

**REGULAR MEETING
OF THE
TOWN BOARD TOWN OF STEPHENTOWN
26 GRANGE HALL ROAD, STEPHENTOWN, NEW YORK 12168
NOVEMBER 21, 2022**

The Regular Board Meeting of the Town Board, Town of Stephentown was called to order by *Philip Roder* at **7:00 PM** at the Town Hall.

MEMBERS PRESENT:

(X) Supervisor Philip Roder

(X) High. Superin. Alden Goodermote

(X) Council Diana Clark

(X) Assessor, Jennifer Van Deusen

(X) Council William Jennings

(X) Council Everett Madden

(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 #268-22 through #300-22 in the amount of **\$19,232.98 to be approved** from the **General Account**
- Claim #155-22 through #176-22 in the amount of **\$45,827.77 to be approved** from the **Highway Account**
- For a **Total of \$65,060.75** audited and approved by the Town Board.

MOTION BY: CLARK

SECONDED BY: KIDNEY

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

Minutes of the **October 10, 2022 Budget Workshop 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 **October 17th, 2022 Public Hearing 6 Month Moratorium for Commercial Solar Energy Facilities** were approved by the Town Board as written.

MOTION BY: JENNINGS

SECONDED BY: CLARK

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

Minutes of the **October 17th, 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 **October 24th, 2022 Budget Workshop Meeting** were approved by the Town Board as written.

MOTION BY: KIDNEY

SECONDED BY: CLARK

VOTES OF: 3 AYE 0 NAY 2 ABSTAINED (JENNINGS & MADDEN)

Minutes of the **November 7th, 2022 Public Hearing 2023 Preliminary Town Budget** were approved by the Town Board as written.

MOTION BY: CLARK

SECONDED BY: MADDEN

VOTES OF: 4 AYE 0 NAY 1 ABSTAINED (JENNINGS)

Minutes of the **November 14th, 2022 Special Meeting Adopt the 2023 Town Budget** 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 **\$1,472.03** to the Supervisor for the month of **SEPTEMBER 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 **SEPTEMBER 2022** (*has not been received to date*)

TRANSFER STATION REPORT: The Transfer Station deposited a total of **\$7,583.00** for the month of **OCTOBER 2022**. (*October 2021 income was \$9,548.00*)

Bags: **\$4,457**

C&D & Metal: **\$1,713**

Tires: **\$43**

Stickers: **\$1,260**

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

Propane Tanks: **\$0**

Council Jennings reported that a resident drove into the gate at the transfer station, the highway department fixed the gate. Paint program has been suspended until further notice, until we can get a gate or lockable case.

Discussed possible price increases and the board has decided not to make any increases at this time.

ACCOUNT TOTALS:

GENERAL \$926,525.89

HIGHWAY \$494,440.45

GENERAL RESERVE FUND \$631,343.61

HIGHWAY RESERVE FUND \$511,406.36

BEACON ESCROW \$ 885.19

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

AMERICAN RESCUE PLAN ACT FUND: \$285,177.21

Supervisor Roder reported that the light parade will be on Saturday 11/26/2022 at 5:30pm. NYSEG has opened HEAP applications. Double check your carbon monoxide detectors. Received a refund from Ambit \$1,000.50.

Council Kidney reported that the Propane burner has been installed on the boiler and everything is up and running on propane at the Town Hall. The gas company left the kerosene gun in case the Board would like to switch back.

Highway Superintendent Goodermote reported out of bridges, Bert Hager bridge needs repairs.

REPORT FROM THE TOWN BOARD AND TOWN OFFICES:

RESOLUTION # 59-2022

CALLING FOR PUBLIC HEARING ON A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF THE YEAR 2014, (WHICH IS TITLED THE "AMENDED LAND USE REGULATIONS OF THE TOWN OF STEPHENTOWN") AND THE OFFICIAL ZONING DISTRICT MAP RELATING THERETO CHANGING THE PROPERTY IDENTIFIED AS TAX MAP PARCEL NO. 174.-1-35 AND LOCATED ON WEST ROAD IN THE TOWN OF STEPHENTOWN FROM AN EXTRACTION AND FILL DISTRICT TO A RURAL USE DISTRICT.

WHEREAS, Article III of the Amended Land Use Regulations of the Town of Stephentown, which is Local Law No. 1 of the Year 2104, provides that "When a DEC-permitted mine located in a parcel in an EF Zone has been legally closed, the Town Board shall designate a new Land-Use Zone for that parcel. It is expected that the new Zone will be the same as surrounding parcels";

WHEREAS, in furtherance thereof and also pursuant to Article XI(A)(1) the Town Board has commissioned the drafting of the proposed amendment to amend the land-use district for the property identified as tax map number 174.-1-35, located at West Road in the Town of Stephentown and according to the Town's assessment roll is owned by Reginald and Margaret Carr, +/- 17.77 acres,

as more particularly detailed and described in the accompanying proposed local law, 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 December 19, 2022 at 7:00 p.m. at Town Hall, 26 Grange Hall Road, Stephentown, NY 12168;

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Town Board hereby refers the proposed local law to the Town Planning Board as well as the County Planning Board/County Department of Economic Development and Planning for their respective Reports and Recommendations.

MOTION BY: MADDEN **SECONDED BY: JENNINGS**

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

Supervisor Roder: this is in regards to the Carr Gravel Pitt, DEC legally closed the pitt. The Town Board never rezoned the parcel, per our local law it requires us to rezone once the pitt is closed.

RESOLUTION #60-22 **2023 MATERIALS BID TO COMPLETE ROAD WORK AND MAINTENANCE OF TOWN ROADS**

WHEREAS: there is a need to purchase materials to complete the Town Road work, and

WHEREAS: the Town Board authorizes the Town Clerk to advertise for such bids, now therefore be it,

RESOLVED: that the Town requests sealed bids on these materials. Bid specs will be available at the Town Clerk's Office beginning Monday, November 28th, 2022, be it further

RESOLVED: that all sealed bids with a non-collusion form are due to the Town Clerk's Office by 7:00PM on Monday, December 19, 2022. Mailed or delivered to the Town Clerk at 26 Grange Hall Road in Stephentown, NY 12168.

MOTION BY: CLARK **SECONDED BY: KIDNEY**

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

RESOLUTION #61-22 **ADVERTISE FOR APPOINTED POSITIONS FOR THE YEAR 2023**

WHEREAS: the Town Clerk is authorized to advertise for all appointed positions with their salary, that are expiring or vacant on December 31, 2022, now therefore be it

RESOLVED: that the Town Clerk advertise requesting applications for appointed positions for 2023, with a deadline of Friday, December 16, 2022 at 11:00 AM.

MOTION BY: KIDNEY **SECONDED BY: JENNINGS**

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

RESOLUTION #62-22 **ADVERTISE 2023 CLEANING SERVICES FOR TOWN HALL AND OFFICES**

WHEREAS: there is a need to advertise for Town Hall cleaning, with present term to expire on December 31, 2022, now therefore be it

RESOLVED: that the Town Clerk is authorized to advertise for this position for the year 2023. Resumes and letters of interest due to the Town Clerk by Monday, December 19, 2022 at 7:00 PM. Delivered to the Town Hall or mailed to 26 Grange Hall Road, Stephentown, NY

MOTION BY: JENNINGS **SECONDED BY: KIDNEY**

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

RESOLUTION #63-22 **ADVERTISE FOR THE 2023 ORGANIZATIONAL MEETING**

WHEREAS: the Town Board would like to hold an Organizational Meeting to establish the Town's Annual Business for 2023, now therefore be it

RESOLVED: that the Town Clerk is authorized to advertise for the 2023 Organizational Meeting to be held on Monday, January 2nd, 2023 at 7:00pm.

MOTION BY: RODER

SECONDED BY: KIDNEY

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

RESOLUTION #64-22

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STEPHENTOWN TO SEEK LEAD AGENCY STATUS FOR PROPOSED LOCAL LAW AMENDING LOCAL LAW NO. 1 OF THE YEAR 2014, (WHICH IS TITLED THE "AMENDED LAND USE REGULATIONS OF THE TOWN OF STEPHENTOWN") AND THE OFFICIAL ZONING DISTRICT MAP RELATING THERETO CHANGING THE PROPERTY IDENTIFIED AS TAX MAP PARCEL NO. 174.-1-35 AND LOCATED ON WEST ROAD IN THE TOWN OF STEPHENTOWN FROM AN EXTRACTION AND FILL DISTRICT TO A RURAL USE DISTRICT.

WHEREAS, the Town Board has introduced proposed legislation, pursuant to Articles III and XI of the Amended Land Use Regulations of the Town of Stephentown, titled Local Law 1 of the Year 2014, which provides that "When a DEC-permitted mine located in a parcel in an EF Zone has been legally closed, the Town Board shall designate a new Land-Use Zone for that parcel. It is expected that the new Zone will be the same as surrounding parcels;"

WHEREAS, in furtherance thereof and also pursuant to Article XI(A)(1) thereof the Town Board has commissioned the drafting of the proposed amendment to amend the land-use district from and EF Extraction and Fill District to a RU Rural Use District, as more particularly described in the accompanying proposed local, annexed hereto as Exhibit A;

NOW THEREFORE BE IT RESOLVED THAT the Town Board hereby resolves to seek lead agency status and authorizes the Town Clerk to circulate the attached local law and SEAF to all and interested agencies listed therein.

MOTION BY: MADDEN

SECONDED BY: JENNINGS

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

MEETING OPEN TO PUBLIC COMMENT :

No comment by the public.

MOTION TO ADJOURN AT 7:43PM

MOTION BY: RODER

SECONDED BY: JENNINGS

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

****A Workshop Meeting** is held every second Monday of every month at the Town Hall next one will be held on Monday, December 12th, 2022 at the Town Hall.

****The next Regular Meeting** of the Town Board, Town of Stephentown will be held on **Monday, December 19th, 2022 at 7:00 PM** at the Town Hall located at 26 Grange Hall Road, Stephentown, NY 12168.

*****The 2022 Reconciliation Meeting** will be held on **Thursday, December 29, 2022 at 7:00PM** at the Town Hall located at 26 Grange Hall Road, Stephentown, NY 12168.

Stephanie M. Hoffman

Town Clerk

Exhibit A

PROPOSED Local Law No. ____ of the Year 2022

Be it enacted by the Town Board of the Town of Stephentown as follows: SECTION 1. TITLE

A Local Law Amending Local Law No. 1 of the Year 2014, (which is titled the "Amended Land Use Regulations of the Town of Stephentown") and the Official Zoning District Map Relating Thereto Changing the Property Identified As Tax Map Parcel No. 174-1-35 and Located on West Road in the Town of Stephentown from an Extraction and Fill District to a Rural Use District.

SECTION 2. LEGISLATIVE INTENT

The purpose of this Local Law is to amend Local Law No. 1 of the Year 2014, which is titled the "Amended Land Use Regulations of the Town of Stephentown" and the Official Zoning District Map relating thereto to change the +/- 17.77 acre property known as tax map parcel 174.-1-35 on the Town of Stephentown's Assessment Roll and located on West Road in the Town of Stephentown ("the Property") from being in an EF Extraction and Fill Zone to a RU Rural Use District and to reflect same on the Town's Official Zoning District Map. This amendment is made pursuant to Article III, Use Regulations and Article XI of the aforementioned Local Law No. 1 of the Year 2014, which provides for the redesignation of a parcel in an Extraction and Fill District after the closure of a mine on said parcel and the expectation set forth therein that said parcel will be reclassified to the same district as surrounding parcels, which in this case is as a Rural Use District.

SECTION 3. ZONING MAP AMENDMENT

Local Law No. 1 of the Year 2014, the Amended Land Use Regulations of the Town of Stephentown and the Official Zoning District Map relating thereto, are hereby amended by the Town Board of the Town of Stephentown to change the designation of the parcel(s) listed in the table below from an Extraction and Fill District to a Rural Use District, as set forth therein:

Section, Block and Lot	Subject Property Address	Owner's Name and Address per Town Assessment Roll	Existing Zoning District	New Zoning District
174.-1-35	West Road, Stephentown	Reginald and Margaret Carr	EF-Extraction and Fill	RU-Rural Use