

**REGULAR MEETING
OF THE
TOWN BOARD TOWN OF STEPHENTOWN
26 GRANGE HALL ROAD, STEPHENTOWN, NEW YORK 12168
OCTOBER 16, 2023**

The Regular Board Meeting 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 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.
___ 5 ___ from the Public were present

AUDIT OF CLAIMS:

- Claim #243-23 through #269-23 in the amount of **\$44,199.67 to be approved** from the **General Account**
- Claim #166-23 through #180-23 in the amount of **\$30,299.32 to be approved** from the **Highway Account**
- For a **Total of \$74,7498.99** audited and approved by the Town Board.

MOTION BY: MADDEN

SECONDED BY: JENNINGS

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

Minutes of the **September 11th, 2023 Town Board Workshop Meeting** were approved by the Town Board as written.

MOTION BY: JENNINGS

SECONDED BY: KIDNEY

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

Minutes of the **September 18th, 2023 Regular Town Board Meeting** were approved by the Town Board as written.

MOTION BY: JENNINGS

SECONDED BY: CLARK

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

TOWN CLERKS REPORT: The Town Clerk turned over the sum of **\$1,378.88** to the Supervisor for the month of **SEPTEMBER 2023**.

JUSTICE COURT REPORT: The distribution from the office of the State Comptroller, Justice Court Fund to the Town of Stephentown for the month of **JULY 2023 (has not been received)** and **AUGUST 2023** was **\$1,261.00**.

TRANSFER STATION REPORT: The Transfer Station deposited a total of **\$11,691.00** for the month of **SEPTEMBER 2023**. *(September 2022 income was \$10,981.00)*

Bags: **\$4,900**

C&D & Metal: **\$1,736**

Tires: **\$35**

Stickers: **\$4,950**

Appl. & Electronics: **\$70**

Propane Tanks: **\$0**

Council Jennings reported the income was down a little on the permits this month from last year.

ACCOUNT TOTALS:

GENERAL \$995,299.21

HIGHWAY \$1,024,851.29

GENERAL RESERVE FUND \$859,481.02

HIGHWAY RESERVE FUND \$655,384.29

BEACON ESCROW \$ 885.19

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

ARPA ACCOUNT: \$246,285.71

MEETING OPEN TO PUBLIC COMMENT :

T. Dormady asked what the threshold was for competitive bidding.

Supervisor Roder reported that anything over the amount of \$5,000 requires 3 bids

T. Dormady asked if there was a bid for the \$7,700 that was spent on culverts for this month.

Supervisor Roder materials for the highway are under State contract.

Historian P. Flint presented a copy of the 1784 Act by the State Legislature that established the Town of Stephentown. It relates to the town as being "Stephen Town" rather than one word. The district was established in 1784 and the Town was established in 1788. There were two Stephentowns at this time and 20 years later what we now know as the Town of Somers was once Stephentown as well.

A copy of the electronic file was turned over to the Town Clerk to store in the Town Vault and the framed document will be displayed in the Town Clerks office.

J. Peabody provided an update on the Library events. They will be hosting their 2nd Baby Café this month for mothers. There will be a Tech Program on the 23rd to learn more on Google products, 24th will be Free Pumpkins available at the Library, 27th is the Teen Halloween Party, the 28th is Trunk or Treat. The unveiling of the Wreaths Across America will be displayed at the Library. The Fire Department report for September will be postponed due to being a very busy September the report is not ready. On the 30th there will be an EMT class at the fire hall, several other members from other towns will be involved 4 new members from town. Reminder on the Roast Beef dinner coming up.

Supervisor Roder asked if the Library could provide a Santa backdrop for photos during the Light Parade.

J. Peabody reported that she believes the Library has one that they could borrow and would get back on if it is available.

J. Defrest provided an update on the Veteran's Ceremony, it will be held on 11/11 at 11:00am there will be an hour of recognition to Veterans in the community. Everyone is invited.

Supervisor Roder reported that he would be present, reported that the Veterans Park looks great with the new fence, provided a report from the Seniors there was 176 vaccines administered at the Flu Clinic.

Town Historian P. Flint reported that she has put in for two more grants for Road side markers for more Revolutionary War Soldiers in cemeteries.

Council Jennings provided an update on the Transfer Station and options for internet connection. It would be a monthly fee of \$125, there is no additional install fees, Consolidated has agreed to install fiber for free. We are currently charged \$100/month at the Town Hall unfortunately this plan is no longer available. If the board chooses to get the same Credit Card machine that the Town Clerk uses

currently the town would have to pay a one time fee of \$400 for the machine, for a security system we are looking at a one time cost of \$1200-1500. Asks the board if they would like to move forward on the upgrades.

J. Defreest asked what the recovery time looks like for the additional costs.

Council Jennings reported that these fees would never be recovered they are an additional service to the Town.

Supervisor Roder explains that the deficits the Transfer Station has had in the past have gotten much better over the years but the Transfer Station has never brought in enough revenue to cover the service provided.

J. Defreest reported that the Transfer Station should be able to cover the costs by the revenue it brings in.

D. Flint asks the board if they are considering raising the cost of bags again.

Council Jennings reported that the board is considering increasing the costs due to the increases of hauling expenses.

D. Flint reported that he believes people would give up the credit card services for less costs.

Supervisor Roder reported that the credit card services are not a reason for cost increases, and provided a history of the Transfer Station. In the past no one was paying for the Transfer Station Services, the costs were tremendous to taxpayers. The deficit was at an upwards of \$70 thousand, this year the deficit is around \$20 thousand. The board has done a great job on closing the gap. However, recyclables used to be free, it now cost more to get rid of recyclables than regular garbage. We do not want to discourage people from recycling. The board has agreed that those who want to use the service of the Transfer Station should pay for it and the taxpayers would be responsible to provide the costs of the workers and keeping the lights on.

P. Flint suggested that there may be more garbage on the sides of the roads if prices increase.

Council Jennings by law the Town is required to have a process in place to get rid of the Town's garbage. The cost of everything has increased. We can either increase everyone's taxes or increase the prices for those who use the Transfer Station.

T. Dormady reported an issue of people throwing garbage in the recyclable bins.

Council Jennings agrees it needs to be policed a little better and will discuss with the Transfer Station staff.

Supervisor Roder reported that at this point everyone is better off throwing everything away due to the cost of recyclables.

D. Flint asked if the board would consider giving the Food Pantry bags for those who are struggling to get food.

Council Jennings asked if he believes it's an issue.

D. Flint reported that he believes it is since it is a cost of living.

Council Jennings does not believe this is an issue.

Assessor VanDuesen suggested someone being able to purchase bags online and then get the bags at the Transfer Station.

Supervisor Roder we would still need a way for them to know that the purchase was made.

Council Clark believes the internet is a good idea. However, maybe a different credit card system like what the Historical Society uses, it tracks everything.

Town Clerk Hoffman you would still need internet service to run any credit card system.

Town Board agrees to further discuss these upgrades in the future and not move forward at this time.

REPORT FROM THE TOWN BOARD AND TOWN OFFICES:

RESOLUTION # 51-2023

AUTHORIZING THE EXTENSION OF THE SERVICE AGREEMENT WITH THE EASTERN RENSSELAER COUNTY SOLID WASTE MANAGEMENT.

WHEREAS: the Eastern Rensselaer County Solid Waste Management Authority manages MSW programs, Recycling programs, Household hazardous waste programs and Education programs; and

WHEREAS: the Eastern Rensselaer County Solid Waste Management Authority service agreements are all coming to an end in the next three months at staggered dates for their member communities, and the Eastern Rensselaer County Solid Waste Management Authority board of directors has determined that due to large projects currently in progress, that it would be in the best interest and benefit of the member municipality's to extend these service agreements one year to further pursue these projects; and

WHEREAS: the Eastern Rensselaer County Solid Waste Management Authority service agreements would remain unchanged to the current agreements; and

WHEREAS: it is necessary that a Contract by and between the EASTERN RENSSELAER COUNTY SOLID WASTE MANAGEMENT AUTHORITY, herein called the ERCSWMA, and the Town of Stephentown be executed; now therefore be it,

RESOLVED: that the Members of Town of Stephentown Town Board extend the ERCSWMA service agreement 1 year from the end of the current agreement.

MOTION BY: KIDNEY

SECONDED BY: CLARK

VOTES OF:

5 AYE 0 NAY 0 ABSTAINED

RESOLUTION # 52- 2023 A RESOLUTION TO CALL FOR A PUBLIC HEARING FOR PROPOSED LOCAL LAW No. 3 OF 2023 – PROVIDING REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW

WHEREAS: the Rensselaer County Legislature adopted a Local Law entitled *A Local Law Of The County of Rensselaer Providing Real Property Tax Exemptions For Volunteer Firefighters and*

Ambulance Workers Pursuant To Section 466-A Of the Real Property Tax Law, on February 27, 2023 to take effect on January 1st, 2024, and

WHEREAS: the Town Board has received a request by the Town Assessor to adopt this Local Law within the Town, and

WHEREAS: the Town Board would like to hold a Public Hearing on said proposed Local Law on October 30th, 2023 at 7:00pm, located at the Town Hall, now therefore be it

RESOLVED: that the Town Board authorizes the Town Clerk to advertise for said public hearing and post proposed Local Law on the Town's website for public review. Also attached hereto Exhibit A of these minutes

MOTION BY: JENNINGS SECONDED BY: KIDNEY

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

RESOLUTION # 53 -2023 AUTHORIZATION TO APPLY FOR A BULDING DECARBONIZATION GRANT

WHEREAS: The Stephentown Town Board wishes to have a NYSERDA-approved energy audit performed of the Stephentown Town Hall to identify the best steps to take to improve the energy efficiency and working conditions of the building. AND

WHEREAS: There is an opportunity to apply to the Partners For Climate Action, Hudson Vally for a Building Decarbonization Grant to be used towards the required 50% match in the NYSERDA Flexible Technical Assistance (FlexTech) Program, AND

WHEREAS: Stephentown will apply to the NYSERDA FlexTech Program to perform this energy audit if awarded a Building Decarbonization Grant,

NOW THEREFORE BE IT

RESOLVED: That Councilman William Jennings is hereby authorized by the Stephentown Town Board to apply to the Partners for Climate Action, Hudson Valley for a Building Decarbonization Grant.

MOTION BY: MADDEN SECONDED BY: CLARK

VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

This Resolution was TABLED for further review, on October 9th, 2023 at the Town Board Workshop Meeting.

RESOLUTION #50 -2023 RESOLUTION AUTHORIZING PURCHASE OF A 2023 FORD X-350 PICKUP TRUCK

WHEREAS; Town Board requested sealed BIDS with a non-collusion for the purchase of a 2023 or 2024 Ford X-350 XL Reg. Cab 4 x 4 8.0' Box 142" WB Pickup Truck for use at the Town Highway Department and,

WHEREAS; the Town Clerk received TWO sealed BID by the due date of October 6, 2023 by 7:00PM from:

1. Marchese Ford in the amount of \$82,475.00
2. Autosaver the amount of \$77,257.00

and,

WHEREAS; the Town Highway Superintendent and Legal Counsel will review the BID packets received to confirm all specifications are met, now therefore be it

RESOLVED; the Town of Stephentown Town Board would like to:

TABLE this Resolution for further review, (on October 9th, 2023 – Town Board Workshop Meeting)

MOTION BY: RODER **SECONDED BY: KIDNEY**
VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

Un-TABLE this Resolution, (on October 16th, 2023)

MOTION BY: RODER **SECONDED BY: KIDNEY**
VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

Now therefore be it,

RESOLVED: that the Town Board Awards this BID to Autosaver in the amount of \$77,257.00, for the 2023 F350 Reg Cab Pick Up Truck, and further

RESOLVED; the trade-in or purchase of the current truck will be further discussed upon delivery.

MOTION BY: RODER **SECONDED BY: JENNINGS**
VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

MOTION TO ADJOURN AT 8:29 PM

MOTION BY: RODER **SECONDED BY: JENNINGS**
VOTES OF: 5 AYE 0 NAY 0 ABSTAINED

- **BUDGET WORKSHOP MEETING FOR THE 2024 TOWN BUDGET ON OCTOBER 23RD, 2023 AT 7:00PM**
- **PUBLIC HEARING ON PROPOSED LOCAL LAW #3 OF 2023 PROVIDING REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW ON OCTOBER 30TH, 2023 AT 7:00PM, TO FOLLOW:**
- **PUBLIC HEARING ON 2024 TOWN BUDGET OCTOBER 30TH, 2023 AT 7:00PM**
- **SPECIAL TOWN BOARD MEETING TO ADOPT THE 2024 TOWN BUDGET NOVEMBER 13TH, 2023 AT 7:00PM**
- **REGULAR TOWN BOARD MEETING NOVEMBER 20TH, 2023 AT 7:00PM**

****A Workshop Meeting** is held every second Monday of every month at the Town Hall next one will be held on Monday, November 13th, 2023 at the Town Hall.

****The next Regular Meeting** of the Town Board, Town of Stephentown will be held on **Monday, November 20th, 2023 at 7:00 PM** at the Town Hall located at 26 Grange Hall Road, Stephentown, NY 12168.

Stephanie M. Hoffman
Town Clerk

EXHIBIT A

Section 1. Legislative Intent and Purpose.

- a. The Town of Stephentown Town Board finds and determines that attracting and retaining quality volunteer firefighters and emergency medical personnel is one of the most critical problems facing the Town of Stephentown and that maintaining effective emergency protection depends on the ability to train and retain volunteers.
- b. The Town Board finds and determines that it is essential for the municipality to provide real property tax exemptions as an incentive to attract new volunteers and help combat a persistent and alarming decline in the number of volunteers serving as active responders to fire and medical emergencies and unless recruits are found to replace retiring volunteers and seasoned members are encouraged to continue their volunteer service, the health and safety of citizens served by the volunteer firefighter and emergency medical personnel corps may be jeopardized.
- c. The Town Board further finds and determines that real property tax exemptions are an appropriate way to recognize the personal sacrifices and dedication of these community-spirited men and women who unselfishly give their time and risk their safety to protect their neighbors without compensation.
- d. The purpose of this Local Law is to adopt the real property tax exemptions provided for volunteer firefighters and emergency medical personnel in accordance with Section 466-a of the Real Property Tax Law to read as follows.

Section 2. Real Property Tax Exemption.

Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in the County of Rensselaer shall be exempt from taxation to the extent of 10 percent of the assessed value of such property for County purposes, exclusive of special assessments.

Section 3. Qualifications

- Such exemption shall only be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance services if:
- a. the applicant resides in the County of Rensselaer and is a member of an incorporated volunteer fire company or fire department or incorporated voluntary ambulance service which provides service within the city, village, town or school district;
 - b. the real property which is the subject of such exemption is the primary residence of the applicant;

- c. the real property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this Local Law; and
- d. the applicant has obtained and displayed a certificate issued by the authority having jurisdiction for the incorporated volunteer fire company or fire department indicating that the applicant has been an enrolled member of such incorporated volunteer fire company or fire department for at least two years or the applicant has been certified by the authority having jurisdiction for the incorporated voluntary ambulance service as an enrolled member of such incorporated voluntary ambulance service for at least two years.

Section 4. Twenty-year active members.

Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within the Town of Stephentown.

Section 5. Un-remarried Surviving Spouses of Volunteers killed in the line of duty.

An un-remarried spouse of a volunteer firefighters or volunteer ambulance workers killed in the line of duty may receive the real property tax exemption if:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service who was killed in the line of duty; and
2. Such deceased volunteer had been an enrolled member for at least five years; and
3. Such deceased volunteer had been receiving the exemption prior to his or her death.

Section 6. Un-remarried Surviving Spouses of Volunteers with at least Twenty Years of Service.

An un-remarried spouse of a volunteer firefighters or volunteer ambulance workers with twenty years of service may receive the real property tax exemption if:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer

- ambulance service who was killed in the line of duty.
2. Such deceased volunteer had been an enrolled member for at least twenty years.
 3. Such deceased volunteer and un-remarried spouse had been receiving the exemption of such property prior to the death of such volunteer.

Section 7. Application process.

1. Applications for such exemption shall be filed with the assessor of the town on or before the taxable status date on a form as prescribed by the New York State Commissioner for the Office of Real Property Tax Services.
2. The assessor of the town shall have the duty and responsibility of procuring and filing a copy of such certification prior to granting the exemption provided for by this Local Law.

Section 8. No diminution of current benefits.

No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of law on the effective date of this Local Law shall suffer any diminution of such benefit because of the provisions of this Local Law.

Section 9. Effective Date

This Local Law shall take effect on January 1, 2024 and shall apply to taxable status dates occurring on or after such date.