properties in the district on a per equivalent dwelling unit basis ranging from a high of One Thousand Nine Hundred Ninety-Nine and 00/100 Dollars (\$1,999.00), to One Thousand One Hundred Sixty-One and 00/100 Dollars (\$1,161.00), to Eight Hundred and 00/100 Dollars (\$800.00) and to a low of Four Hundred Sixty-Five and 00/100 Dollars (\$465.00); operation and maintenance expenses will equal approximately One Hundred Ten and 00/100 Dollars (\$110.00) per connection for the proposed district plus One Hundred Twenty-One and 00/100 Dollars (\$121.00) per connection for the shared cost of water supply or approximately Two Hundred Thirty-One and 00/100 Dollars (\$231.00) per connection for the first year of operation for the typical property within the district; water meters and individual pressure reducing valves for each individual service is estimated to equal Nine Hundred and 00/100 Dollars (\$900.00) per connection, per meter; and connection fees shall be waived by the town of Schodack for a period of one hundred eighty(180) days after water service is made available, and if not connected within one hundred eighty (180) days the connection feed to be paid by the property owner shall equal Three Hundred and 00/100 Dollars (\$300.00); and it its further,

**RESOLVED AND DETERMINED**, that the establishment of the Battisti Water District No.10, as set forth in the map, plan and report, be approved and that the required improvements be constructed and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district shall be known and designated as the Battisti Water District No. 10 in the Town of Schodack, and shall be bounded and described as set forth on Exhibit "B" attached hereto; and it is further

Town of Schodack  
Rensselaer County, New York

Water District Boundary Description  
Battisti Water District #10

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 "Proposed Battisti Water District #10 Water District Boundary" prepared by Laberge Group, dated January 16, 2019. The parcels referred to in the following description are shown on the Town of Schodack Tax Map 210.01.

Beginning at a point located at the northwest corner of the intersection of Van Hoesen Road and N.Y.S. Route 9 at the southeasterly corner of Parcel 17(A);

Thence proceeding westerly along the northerly bounds of Van Hoesen Road to a point in its intersection with the easterly bounds of Northern Boulevard, said point also being the southwesterly corner of Parcel 33;

Thence southerly across Van Hoesen Road to a point at the intersection with the southerly line of Van Hoesen Road and the northeasterly corner of lot 2;

Thence southerly along the easterly bounds of lot 2 to the southeasterly corner of lot 2;

Thence westerly along the southerly line of lot 2 to the southwesterly corner of lot 2;

Thence northerly along the westerly bounds of lot 2 to a point in the southerly line of Van Hoesen Road, said point being the northwesterly corner of lot 2;

Thence northerly across Van Hoesen Road to a point at the intersection with the northerly line of Van Hoesen Road and the southeasterly corner of lot 34;

Thence westerly along the northerly bounds of Van Hoesen Road to a point in the easterly bounds of Orchard Road, said point also being the southwest corner of Parcel 43;

Thence westerly across Orchard Road to a point at the intersection with the northerly bounds of Van Hoesen Road, said point also being the southeasterly corner of Parcel 44;

Thence westerly along the northerly bounds of Van Hoesen Road to a point at the southwesterly corner of Parcel 44;

Thence northerly along the westerly bounds of Parcels 44, 45, 46, 47, 48, and 49 to a point in the southerly bounds of the westerly terminus of Orchard Road, said point also being the northwesterly corner of Parcel 49;

Thence northerly along the westerly terminus of Orchard Road to a point in the northerly bounds of Orchard road, said point also being the southwesterly corner of Parcel 52;

Thence northerly along the westerly bounds of Parcels 52, 53, and 2 to a point in the northwest corner of Parcel 2;

Thence easterly along the northerly bounds of Parcel 2 to a point in the easterly corner of Parcel 2, said point also being in the northerly terminus of the westerly bounds of a "paper street";

Thence easterly across the northern terminus of said "paper street" to the easterly bounds of said "paper street", said point also being the northwest corner of Parcel 1;

Thence easterly along the northerly bounds and southerly along the easterly bounds of Parcel 1 to a point in the southeast corner of said Parcel 1, said point also being the northwest corner of Parcel 3;

Thence easterly along the northerly bounds of Parcels 3, 4, and 7.1 to a point in the northeasterly corner of Parcel 7.1, said point also being in the northerly bounds of Loretta Lane;

Thence easterly along the northerly bounds of Loretta Lane to a point in the northwesterly corner of Parcel 14;

Thence easterly along the northerly bounds of Parcel 14 to a point in the westerly bounds of N.Y.S. Route 9, said point also being the northeasterly corner of Parcel 14;

Thence southerly along the westerly bounds of N.Y.S. Route 9 to a point in the northerly bounds of Orchard Road, said point also being the southeasterly corner of Parcel 15;

Thence southerly across Orchard road to a point in the southerly bounds of said road, said point also being the northeasterly corner of Parcel 16;

Thence southerly along the westerly bounds of N.Y.S. Route 9 to the point and place of beginning.

All Tax map parcel references are based upon those in use by the Rensselaer County Real Property Tax Service Agency in January, 2019.

**RESOLVED AND DETERMINED**, that the Town Clerk of the Town of Schodack shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Rensselaer County Clerk's Office and with the state department of Audit and Control at Albany, New York; and it is further

**RESOLVED AND DETERMINED**, that the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of One Million Seven Hundred Ninety Thousand (\$1,790,000.00) Dollars; and it is further

**RESOLVED AND DETERMINED**, all costs of said improvements shall be financed by the issuance of obligations pursuant to the Local Finance Law and that the repayment of those obligations and payment for the full operation for typical properties within the District be done on a benefit basis.

**2021-282)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Owner</u>	<u>Location</u>	<u>No. of Units</u>
Brown Cow Opportunities c/o Brian Chittenden	759 Schodack Landing Rd.	1

**2021-283)** Full-time employees (non-union) shall be given the following holiday for the year 2022:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Friday	December 31, 2021	New Year's Day

Designate a Transfer Station holiday for year 2022 as follows:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Saturday	January 1, 2022	New Year's Day

**2021-284)** Full-time employees (non-union) are given the following holidays for the year 2022:

<u>Date</u>	<u>Holiday</u>
January 1	New Year's Day
January 17	Martin Luther King, Jr. Day
February 21	Presidents Day
May 30	Memorial Day
July 4	Independence Day Observance
September 5	Labor Day
October 10	Columbus Day
November 11	Veterans Day
November 24	Thanksgiving Day
November 25	Day after Thanksgiving
December 26	Christmas holiday
December 27	Christmas [Day after Christmas holiday]

**2021-285)** Designate Transfer Station holidays for year 2022 as follows:

<u>Date</u>	<u>Holiday</u>
January 1	New Year's Day
May 31	Memorial Day Observance*
September 6	Labor Day Observance*
November 8	Election Day (Union Only)
November 24	Thanksgiving Day
November 25	Day after Thanksgiving
December 27	Christmas *
December 28	Day after Christmas (non-union)

Floating Holidays consist of: Union Employee Birthday, Martin Luther King's Day (non-union), Presidents' Day, Independence Day, Columbus Day and Veteran's Day

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



**2021-286)** Accept offer from Speedcor Industries, Inc. to purchase surplus containers: one 40 yard for \$1,000.00 and one 30 yard for \$1,000.00.

**2021-287)** 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, 2022 with a Six Million Dollar Umbrella, single occurrence with a Twelve Million Dollar aggregate for the premium not to exceed \$160,773.04.

**2021-288)** Adopt the following annual salary expense for the calendar year 2022:

Town Board Members	\$	10,000.00	
Town Justices	\$	34,197.00	
Court Officer	\$	27.60	/hour
Secretary to the Town Justice	\$	24.33	/hour
Secretary to the Town Justice	\$	16.83	/hour
Supervisor	\$	60,725.00	
Secretary to the Supervisor	\$	25.63	/hour
Public Information Officer	\$	5,414.00	
Comptroller	\$	83,447.00	
Assistant Comptroller	\$	35.08	/hour
Accountant	\$	30.60	/hour
Human Resources Manager	\$	28.59	/hour
Receiver of Taxes	\$	40,587.00	
Deputy Tax Receiver	\$	18.60	/hour
Senior Tax Clerk	\$	14.93	/hour
Tax Clerk	\$	14.31	/hour
Budget Officer	\$	4,002.00	
Sole Assessor	\$	61,568.00	
Assistant to the Assessor	\$	22.10	/hour
Data Collector	\$	15.26	/hour
Board of Assessment Review (BAR)- Chair	\$	563.00	
BAR Members	\$	470.00	
BAR- Secretary	\$	263.00	
Town Clerk	\$	65,142.00	
Deputy Town Clerk	\$	20.23	/hour
Records Management	\$	28.26	/hour
Buildings/Janitorial	\$	21.93	/hour
Police Chief	\$	80,597.00	
Police Officers (part-time) #1	\$	22.26	/hour
Police Officer (part-time) #2	\$	24.30	/hour
Dog Control Officer	\$	16,318.00	
Highway Superintendent	\$	74,217.00	
Water/Sewer Manager	\$	25.00	/hour
Secretary to Highway Superintendent	\$	20.02	/hour
Secretary to Park	\$	20.02	/hour
Park Attendants	\$	15.09	/hour

Director of Youth and Recreation	\$	12,310.00	/hour
Historian	\$	2,547.00	
Director of Transfer Station Operations	\$	58,654.00	
Park Manager	\$	21.55	
Building Inspector	\$	32.76	/hour
Assistant Building Inspector	\$	33.73	/hour
Secretary to Building Department	\$	18.07	/hour
Registrars of Vital Statistics	\$	1,400.00	/hour
Director of Planning and Zoning	\$	60,618.00	
Secretary to Director of P/Z	\$	19.07	
Secretary to Director of P/Z	\$	19.07	/hour
Zoning Board Chairperson	\$	2,231.00	/hour
Zoning Board Members	\$	1,396.00	
Planning Board Chairperson	\$	4,461.00	
Planning Board Members	\$	2,789.00	
Summer Grounds	\$	15.74	
Wingmen	\$	14.98	/hour
Flaggers	\$	13.20	/hour
Pee Wee Wrestling Instructors	\$	500.00	/hour
Water Safety Instructor	\$	3,000.00	
Camp Directors	\$	3,500.00	
Asst Director/Special Needs Supervisor	\$	2,000.00	
Pool and Summer School Director	\$	3,000.00	
Camp Nurse	\$	2,700.00	
Summer Soccer Director	\$	1,000.00	
Arts and Crafts Director	\$	3,000.00	
Transportation Director	\$	3,000.00	
Assistant Directors	\$	17.00	
Lifeguards	\$	16.25	/hour
Bus Aides	\$	13.26	/hour
Counselors	\$	13.20	/hour

1 Board of Assessment Review – Chairperson- \$94.00/meeting; Members - \$79.00/meeting and Secretary – \$44.00/meeting-6 meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

2 Director of Planning Base Salary - \$36,820.80; Director of Zoning - \$24,547.20

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

4 Zoning Board Chairperson - \$185.92/meeting-12 meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

5 Zoning Board Members - \$116.33/meeting-12 meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

6 Planning Board Chairperson - \$212.43/meeting-21 meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

7 Planning Board Members - \$132.81/meeting-21 meetings scheduled, not to exceed annual amount stated above without further Town Board approval.

- 2021-289)** Amend resolution 2021-263 as adopted on November 9, 2021 to reflect effective date as follows: Pursuant to Article 3 Section 30 of the Town Law, the Town Clerk hereby appoints Cheryl Simpson Deputy Town Clerk, effective November 4~~5~~ **22**, 2021, at the hourly rate set forth in resolution 2020-317.
- 2021-290)** Appoint Cheryl Simpson as Sub-Registrar of Vital Statistics pursuant to Section 4122 of the Public Health Law at salary set forth in resolution 2020-317.
- 2021-291)** Authorize Supervisor Harris to execute and administer an agreement with ADT to provide and install a Burglar Alarm System at the Police Station, as described in a proposal dated December 1, 2021, for an amount not to exceed \$2,903.38 and additionally to provide monitoring services in an amount not to exceed \$25.99 monthly for a 60-month period.
- 2021-292)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #21-1954 to 21-2141 on Abstract No. 2021-12, in the amount of \$314,328.25, including the claims paid \$148,669.87.
- 2021-293)** Authorize the November 2021 budget modifications, interfund loans and interfund transfers as provided in document dated December 2020 and recommended by the Comptroller.

### **Motion to Adjourn**

Pursuant to the regulation of the Americans with Disabilities Act (Public Law 101-336), the Town of Schodack will provide auxiliary aids or special services for persons with disabilities. Please notify the Town Clerk's Office at 477-7590 so arrangements can be made for requested services.

Please forward correspondence regarding Town matters to:  
Supervisor David Harris  
Town of Schodack, 265 Schuurman Road  
Castleton-on-Hudson, New York 12033-9622  
or call the Supervisor at 518-477-7918