

**REGULAR MEETING
OF THE
TOWN BOARD
TOWN OF STEPHENTOWN
26 GRANGE HALL ROAD, STEPHENTOWN, NEW YORK 12168
APRIL 18, 2022**

The Public Hearing of the Town Board, Town of Stephentown was called to order by *Philip Roder* at **7:01PM** at the Town Hall.

MEMBERS PRESENT:

(X) Supervisor Philip (PJ) Roder

(X) High. Superin. Alden Goodermote

(X) Council William Jennings

(X) Assessor Jennifer VanDeusen

(X) Council Everett Madden

(X) Council Diana Clark

(X) Council Kyle Kidney

(X) Town Clerk Stephanie Hoffman

A quorum (X) was () wasn't established.

5 from the Public were present

AUDIT OF CLAIMS:

- Claim #76-22 through #97-22 in the amount of **\$16,398.26 to be approved** from the **General Account**
- Claim #48-22 through #65-22 in the amount of **\$29,693.81 to be approved** from the **Highway Account**
- For a **Total of \$46,092.07** audited and approved by the Town Board.

MOTION BY: KIDNEY

SECONDED BY: MADDEN

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

Minutes of the **March 21, 2022 Regular Town Board Meeting** were approved by the Town Board as written.

MOTION BY: JENNINGS

SECONDED BY: KIDNEY

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

Minutes of the **April 11, 2022 Public Hearing for Purposed Local Law #1 of 2022 Amendment of Local Law #3 of 1977 Written Notification of Defects and Obstructions on Town Highways, Bridges, Streets, Sideways, Crosswalks and Culverts in the Town of Stephentown** were approved by the Town Board as written.

MOTION BY: JENNINGS

SECONDED BY: KIDNEY

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

TOWN CLERKS REPORT: The Town Clerk turned over the sum of **\$610.42** to the Supervisor for the month of **MARCH 2022**.

JUSTICE COURT REPORT: The distribution from the office of the State Comptroller, Justice Court Fund to the Town of Stephentown. **No reports have been received for December 2021, January, February or March 2022 to date.** *Supervisor Roder reported that the 2021 audit is still pending submission – awaiting the release of the Dec. 2021 funds.*

TRANSFER STATION REPORT: The Transfer Station deposited a total of **\$6,477.00** for the month of **MARCH 2022**. *Council Jennings: reported that the revenues are down approximately by \$1,000 from 2021.*

Bags: \$4,602

C&D & Metal: \$1,577

Tires: \$6

Stickers: \$170

Appl. & Electronics: \$122

Propane Tanks: \$0

ACCOUNT TOTALS:

GENERAL \$753,414.05

HIGHWAY \$ 1,147,232.16

GENERAL RESERVE FUND \$424,850.45

HIGHWAY RESERVE FUND \$528,238.83

BEACON ESCROW \$ 885.19

BEACON ESCROW FOR PLANT (BOND) \$5,000 & \$70,000.

AMERICAN RESCUE PLAN ACT FUND: \$

REPORT FROM THE TOWN BOARD AND TOWN OFFICES:

W. Jennings, Council: 4/30 Hazardous Waste Day must register. Looking to hold another Clean Up Day for Stephentown, one day this year on a Friday from 12pm to 8pm. Looking to get a bunch of people together to volunteer. Asked Highway Superintendent Goodermote if the highway crew could be available and the board would pay them overtime. Highway Superintendent Goodermote reported they could switch a day.

D. Clark, Council: reported that the Transfer Station workers reported that June 10th would be a better day. W. Jennings, Council: announced confirmation at the meeting that Clean Up Day will be officially Friday, June 10th from 12pm to 8pm, materials to come to be posted. Identification is still required (a tax bill or utility bill to confirm residency). Acceptable items will be electronics, 4 tires, C&D, 2 TVs no consoles. A pickup truck (8foot bed) or a small single axle trailer. One load per household.

W. Jennings, Council: reported that the Library came twice last year, and stated "they get different treatment."

S. Hoffman, Town Clerk: made suggestion that a pre meeting with all parties involved is done prior to the day of the event so everyone is on the same page.

P. Roder, Supervisor: reported Health Department issues that were brought to the Town's attention. The private wells at Mountain View Trailer Park have tested positive for low levels of PFOAs and the matter is being addressed by the Health Department. If people have questions they are to contact Jay Raymond directly at 518-209-1512 or 518-270-2632 he is with the Rensselaer County Health Department.

S. Hoffman, Town Clerk: clarifies this is the trailer park formally known as Chuckleberry Park not the trailer park on Garfield Road.

RESOLUTION # 26- 2022

OPENING OF SEALED LAWN MOWING BIDS FOR 2022

WHEREAS: the Town Board requested sealed BIDs for the 2022 Lawn Mowing at the Town Park and the Town Hall, and

WHEREAS: the Town Clerk's Office received 1 sealed BIDs by April 18, 2022, at 7:00PM from:

1. ***Everything Green Lawn & Landscaping*** for the amount of: \$148/month for the Town Park and \$128/month for the Town Hall.

now therefore be it

RESOLVED: that the Town Board would like to award the 2022 Lawn Mowing to Everything Green Lawn & Landscaping, for the amount of \$148.00/month for the Town Park and \$128.00/month for the Town Hall.

MOTION BY: RODER

SECONDED BY: JENNINGS

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

RESOLUTION # 27- 2022

**APPOINTING SCOTT WYNER AS CHAIRMAN TO THE
ZONING BOARD**

WHEREAS: the Town Board has requested the Zoning Board to make a recommendation for a Chairman to the Zoning Board of Appeals; and

WHEREAS: the Zoning Board met at their regular scheduled meeting on March 22, 2022 and draft minutes were received at the Town Clerk's Office with the recommendation that Scott Wiener be appointed by the Town Board as Chairman of the Zoning Board of Appeals; now therefore be it

RESOLVED: that the Town Board hereby appoints Scott Wyner at the Chairman for the Zoning Board of Appeals for the remainder of his five year term.

MOTION BY:

SECONDED BY:

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

RESOLUTION # 28- 2022

**ENACTING PROPOSED AMENDED PRIOR
WRITTEN NOTICE LAW – LOCAL LAW 1 of 2022**

WHEREAS: the Town Board has commissioned the drafting of a proposed amended Prior Written Notice Law; and

WHEREAS: the Town Board has conducted the necessary public hearing on the proposed local law annexed hereto as Exhibit A; now therefore be it

RESOLVED: that the Town Board resolves to enact said local law.

Exhibit A

Local Law No. 1 of the Year 2022

A local law providing for the written notification of defects and obstructions on town highways, bridges, streets, sidewalks, crosswalks, and culverts in the Town of Stephentown.

Be it enacted by the Town Board of the Town of Stephentown:

Section 1. No civil action shall be maintained against the Town or Town Superintendent of Highways for damages or injuries to person or property sustained by reason of any highway, bridge, street, sidewalk, crosswalk, or culvert being defective, out of repair, unsafe, dangerous, or obstructed unless written notice of such defective, unsafe, dangerous, or obstructed condition of such highway, bridge, street, sidewalk, crosswalk, or culvert was actually given to the Town Clerk or Town Superintendent of Highways, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger, or obstruction complained of.

No such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge, street, sidewalk, crosswalk, or culvert, unless written notice thereof, specifying the particular place, was actually given to the Town Clerk or Town Highway Superintendent of Highways and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

Section 2. The Town Highway Superintendent of Highways shall transmit in writing to the Town Clerk within five days after the receipt thereof all written notices received pursuant to this local law and

subdivision 2 of Section 65-a of the Town Law. The Town Clerk shall cause all written notices received pursuant to this local law and subdivision 2 of section 65-a of the Town Law, to be presented to the Town Board within five days of the receipt thereof or at the next succeeding Town Board meeting, whichever shall be sooner.

Section 3. This local law shall supersede in its application to the Town of Stephentown subdivisions 1 and 3 of section 65-a of the Town Law and supersedes all prior local laws relative to the necessity of prior written notices and they shall be upon the effectiveness of this local law, be null and void.

Section 4. This local law shall take effect immediately upon its filing in the Office of the Secretary of State.

MOTION BY: CLARK

SECONDED BY: JENNINGS

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

T. Dormady: asks if emails are considered a written notice.

S. Hoffman, Town Clerk: does not believe an email is considered a formal notice, will check with attorney.

P. Roder, Supervisor: reported the Town has an existing law, this will tighten things up a bit more.

MEETING OPEN TO PUBLIC COMMENT:

P. Flint, Town Historian: reported that she will be going to a conference and listed 5 names off for the 250th year anniversary of the American Revolutionary War. The board agreed that America 250 was the best choice.

K. Roppolo, Library Director: Provided a youth commission event update. The Easter Party was a success 160 attendees. Paperwork for Summer Food and Camp has been submitted, food requirements will return to pre-pandemic rules, food will need to be eaten on site. Library update: back up and running. We are currently accepting applications for a Scholarship for High School Seniors it's \$2,000.00. Must live in Stephentown, provide transcripts, have 3 letters of recommendation not from family, write an essay about themselves and have community service somewhere. This is in honor of Robert Smith, there will also be a 5k event in his honor to raise money. There are still 15 to 20 slots available for Blood Draw if anyone is interested sign up at the Red Cross. Blood banks are very low.

J. Peabody: provides an update on the Fire Dept. they will be having an Open House from 10am – 2pm on Saturday 4/23. There will be a breakfast on 5/1/2022

P. Roder, Supervisor: LiveStreams will hopefully be set up on Wednesday. Hope to be up and running in May if not by June the latest.

K. Roppolo: asks if the workshops will be covered on LiveStreams as well.

P. Roder, Supervisor: we will have further discussion on that.

MOTION TO ADJOURN AT 7:56 PM

MOTION BY: JENNINGS

SECONDED BY: MADDEN

VOTES OF: 5 AYE 0 NAY

****A Workshop Meeting** is held every second Monday of every month at **7:00PM** at the Town Hall next one will be held on Monday, May 9th, 2022 at 7:00PM at the Town Hall.

****The next Regular Meeting** of the Town Board, Town of Stephentown will be held on **Monday, May 16, 2022 at 7:00 PM** at the Town Hall located at 26 Grange Hall Road, Stephentown, NY 12168.

Stephanie M. Hoffman

Town Clerk