

**REGULAR MEETING  
OF THE  
TOWN BOARD  
TOWN OF STEPHENTOWN  
26 GRANGE HALL ROAD, STEPHENTOWN, NEW YORK 12168  
JUNE 20, 2022**

The Public Hearing of the Town Board, Town of Stephentown was called to order by *Philip Roder* at **7:02 PM** 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**

**( ) Council Diana Clark**

**( X ) Council Kyle Kidney**

**( X ) Town Clerk Stephanie Hoffman**

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

2  from the Public were present

**AUDIT OF CLAIMS:**

- Claim #117-22 through #155-22 in the amount of **\$38,866.32 to be approved** from the **General Account**
- Claim #85-22 through #104-22 in the amount of **\$202,495.49 to be approved** from the **Highway Account**
- For a **Total of \$241,361.81** audited and approved by the Town Board.

**MOTION BY: MADDEN**

**SECONDED BY: JENNINGS**

**VOTES OF: 4AYE 0 NAY 0 ABSTAINED**

Minutes of the **May 16, 2022 Regular Town Board Meeting** were approved by the Town Board as written.

**MOTION BY: JENNINGS**

**SECONDED BY: KIDNEY**

**VOTES OF: 4AYE 0 NAY 0 ABSTAINED**

**TOWN CLERKS REPORT:** The Town Clerk turned over the sum of **\$1,037.99** to the Supervisor for the month of **MAY 2022**.

**JUSTICE COURT REPORT:** The distribution from the office of the State Comptroller, Justice Court Fund to the Town of Stephentown for the month of **January 2022 was \$1,214.00, February 2022 was \$1,492.00, March 2022 was \$1,715.00, and April 2022 was \$989.00.**

**TRANSFER STATION REPORT:** The Transfer Station deposited a total of **\$7,495.00** for the month of **APRIL 2022**.

Bags: **\$5,184**

C&D & Metal: **\$1,916**

Tires: **\$45**

Stickers: **\$140**

Appl. & Electronics: **\$205**

Propane Tanks: **\$5**

**TRANSFER STATION REPORT:** The Transfer Station deposited a total of **\$6,371.00** for the month of **MAY 2022**.

Bags: **\$4,035**

C&D & Metal: **\$2,068**

Tires: **\$28**

Stickers: **\$ 130**

Appl. & Electronics: **\$110**

Propane Tanks: **\$0**

*Council Jennings reported that Clean UP day was a success and went very well. A lot of volunteers and very busy. Many Thanks to the Board Members who provided help and to the Highway Department. There are concerns regarding hauling fees due to the significant increase in fuel, as of right now the contract will remain the same and has not been adjusted.*

**ACCOUNT TOTALS:**

**GENERAL \$ 744,472.55**

**HIGHWAY \$ 1,028,591.76**

**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: \$**

*Supervisor Roder reported that the Town has received the first quarter Sales Tax check for 2022 in the amount of \$95,308.08.*

**REPORT FROM THE TOWN BOARD AND TOWN OFFICES:**

*Highway Superintendent Goodermote reported concerns with Madden Road Bridge and the budget with the increase of fuel, suggests some of the ARPA funds be set aside to curb the costs of inflation. \$10,000 in fuels this month, has concerns about making it through the winter months.*

*Supervisor Roder reported that no final decisions have been made on where the ARPA funds will be spent, the committee simply made suggestions in their report.*

*Highway Superintendent Goodermote suggests switching over to propane for the Town Hall, Kerosene is not going to be affordable.*

**RESOLUTION # 32 of 2022**

**CALLING FOR PUBLIC HEARING ON PROPOSED**

**AMENDED TAX EXEMPTION FOR SENIOR CITIZEN**

**WHEREAS**, the Town Board has commissioned the drafting of a revised amended TAX EXEMPTION FOR SENIOR CITIZEN Law; and

**WHEREAS**, the draft of the proposed amended TAX EXEMPTION FOR SENIOR CITIZEN Law is annexed hereto as Exhibit A;

**NOW THEREFORE BE IT RESOLVED THAT** the Town Board hereby calls for a public hearing to be conducted on the proposed local law which will be held on July 11, 2022 at 7:00 p.m. at Town Hall, 26 Grange Hall Road, Stephentown, NY 12168.

**MOTION BY: KIDNEY**

**SECONDED BY: JENNINGS**

**VOTES OF:**

**4 AYE**

**0 NAY**

**0 ABSTAINED**

EXHIBIT A

PROPOSED LOCAL LAW # 2 OF THE YEAR 2022 TAX EXEMPTION

FOR SENIOR CITIZEN AMENDING LOCAL LAW #1 OF THE YEAR 2001

FOR THE TOWN OF STEPHENTOWN

BE IT ENACTED, by the Town Board of the Town of Stephentown, that the Code of the Town of Stephentown is hereby amended as follows:

Pursuant to Section 467 of the Real Property Tax Law, real property owned by one or more persons, each of whom is 65 years of age or over as herein defined, or by a husband or wife, either of whom is 65 years of age or older, or by siblings, one of whom is 65 years of age or over, shall be exempt to the extent as hereinafter provided. In addition, for purposes of this law, amounts of un-reimbursed medical expenses shall be excluded from the calculation of a person's income.

The provisions of this law shall be extended to the owners of cooperatives.

It is additionally provided that any subsequent modification of Real Property Tax Law Section 467 providing for greater tax exemption, shall, upon the effective date thereof, also be deemed contemporaneously applicable to the Town of Stephentown so as to afford the Town's senior citizens the greatest available tax exemption and/or income limitations then provided or permitted by said statute.

Those qualifying persons shall be exempt from taxation to the extent of the sliding scale set forth below, provided that the income of the owner or the combined income of the owners of the property for the income tax year immediately proceeding the date of making application does not exceed the sums set forth below.

ANNUAL INCOME OR COMBINED ANNUAL FROM TAXATION INCOME OF OWNERS	PERCENTAGE OF ASSESSED VALUATION EXEMPT
Not exceed \$29,000	50% exemption
\$29,001 but less than \$30,000	45% exemption
\$30,001 but less than \$31,000	40% exemption
\$31,001 but less than \$32,000	35% exemption
\$32,001 but less than \$32,900	30% exemption
\$32,901 but less than \$33,800	25% exemption
\$33,801 but less than \$34,700	20% exemption
\$34,701 but less than \$35,600	15% exemption
\$35,601 but less than \$36,500	10% exemption
\$36,501 but less than \$37,400	5% exemption

**RESOLUTION # 33 of 2022** **CALLING FOR PUBLIC HEARING ON PROPOSED  
AMENDED TAX EXEMPTION FOR CITIZENS WITH DISABILITIES**

**WHEREAS**, the Town Board has commissioned the drafting of a revised amended TAX EXEMPTION FOR CITIZENS WITH DISABILITIES Law; and

**WHEREAS**, the draft of the proposed amended TAX EXEMPTION FOR CITIZENS WITH DISABILITIES Law is annexed hereto as Exhibit B;

**NOW THEREFORE BE IT RESOLVED THAT** the Town Board hereby calls for a public hearing to be conducted on the proposed local law which will be held on July 11, 2022 at 7:15 p.m. at Town Hall, 26 Grange Hall Road, Stephentown, NY 12168.

**MOTION BY: JENNINGS** **SECONDED BY: KIDNEY**  
**VOTES OF: 4 AYE 0 NAY 0 ABSTAINED**

**EXHIBIT B**

**PROPOSED LOCAL LAW # 3 OF THE YEAR 2022 TAX EXEMPTION FOR CITIZENS WITH  
DISABILITIES AMENDING LOCAL LAW #2 OF THE YEAR 2001 FOR THE TOWN OF  
STEPHENTOWN**

BE IT ENACTED, by the Town Board of the Town of Stephentown, that the Code of the Town of Stephentown is hereby amended as follows:

Pursuant to Section 459-c of the Real Property Tax Law, real property owned by one or more persons with disabilities, or real property owned by a husband, wife, or both, or siblings, at least one of whom has a disability, and whose income, as hereafter defined, is limited by reason of such disability and meets all other qualifications as set forth in the aforesaid statute, shall be exempt to the extent as hereinafter provided. In addition, for purposes of this law, amounts of un-reimbursed medical expenses shall be excluded from the calculation of a person's income. The provisions of this law shall be extended to the owners of cooperatives.

It is additionally provided that any subsequent modification of Real Property Tax Law Section 467 providing for greater tax exemption, shall, upon the effective date thereof, also be deemed contemporaneously applicable to the Town of Stephentown so as to afford the Town's disabled citizens the greatest available tax exemption and/or income limitations then provided or permitted by said statute.

Those qualifying persons shall be exempt from taxation to the extent of the sliding scale set forth below, provided that the income of the owner or the combined income of the owners of the property for the income tax year immediately proceeding the date of making application does not exceed the sums set forth below.

ANNUAL INCOME OR COMBINED ANNUAL FROM TAXATION INCOME OF OWNERS	PERCENTAGE OF ASSESSED VALUATION EXEMPT
Not exceed \$29,000	50% exemption
\$29,001 but less than \$30,000	45% exemption
\$30,001 but less than \$31,000	40% exemption
\$31,001 but less than \$32,000	35% exemption
\$32,001 but less than \$32,900	30% exemption
\$32,901 but less than \$33,800	25% exemption
\$33,801 but less than \$34,700	20% exemption
\$34,701 but less than \$35,600	15% exemption
\$35,601 but less than \$36,500	10% exemption
\$36,501 but less than \$37,400	5% exemption

**RESOLUTION # 34 of 2022**

**CALLING FOR PUBLIC HEARING ON  
PROPOSED**

**AMENDED COLD WAR VETERANS EXEMPTION**

**WHEREAS**, the Town Board has commissioned the drafting of a revised amended COLD WAR VETERANS EXEMPTION Law; and

**WHEREAS**, the draft of the proposed amended COLD WAR VETERANS EXEMPTION Law is annexed hereto as Exhibit C;

**NOW THEREFORE BE IT RESOLVED THAT** the Town Board hereby calls for a public hearing to be conducted on the proposed local law which will be held on July 11, 2022 at 7:30 p.m. at Town Hall, 26 Grange Hall Road, Stephentown, NY 12168.

**MOTION BY: MADDEN**

**SECONDED BY: JENNINGS**

**VOTES OF: 4 AYE**

**0 NAY**

**0 ABSTAINED**

EXHIBIT C

PROPOSED LOCAL LAW # 4 OF THE YEAR 2022 COLD WAR

VETERANS EXEMPTION AMENDING LOCAL LAW #1 OF THE YEAR

2009 FOR THE TOWN OF STEPHENTOWN

BE IT ENACTED, by the Town Board of the Town of Stephentown, that the Code of the Town of Stephentown is hereby amended as follows:

ARTICLE I. INTENT

It is the intent of this Local Law to:

- 1) Authorize a limited exemption from real property taxes for residential real property owned by veterans and those who rendered military service to the United States during the "Cold War" and their surviving spouses pursuant to Section 458-b of the New York State Real Property Tax Law; and
- 2) To establish maximum exemption amounts thereunder.

ARTICLE II. DEFINITIONS

As used in this section:

- a) "Cold War Veteran" means a person, male or female, who served on active duty in the United States armed forces, during the time period from September second, Nineteen hundred forty-five to December twenty-sixth, Nineteen hundred ninety-one, and was discharged or released therefrom under honorable conditions.
- b) "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force, and Coast Guard.
- c) "Active Duty" means full-time duty in the United States armed forces, other than active duty for training.
- d) "Service Connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on active military, naval, or air service,
- e) "Qualified Owner" means a Cold War veteran, the spouse of a Cold War veteran, or the un-remarried surviving spouse of a deceased Cold War veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the un-remarried surviving spouse of a veteran, such person may also receive any exemption: to which the deceased spouse was entitled.
- f) "Qualified Residential Real Property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but it is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War veteran or un-remarried surviving spouse is absent from the property due to medical reasons or institutionalization.
- g) "Latest State Equalization Rate" means the latest final equalization rate established by the state board pursuant to article twelve of the New York State Real Property Tax Law.
- h) "Latest Class Ratio" means the latest final class ratio established by the state board pursuant to title one of article twelve of the New York State Real Property Tax Law for use in a special assessing unit as defined in section eighteen hundred one of the New York State Real Property Tax Law.

ARTICLE III. EXEMPTION

- a) A qualifying residential real property shall be exempt from taxation to the extent of ten percent of the assessed value of such property; provided however, that such exemption shall

not exceed eight thousand dollars of the product of eight thousand dollars multiplied by the latest state equalization rate of the assessing unit, whichever is less.

- b) In addition to the exemption provided by paragraph ( a) of this Article, where the Cold veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the produce of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating, provided, however, that such exemption shall not exceed forty thousand dollars, or the produce of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.
- c) Limitations.
  - i. The exemption from taxation provided by this subdivision shall be applicable in town taxation only.
  - ii. If a Cold War veteran receives the exemption under section four hundred fifty-eight or four hundred fifty-eight-a of the New York State Real Property Tax Law, the Cold War veteran shall not be eligible to receive the exemption under this Local Law.

#### ARTICLE IV. APPLICATION PROCESS

Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. The exemption shall continue in full force and effect for all inappropriate subsequent tax years and the owner or owners of the property shall not be required to refile each year. Applicants shall be required to refile on or before the appropriate taxable status date if the percentage of disability percentage increases or decreases or may refile if other charges have occurred which affect qualification for an increase or decrease amount of exemption. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.

#### ARTICLE V. EFFECTIVE DATE

This Local Law shall take effect immediately.

### **RESOLUTION # 35 of 2022**

**AUTHORIZING THE RETENTION OF THE LABERGE GROUP FOR ENGINEERING SERVICES TO BE PROVIDED TO THE TOWN ZONING BOARD OF APPEALS AND POSSIBLY TOWN PLANNING BOARD IN CONNECTION WJTH THE SOLAR POWER NETWORK, LLC COMMUNITY SOLAR FARM APPLICATION**

WHEREAS, Solar Power Network, LLC (“Applicant”) has an application pending before the Town Zoning Board of Appeals seeking the grant of a use variance in that it desires to establish a community solar farm on West Road in the Town;

WHEREAS, should the Zoning Board of Appeals grant the use variance the application would proceed to the Town Planning Board as further approvals would be needed by the Planning Board;

WHEREAS, the Zoning Board of Appeals and/or the Planning Board desire the assistance of a professional engineer for this project, the cost of which is to be ultimately paid by the Applicant;

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the retention of The Laberge Group and therefore authorizes the execution by the Supervisor of an agreement for said retention upon the review and approval of The Law Offices of Craig M. Crist, PLLC.

**MOTION BY: RODER**

**SECONDED BY: KIDNEY**

**VOTES OF:**

**4 AYE**

**0 NAY**

**0 ABSTAINED**

**MEETING OPEN TO PUBLIC COMMENT:**

*J. Peabody reported an update on the Library and the Youth Commission Summer Program. All Camp Counselor's have been hired. Bus trips are still an open-ended conversation due to the fuel costs. Library's 1<sup>st</sup> Free Concert had a good attendance there is more to come. Ronda's Reptiles will be coming, we had 11 children for story time. The Scholarship was awarded. We will be hosting a series of Welcome events to the new residence the Historical Society has put together. It has been posted on Social Media, mailing and in the Eastwick Press.*

*Supervisor Roder suggested to be cautious with the youth commission budget this year with the inflation. Reported if there are additional fees/costs to get them to the Town Board as soon as possible rather than get a rejection on covering additional costs. The Board has received a written complaint from Brad Humphrey in regards to a neighbor and the garbage, this issue is being addressed by Code Enforcement and will follow up with more information when provided an update.*

**MOTION TO ADJOURN AT 7:46 PM**

**MOTION BY: JENNINGS**

**SECONDED BY: KIDNEY**

**VOTES OF:**

**4 AYE 0 NAY 0 ABSTAINED**

**\*\*A Public Hearing** will be held on Monday, July 11<sup>th</sup>, 2022 at 7:00PM at the Town Hall in regards to the proposed Amended Local Law for Tax Exemption for Senior Citizens.

**\*\*A Public Hearing** will be held on Monday, July 11<sup>th</sup>, 2022 at 7:15PM at the Town Hall in regards to the proposed Amended Local Law for Tax Exemption for Citizens with Disabilities.

**\*\*A Public Hearing** will be held on Monday, July 11<sup>th</sup>, 2022 at 7:30PM at the Town Hall in regards to the proposed Amended Local Law for Cold War Veterans Exemption.

**\*\*A Workshop Meeting** is held every second Monday of every month at 7:45PM at the Town Hall next one will be held on Monday, July 11<sup>th</sup>, 2022 at 7:00PM at the Town Hall.

**\*\*The next Regular Meeting** of the Town Board, Town of Stephentown will be held on **Monday, July 18, 2022 at 7:00 PM** at the Town Hall located at 26 Grange Hall Road, Stephentown, NY 12168.

*Stephanie M. Hoffman*

**Town Clerk**