

**REGULAR MEETING
TOWN BOARD
TOWN OF STEPHENTOWN
APRIL 18, 2016**

The Regular meeting of the Town Board, Town of Stephentown was called to order by **Lawrence Eckhardt** at **7:15 PM** at the Town Hall.

MEMBERS PRESENT:

<i>(X) Supervisor Lawrence Eckhardt</i>	<i>(X) High. Superin. Alden Goodermote</i>
<i>() Councilman Chris Demick</i>	<i>(X) Town Justice John Meekins</i>
<i>(X) Councilman William Jennings</i>	<i>(X) Assessor Tom MacVeigh</i>
<i>(X) Councilman Philip Roder</i>	
<i>(X) Councilman - Gerald Robinson</i>	
<i>(X) Town Clerk Stephanie Wagar</i>	

A quorum was wasn't established.

12 from the Public were present

AUDIT OF CLAIMS:

- Claim #91-16 through #127-16 in the amount of **\$14,128.05** from the **General Account**
- Claim #64-16 through #86-16 in the amount of **\$29,036.55** from the **Highway Account**
- For a **Total of \$43,164.60** were audited and approved by the Town Board.

MOTION BY: ROBINSON

SECONDED BY: RODER

VOTES OF: 4 AYE

0 NAY

L. Eckhardt: Judge Meekins went to the meeting in NYC, John do you have any updates?

J. Meekins: last year it took 4 ½ hours to get through the laws this year they went through them in a ½ hour they went through them quickly.

Minutes of the **March 11th, 2016 Public Hearing on Proposed Local Law Mass Gathering Law** were approved by the Town Board as written.

MOTION BY: RODER

SECONDED BY: ROBINSON

VOTES OF: 4 AYE

0 NAY

TOWN CLERKS REPORT: The Town Clerk turned over the sum of **\$604.25** to the Supervisor for the month of **MARCH 2016**.

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 2016** was \$_____ and for the month of **FEBRUARY 2016** was **\$2,496.00** and for the month of **MARCH 2016** was **\$9,425.75**.

L. Eckhardt: a lot of revenue coming in from the court.

J. Meekins: most of the tickets are speedy tickets on Route 22

TRANSFER STATION REPORT: The Transfer Station deposited a total of **\$5,300.00** for the month of **MARCH 2016**.

Bags: **\$3,885.00**

C&D: **\$1,161.00**

Metal: **\$23.00**

Tires: **\$6.00**

Stickers: **\$100.00**

Appl.: **\$15.00**

Propane Tanks: **\$0.00**

Electronics: **\$110.00**

L. Eckhardt: anything new with contracts (with ERCSWMA)?

B. Jennings: the Eastwick had something posted regarding the major Solar Project they are looking to do with Monolith Solar, a contract between the County. Lists the Town as a participant, at this time no one has seen the contract Matt Curley proposed to the County. Not sure what is happening at this time.

A. Goodermote: location on the solar fields?

B. Jennings: not sure on the locations at this time.

T. Quimby: so the County benefits from it and the Town pays for it?

B. Jennings: not likely, don't know much at this time, but don't believe it is going to be a cost for the Town.

L. Eckhardt: several people have received information on Solar plants/fields on farm land, sounds too good to be true and probably is. The solar would take up farm land if you convert the land into a solar field you will not approve for the Ag & Market exemption. Had meetings over at the County regarding savings.

ACCOUNT TOTALS:

GENERAL \$	HIGHWAY \$
GENERAL RESERVE FUND \$	HIGHWAY RESERVE FUND \$
BEACON ESCROW \$ 885.19	
BEACON ESCROW FOR PLANT (BOND) \$5,000 & \$70,000.	

L. Eckhardt: did not put these in, the AUD came back, the State Comptrollers kicked the AUD report back because of the funds received from the sale of the property with the library.

A. Goodermote: we will be getting more CHIPS money, not sure if anyone saw the press release in the paper. \$157 - \$158k, we are going to lose about a ½ mile of road. A few roads we need to pass a resolution because we are maintaining a couple roads that aren't accounted for. Won't be a 5 minutes deal it will be a few years.

L. Eckhardt: what did we budget for?

A. Goodermote: \$110k

P. Roder: Master Planning is still every 4th Monday, looking to possibly have another Public Hearing in July or August, and hoping to have something to present to the board December or January to have a completed plan to pass and approve in Spring of 2017.

REPORT FROM THE TOWN BOARD:

RESOLUTION #32 - 16

LOCAL LAW #1 OF 2016 - ENACTING LOCAL LAW PROVIDING FOR REGULATIONS CONCERNING THE EXCAVATION ON STREETS AND SIDEWALKS AND MATTERS

WHEREAS, the Town Board has conducted public hearings on a proposed amendment to the Town Code to enact a proposed local law providing for regulations concerning the excavation on streets and sidewalks and matters relating thereto in the Town of Stephentown, now therefor be it,

RESOLVED that the Town Board hereby adopts said local law.

****BOARD AND PUBLIC AGREED NOT TO READ THE LOCAL LAW AND APPROVE AS WRITTEN - LOCAL LAW ATTACHED**

MOTION BY: ECKHARDT

SECONDED BY: ROBINSON

VOTES OF: 4 AYE

0 NAY

RESOLUTION #33 – 16

LOCAL LAW #2 OF 2016 - ENACTING LOCAL LAW PROVIDING QUIET TIMES

WHEREAS: the Town Board has conducted public hearings on a proposed Quiet Times local law providing for regulations concerning the cut off times in which music shall not be heard outside of a properties boundaries, now therefore be it,

RESOLVED: that the Town Board hereby adopts said local law.

***COUNCILMAN RODER READS LOCAL LAW WRITTEN – LOCAL LAW ATTACHED*

MOTION BY: RODER **SECONDED BY:** JENNINGS

VOTES OF: 4 AYE 0 NAY

RESOLUTION #34 – 16

LOCAL LAW #3 OF 2016 - ENACTING LOCAL LAW PROVIDING FOR DEFENSE AND INDEMNITY OF TOWN OFFICERS AND EMPLOYEES

WHEREAS: the Town Board has conducted public hearings on a proposed on the proposed Local Law providing for the Defense and Indemnity of Town Officers and Employees, and

WHEREAS: the Town Board desires to enact said law, now therefore be it,

RESOLVED: that the Town Board hereby adopts said local law.

***SUPERVISOR ECKHARDT READS LOCAL LAW WRITTEN – LOCAL LAW ATTACHED*

MOTION BY: ECKHARDT **SECONDED BY:** ROBINSON

VOTES OF: 4 AYE 0 NAY

RESOLUTION #35 – 16

LAWN MOWING FOR TOWN HALL AND TOWN PARK

WHEREAS: the Town Board would like to request bids for lawn mowing at the Town Hall and Town Park, and

WHEREAS: the Town Board has privileges to accept or deny any or all bids; now therefore be it

RESOLVED: that the Town Board authorizes the Town Clerk to advertise for sealed bids for mowing at the Town Hall and Town Park. Bid specifications will be available at the Town Clerk's office beginning on April 19th. Sealed bids to be delivered to the Town Clerk's Office by May 13th, 2016 at 7:00PM. Sealed bids will be opened at the Regular Town Board meeting held on Monday, May 16th, 2016 at 7:00pm at the Town Hall.

MOTION BY: ROBINSON **SECONDED BY:** JENNINGS

VOTES OF: 4 AYE 0 NAY

L. Eckhardt: should we include the school soccer field?

P. Roder: not until we know more.

L. Eckhardt: the school would like to retain the property after selling off the building we may be asked to maintain the property.

MEETING OPEN TO PUBLIC COMMENT:

J. MacVeigh: I have questions for you, who appointed me to the Board of Assessment Review?

L. Eckhardt: the Town Board does

J. MacVeigh: then who is responsible for asking me for my resignation? Not through the Town Attorney, not through the Town Clerk and not through the Assessor.

L. Eckhardt: then I should deliver a letter to you personally?

J. MacVeigh: you could pick up the phone, we have a landline and mail gets delivered 6 days a week. I don't care anything about sitting on that board, that's not the problem, the problem is how you handled it.

L. Eckhardt: I apologize.

J. MacVeigh: and how many weeks have you known this?

L. Eckhardt: I got a call about 3 weeks ago and I said what's the problem.

J. MacVeigh: 2 weeks ago I was at the County and the lady there was appalled that you still haven't said anything to me.

L. Eckhardt: 2 weeks ago?

J. MacVeigh: 2 weeks ago! We were at the County office and Deb said to me "I'm sorry Joan, I asked a question." So through the Town I understand someone made a complaint? Is that true or did that come from the County?

L. Eckhardt: It did not come from us, I didn't hear about a complaint.

J. MacVeigh: well that is what I have heard, and I heard that from the Town.

L. Eckhardt: did anyone here hear of a complaint?

B. Jennings: no we have had no complaint.

J. MacVeigh: all of you who appointed me to the board besides Mr. Robinson, knew what the relationship was here. You couldn't put PJ because he sat on the Town Board, obviously none of you people thought about putting me on there, that it wouldn't be a conflict of interest.

L. Eckhardt: I didn't know either, I didn't. Didn't even give it a thought.

J. MacVeigh: the thing that disturbs me is because you said to Tom "have Joan write a letter of resignation." He did not appoint me to the Board you people did.

L. Eckhardt: correct, my mistake.

J. MacVeigh: and unless you inform me, I'm not writing a letter.

L. Eckhardt: okay, gotcha.

J. MacVeigh: sit in the sack

P. Roder: in the defense of the Board, in the appointments and what we told our council too was that with us being a small Town and the lack of volunteers it's very hard for us to get people to fill these positions, so when you do need to fill these positions and people like you volunteer and people like myself volunteer, remember we couldn't put me on.

J. MacVeigh: right, I don't care a cent about sitting on that Board, I could care less about that, it's the principal of the thing all fell down.

P. Roder: I think it just misconstrued, nothing for nothing Joan I don't think it was anyone trying to back burn anybody at any point. It's challenging here of getting volunteers to appoint.

A. Goodermote: well you remember back when Mike sat here on the Board, I don't know the population but with a little town there is a lot of people that could hold a lot of hats. There's a lot of leeway on the State Law which whether how this come about but the bottom line is I don't know absolutely that she has to be removed .

L. Eckhardt: it wasn't giving me any sleepless nights let's put it that way.

J. MacVeigh: I didn't lose any sleep over it anyway.

P. Roder: I don't want you to be upset Joan because I don't think any of it really came...

J. MacVeigh: I'm not upset I am speaking loud because he can't hear and I want everyone to understand what is being said here. I could care less about sitting on that board, I'm one voice out of 5, do you think I could sway anyone on that Board? I wouldn't even bother to try.

L. Eckhardt: you've done so much for the Town that I didn't know whether this was going to be something you're like "they're putting me out to pasture" no we're not putting you out to pasture Joan.

J. MacVeigh: I'd gladly go out to pasture, I have worked over 35 years in that office and when somebody's son said to me "you don't know what you're talking about" I said to him "I have worked in this office for 35 years, don't tell me I don't know where you're property is."

L. Eckhardt: thank you, you will have that written up and to you this time tomorrow, I could write it before I leave tonight if you'd like.

J. MacVeigh: I can write I letter tonight, it just irritated me to the fact that you did not have the common curtesy to tell me to my face that you needed my resignation.

L. Eckhardt: yup

T. MacVeigh: I don't believe the resignation, you should fire her or go on the way that it is.

L. Eckhardt: I can't do that, I can't fire her.

T. MacVeigh: she's not resigning, she doesn't believe what you're saying.

L. Eckhardt: do you understand the conflict of interest they are having?

J. MacVeigh: I understand, I don't have a problem with that, it was how this whole thing was handled from the get-go.

L. Eckhardt: I take responsibility for that Joan.

T. MacVeigh: before we leave tonight I want to know is she sitting on the board in May or not?

L. Eckhardt: we will need to appoint somebody.

T. MacVeigh: there's no opening

L. Eckhardt: right there is no opening right now, I mean unless

T. MacVeigh: until you decide, there is no opening.

L. Eckhardt: now how do we do that? How many members do you have to have in order to meet?

T. MacVeigh: 3

L. Eckhardt: you have to have 3 members present in order to conduct the Board of Assessment Review, Grievance day.

T. MacVeigh: there's 5 total.

B. Jennings: so you have to have an odd number

S. Wagar: so 3 or 5

P. Roder: no you can have 4

L. Eckhardt: 3, 4 or 5, doesn't have to be an odd number, correct?

J. MacVeigh: no as long as you have 3 of them to sit.

L. Eckhardt: what's the training requirement?

T. MacVeigh: one day you go out to the tax office.

L. Eckhardt: it's a night training?

J. MacVeigh: yes

L. Eckhardt: the members of the Board right now are?

J. MacVeigh: Dan Sidor, Wes Edwards, Andy McGuire, Ronnie Demick, and if I'm not there.

L. Eckhardt: and yourself.

J. MacVeigh: right, Ronnie is supposed to go to school this year.

T. MacVeigh: she won't go because she won't drive at night.

L. Eckhardt: okay, so if we could get someone to go with her.

J. MacVeigh: when is school?

T. MacVeigh: in May, first part of May.

L. Eckhardt: so in a couple weeks, and only one person has to go?

T. MacVeigh: only the ones that haven't gone.

J. MacVeigh: Ronnie was just reappointed so she has to go and whoever else you appoint to the board has to go, so there has to be 2 people that have to go.

B. Jennings: you could meet with just 4 in May

T. MacVeigh: could

L. Eckhardt: come up with a time constraint, when is Grievance Day in May?

T. MacVeigh: 24th of May

L. Eckhardt: If we appoint someone at our next Board Meeting which is May 16th can they serve?

T. MacVeigh: If they can't make the meeting there is a way where they can give them something to study and a test, but I don't know if they can do it in 2 days. What date is the Board?

L. Eckhardt: it would be a week and a day, the Board meeting is the 16th and your meeting is the following Tuesday.

T. MacVeigh: I can get that set up so that they could be educated.

L. Eckhardt: Okay

S. Wagar: so you want to put a resolution in? Well first Joan would have to resign from her position.

P. Roder: we could advertise for applicants.

T. MacVeigh: you want to advertise for that?

L. Eckhardt: we could do that.

T. MacVeigh: first you have to get her (points at Joan) off before you can advertise.

J. MacVeigh: I could really be rotten and say I'm not going to resign until the 1st of June.

L. Eckhardt: Joan could I ask you, you would be willing to resign from the Board of Assessment Review?

J. MacVeigh: I'm writing it down on a piece of paper right here.

L. Eckhardt: I am officially ask here in a public meeting, a public announcement asking Joan if she could resign from the

A. Goodermote: Steph, I want these minutes because I'll tell you right now I don't want them to be like Sy Closes' I wouldn't even know I went to this meeting

L. Eckhardt: Stephanie's been writing away here quite diligently.

P. Roder: I would like to make a motion that we accept Joan's letter and advertise for such position.

B. Jennings: I second that, that we accept Joan's letter of resignation.

L. Eckhardt: a motion has been made and seconded any other discussion, hearing none all those in favor saying Aye. 4 Ayes (*Roder, Jennings, Eckhardt, Robinson*), 0 Nays motion carries.

B. Jennings: now to advertise for letters and resumes.

RESOLUTION #36 – 16

ADVERTISE FOR A VACANT BOARD OF ASSESSMENT REVIEW POSITION

WHEREAS: the Town Board would like to request letters of interest and resumes for the vacant position on the Board of Assessment Review, and

WHEREAS: the Town Board has received Joan MacVeigh’s official resignation from the Board of Assessment Review leaving a vacant position; now therefore be it

RESOLVED: that the Town Board authorizes the Town Clerk to advertise for letters of interest and resumes for the Board of Assessment Review position. Letters and Resumes are to be delivered to the Town Clerk's Office by May 13th, 2016 at 7:00PM. Letters and Resumes will be reviewed at the Regular Town Board meeting held on Monday, May 16th, 2016 at 7:00pm at the Town Hall.

MOTION BY: JENNINGS

SECONDED BY: RODER

VOTES OF: 4 AYE

0 NAY

L. Eckhardt: what is the criteria of someone who can be appointed? Do they have to be a tax payer?

T. MacVeigh: no

S. Wagar: they have to be at least 18

J. MacVeigh: I would recommend someone with a little more common sense than an 18 year old.

L. Eckhardt: right but somewhere it probably states they have to at least be 18. Could it be someone from another Board like the Planning or Zoning?

P. Roder: yes I believe so as long as it’s not a Board that oversees the Board of Assessment.

T. MacVeigh: I don’t know if you could hold two appointed positions in the Town.

J. MacVeigh: yes, I did I was appointed to ERCSWMA and appointed to the Clerk to the Assessor for years.

P. Roder: I think you can hold multiple appointments, I think it’s when you’re elected and appointed is where it can becomes different.

S. Wagar: no you can be elected and appointed.

J. MacVeigh: Wes Edwards was elected and he sat of the Board of Review for years.

S. Wagar: it’s if you have supervision over the position, like you guys have supervision over every body, that’s why it’s a conflict.

L. Eckhardt: Stephanie has the right point, it couldn’t be someone who had supervision over that Board, so in other words the Town Board has supervision over all the appointees, that’s why PJ couldn’t be on the Board but Wes could be.

P. Roder: so John you’re up.

J. Mekkins: I was just going to say

P. Roder: just goes with the territory.

J. Meekins: I will certainly consider it and I will talk with Stephanie.

L. Eckhardt: how many times does the board meet?

J. MacVeigh: twice

T. MacVeigh: Last year when Schodack went to 100% they had 3 weeks of Board of Review meetings with 4 Board of reviews. Last year we had the reeval, we only had 7 people.

L. Eckhardt: so you can be elected you can't be a board member.

T. MacVeigh: are you going to read my letter?

P. Roder: you want to read it now or wait until May Tom?

J. MacVeigh: well if you do that now than I can sit on that Board because he wouldn't be the Assessor any longer.

L. Eckhardt: we have received a letter from Tom MacVeigh, Town Assessor he will be retiring June 1, 2016 with 40 years at the Town. Tom started with the Town on June 1st, 1976. Jenn will take over as assessor and Tom will remain as clerk to the assessor as long as needed. The funds will stay as is for the remainder of the year. We will pass this at the May meeting.

T. MacVeigh: I wanted to give you a month just in case you had any questions with things.

P. Roder: how did Jenn make out with all the state stuff?

L. Eckhardt: Tom we have not heard anything back from the state yet regarding Jennifer's temporary cert.

T. MacVeigh: that's a good thing, because if they found something they would have immediately responded. Everyone gets that letter when they first apply to the state. They are probably still smoking from the letter Craig Crist sent them.

L. Eckhardt: I have the plaque that goes on the wall, and yours will be added on there, you have made it twice over it is 20 years and you have made it 40.

MOTION TO ADJOURN AT 8:51PM

MOTION BY: JENNINGS

SECONDED BY: RODER

VOTES OF: 4 AYE 0 NAY

****A Workshop Meeting** is held every second Monday of every month at **7:00PM** at the Town Hall.

****The next Regular Meeting** of the Town Board, Town of Stephentown will be held on **Monday, May 16th, 2016** at **7:00 PM** at the Town Hall.

Stephanie M. Wagar
Town Clerk