

DATE: MAY 27, 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:

OTHERS PRESENT: DAWNE KELLY, ASSISTANT TO THE SUPERVISOR

Supervisor Harris called the May 27, 2021 Town Board Meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

S. Harris gave a brief overview of the resolutions. All were self-explanatory.

S. Harris asked if any public comment was received via email for the resolutions on the agenda. The Town Clerk said no. He then asked for any in-person public comments. None were received.

Adoption of Resolution

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

C. Bult 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:

2021-155) 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 May 13, 2021, at 7:05 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law #2 of 2021 relating to amending the Town of Schodack Zoning Code and creating a new Planned Development District, PD-2, known as RTE 9 Business Park, with respect to a portion of lands now or previously owned by Donald Hart & Hartland Associates Inc., on the tract or parcel of land located at US Route 9, in the Town of Schodack, Tax Map No. 200.-9-32.1; and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on May 3, 2021 and advertised in the May 3, 2021 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on May 13, 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 2 of 2021 (P2 of 2021) to be known as Local Law #2 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.

**Public Hearing
Proposed Local Law 3-2021
Planned Development District – Green Dale Solar**

S. Harris called the public hearing for proposed local law #3-2021 to order at 7:05 p.m.

The Town Clerk summarized the Affidavit of Publication seeking public comment on the adoption of proposed Local Law No. 3 of 2021 amending the Town of Schodack Zoning Code and creating a new Planned Development District, PD-2, known as Greendale Solar, with respect to a portion of lands now or previously owned by Toros Shamlan, on the tract or parcel of land located County Route 32, in the Town of Schodack, Tax Map No. 227.-1-7. The legal notice was posted on the Town Clerk's signboard, the Town's website and published in *The Record* on May 17, 2021. The Town Clerk added that there was no public comment received via email regarding the public hearing.

S. Harris asked for any in-person public comment or board comment. None were received.

Hearing no comments, S. Harris closed the public hearing at 7:06 p.m.

Adoption of Resolutions

The resolution voted upon reflects 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.

C. Bult 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:**

2021-155) ~~Previously adopted on pg. 99.~~

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:**

2021-156) 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 May 27, 2021 at 7:15 p.m. at the Schodack Town hall to hear all interested parties to amend the Zoning Map of the Town of Schodack, County Route 32, Tax Map Parcel No. 227.-1-7, and

WHEREAS, the Town of Schodack Planning Board provided notice to the Town Board of its intent to serve as the lead agency for the purpose of a coordinated SEQR review and the Town Board hereby confirms that it did not object and that the Town Board is an involved agency. The Planning Board, as the lead agency, adopted a negative declaration at the May 3, 2021 Town Planning Board meeting, and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's Sign Board on May 17, 2021 and advertised in the May 17, 2021 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on May 27, 2021, 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 amendment of the Zoning Map or any part thereof,

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack hereby confirms the negative declaration issued by the Town Planning Board, which said Planning Board is acting as lead agency for the purposes of a coordinated SEQR review.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Schodack hereby adopts the amendment of the Zoning Map of the Town of Schodack relating to a portion of Tax Map Parcel No. 227.-1-7 from PD-1 (Planned Development 1) to PD2 (Planned Development 2) in accordance with Planning Board Site Plan File #2020-28 Green Dale Solar Farm, for the purpose of a solar farm located off County Route 32 in the Town of Schodack and partially located in the Town of Kinderhook. Said amendment is adopted as Local Law 3 of 2021.

BE IT FURTHER RESOLVED, that the Director of Planning and Zoning is hereby directed to file the approved Site Plan with the County Clerk's office for the purposes of amending the Town Zoning Map.

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:

2021-157) All Civil Service requirements having been met for the position of Police Officer, the Town hereby appoints Ben Burnham to the position of full-time Police Officer effective June 1, 2021 at 7th 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.

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

Prior to a brief pinning ceremony and the oath of office being administered by the Town Clerk, S. Harris read the following statement highlighting Officer Burnham's achievements and contributions as an officer:

"Please join us in welcoming Mr. Ben Burnham here this evening to be sworn in as a Schodack Police Officer. For the past nine years Ben has been serving as a Police Officer in the City of Albany. As elected officials, one of the most important tasks we undertake is the selection of whom we entrust to serve our community as Police Officers. Ben began serving others while attending the SUNY at Albany. While at SUNY, Ben volunteered with the Five Quad Ambulance Service as an EMT-B. Excelling in this position Ben was promoted to Operations LT managing and directing day to day operations. After graduating from SUNY Albany and earning a Bachelor of Arts, Ben continued serving as an EMT with Mohawk Ambulance. In 2012 Ben was appointed as a Police Officer with the City of Albany. Since his appointment Ben has served honorably with the Albany Police, earning the respect of his colleagues and community alike. Ben has distinguished himself in the areas of DWI enforcement, field training, community policing and scene management. Following an extensive psychological and background investigation Ben was selected for his strong background in public service, work ethic, aptitude and ability to think critically.

We look forward to Ben joining our Team and continuing our mission to provide the highest level of service to the residents and visitors of Schodack.”

Discussion Items

Park Assistant: S. Harris asked the board for their consent to post the position of Assistant Park Manager. No one objected.

Satellite DMV: S. Harris noted that as the town hall had been reopened, he had met with Frank Merola, Rensselaer County Clerk, regarding the reopening of the satellite DMV. During their discussion, it was decided that a plan was needed to ensure the capacity limit was not exceeded and all CDC guidelines were followed. S. Harris said he would keep the board informed of any new developments.

Schodack Day Camp: S. Harris said the Youth Director was closely following CDC guidelines regarding the wearing of face masks during summer camp. He would update the board once he knew more.

AHET Trail Maintenance: S. Harris said he had been contacted by the Rensselaer Land Trust (RLT) who oversees the maintenance on the Albany Hudson Electric Trail (AHET) regarding bringing trash removed from the trail to the Transfer Station. C. Bult said he had spoken to Thomas Phillips, Vice-President of the RLT, who assured him that the trash would be minimal. He felt it would be a benefit to the town to allow the RLT to deposit the trash at the Transfer Station as the town was not maintaining the trail. To ensure that the service was not being abused, the Director of the Transfer Station could be tasked with keeping track of the number of bags brought in and report to the board if an issue arose. C. Rex, C. Swartz and C. Kenney agreed.

Carpeting – Town Hall Second Floor: D. Kelly presented the board with four color options for carpeting to be installed on the second floor of the town hall. She noted that the carpet had not been replaced since the building had been purchased and it was showing signs of considerable wear, especially in the areas where the outlet doghouse boxes had been removed. C. Swartz asked if the carpet installer would need to make improvements to those areas. D. Kelly said no as all wiring had been capped when the doghouse boxes were initially removed. She added that the quote for the carpet did not include the cost for installation and the board would need to hire an installer. C. Bult asked how long the quote would be good for. D. Kelly said she was unsure but would check and report back.

Generic Environmental Impact Statement (GEIS): S. Harris informed the board that a draft of the GEIS for the Route 9 Corridor was ready for review.

Land: S. Harris said he had spoken to B. Martino who owned Peacedale Farm. Mr. Martino had expressed interest in gifting commercial land to the town to be used to provide water infrastructure for Route 9, with the installation of a water tower.

Battisti Water District: S. Harris noted the grant applications were moving forward for the Battisti Water District, including the support letters showing the need. C. Rex asked if a

timeframe for completion was known as the system was experiencing a water pressure issue. S. Harris noted the application cycle was in July. As for the pressure issue, he was in contact with American Water who were working to resolve the problem. C. Bult recommended using the low pressure to show the dire need for funding and asked if the Public Service Commission (PSC) had been notified of the issue. S. Harris said any problems were generally reported to the town and the residents were instructed to contact the PSC directly. C. Rex recommended a letter be drafted to inform residents on the procedure for reporting an issue.

Roof Repair: C. Bult thanked D. Kelly for her oversight of the roof repair, especially her early morning meetings allowing the roofers in to work and her attention to detail. D. Kelly was appreciative of the recognition and informed the board that the roof was complete, with no leaks. She noted the roofers would be returning to clean the stairs that were marked during the repair.

Girl Scout Project – Handicap Swing: E. Hilt and L. Lyons from Girl Scout Troop 1143 made a formal request to the town board to install a wheelchair swing at the town park for their bronze award project. They felt the swing would make the playground more inclusive to children with disabilities, including Ms. Hilt's sister. S. Harris asked if fund raising was a part of their project. Ms. Lyons said yes. S. Harris informed the scouts that the town had Parkland Funds available that could be used for the purchase of equipment and with permission from the board, the town would cover the cost of the swing utilizing those funds. All board members agreed. The scouts were very appreciative. S. Harris asked Ms. Hilt and Ms. Lyons to notify the board of the cost and to work with D. Kelly for placement.

Executive Session

C. Swartz made a motion at 7:40 p.m. to enter into an executive session of the Board to discuss personnel matters pursuant to public officers' law §105(f). Seconded by C. Bult.

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

C. Kenney made a motion at 7:57 p.m. to adjourn the executive session. Seconded by C. Bult.

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. Bult made a motion to adjourn the 05/27/21 Town Board meeting at 7:57 p.m., seconded by S. Harris. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk