

**REGULAR MEETING
TOWN BOARD
TOWN OF STEPHENTOWN
JUNE 20, 2016**

The Regular meeting of the Town Board, Town of Stephentown was called to order by **Lawrence Eckhardt** at **7:03 PM** at the Town Hall.

MEMBERS PRESENT:

(X) Supervisor Lawrence Eckhardt	(X) High. Superin. Alden Goodermote
(X) Councilman Chris Demick	(X) Tax Collector, Mary Grant
(X) Councilman William Jennings	(X) Clerk to the Assessor, Thomas MacVeigh
(X) Councilman Philip Roder	(X) Town Attorney, Craig Crist
(X) Councilman - Gerald Robinson	
(X) Town Clerk Stephanie Wagar	

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

9 from the Public were present

AUDIT OF CLAIMS:

- Claim #158-16 through #189-16 in the amount of **\$31,862.54** from the **General Account**
- Claim #110-16 through #134-16 in the amount of **\$32,919.29** from the **Highway Account**
- For a **Total of \$64,781.83** were audited and approved by the Town Board to be paid, and a **Total of \$6,749.92** was approved and already paid for the CDPHP payment made by the Town Supervisor on 6/16/2016 for a **Total of \$71,531.75**.

MOTION BY: DEMICK	SECONDED BY: ROBINSON
VOTES OF: 5 AYE	0 NAY

Minutes of the **MAY 16th, 2016 Regular Meeting** were approved by the Town Board as written.

MOTION BY: RODER	SECONDED BY: JENNINGS
VOTES OF: 4 AYE	0 NAY 1 ABSTAINED (DEMICK)

TOWN CLERKS REPORT: The Town Clerk turned over the sum of **\$661.14** to the Supervisor for the month of **MAY 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 **APRIL 2016** was **\$6,025.00** and for the month of **MAY 2016** was **\$5,663.00**.

TRANSFER STATION REPORT: The Transfer Station deposited a total of **\$6,082.00** for the month of **MAY 2016**.

Bags: \$3,786.00	C&D: \$1,686.00	Metal: \$48.00	Tires: \$38.00
Stickers: \$160.00	Appl.: \$100.00	Propane Tanks: \$5.00	Electronics: \$260.00

B. Jennings: had a good month in April, May was a little down from last year. ERCSWMA is going through an audit, met with several Town's almost completed.

ACCOUNT TOTALS: As of the end of May

GENERAL \$ 261,678.00	HIGHWAY \$898,328.95
GENERAL RESERVE FUND \$ 250,423.34	HIGHWAY RESERVE FUND \$236,657.94
BEACON ESCROW \$ 885.19	
BEACON ESCROW FOR PLANT (BOND) \$5,000 & \$70,000.	

MEETING OPEN TO PUBLIC COMMENT:

L. Eckhardt: Mortgage Tax check was received for \$26,812.60, we have reached two thirds of what we have budgeted for. First quarter sales tax check for \$61,842.02 we are right on track. Received a Thank you letter from the Berlin InvenTeam for the support they were able to attend the conference and patent their design.

There will be an Open House here at the Town Hall on Saturday July 9th from 2pm – 4pm for Tom MacVeigh's retirement of 40 years with the Town.

Aldie and I met with the new insurance company – they will be sending information to us.

Disc Jam Report – 2 complaints on Thursday @ 8pm, Second one on Saturday during the afternoon, good turn out this year a lot better than last year. Received a call from the Fractal Tribe they believe Disc Jam has set the bar too high for them but are going to try their best.

B. Jennings: pleased to hear positive feedback.

A. Scavone: had some complaints about the bylaws but it went well had same amount of people, it was a little cold but everyone had a good time, good turnout no calls, the food drive, boot drive for the fire department made out well, we were happy with the turnout. Moved from the big stage to the tents and then in the woods.

Board thanks them for abiding by the rules put in place.

L. Eckhardt: received a report from the Tax Collector, Mary Grant

M. Grant: 3 reports, one shows how much was paid directly to the County and what was collected here at the Town, another report shows the summary of all collections and another to show a comparison from 2015 to 2016 now that Taxes are collected here at the Town Hall.

Looked into accepting Credit Card payments – BAS offers a module to except cards with an additional payment to the tax payer – it's a \$2,000 startup fee, and then \$500/year after. Next January if I can take vacation from my other job I would like to open on Monday's only in the Month of January. Association of Town's for training is around \$600.00 recommends putting it in for the next Tax Collector most complicated thing was not having a job description, if any complaints please let us know for next year. **(Reports attached – before Resolutions)**

L. Eckhardt: Any public comments?

T. Pecararo: has the town looked into a more affordable system for the electric? Like a Power Purchasing System?

B. Jennings: have had several companies tell us that we don't make enough energy for them to be interested.

T. Pecararo: why don't you purchase the equipment then?

B. Jennings: one option Rensselaer County put together a deal/project with multiple municipalities, we have submitted data they are either moving forward or not we have not heard anything. Unless you get a tax incentive it is not beneficial, since we are tax exempt we wouldn't receive tax incentives.

D. Flint: Do you know why it is feasible for Berlin Fire Department?

B. Jennings: some towns are more appealing than others, Monolith was interested and only in selling something to Larry because of his farm land.

L. Eckhardt: the old landfill was considered, but not the right slope for Solar it points the wrong direction.

B. Jennings: landfills are also not the best because if you puncture the lining it will cause problems, so there is a lot to make an old landfill into a solar field. Some find it more attractive, but there is no financial incentive, we have met with many many companies and it is frustrating that no one has gotten back to us.

T. Pecararo: another thing went on the Town's website and the last approved minutes are from 2015.

S. Wagar: I took the website on voluntarily; if you would like to volunteer to take it on by all means please do so, it's not user friendly and I have a full time job outside of this one.

B. Jennings: it cost a lot to have a decent website and manage it.

S. Wagar: we pay \$89.00 and have upgraded to upload more data but you are not paying for a web master.

L. Eckhardt: believes it is important to have an updated Calendar on the website which we have for people to know when public meetings are.

T. Pecarao: a lot of information is missing.

P. Roder: it's a struggle, Dave does a great job publishing information in the press.

P. Dibble: Or you can come to a Town Board meeting and you can get the minutes and all the information here every month.

L. Eckhardt: Craig our attorney will be leaving us at the end of June, he will be missed, Craig how long have you worked with the Town?

C. Crist: 21 years, with me tonight is Bill Dreyer.

B. Dreyer: going to miss Craig a lot more.

C. Crist: primary attorney to reach out to will be John Dow and you can always reach out to Bill Dreyer both are great and you will be in good hands. Mike Angley interviewed me back in 1995 and I would just like to say it has been a pleasure working for the Town.

Tax Collector Reports

**RENSSELAER COUNTY BUREAU OF FINANCE
2016 TAX WARRANT SETTLEMENT
TOWN OF STEPHENTOWN**

Warrant amount from Bureau of Tax Services

Original warrant amount	\$	2,882,270.40
Less: Total adjustments (from pg 2).....	\$	935.52
Revised Warrant amount	\$	2,881,334.88

Less:

Taxes collected by Town Tax collector

Paid to Town Supervisor	\$	916,960.00
Paid to County Bureau of Finance.....	\$	1,225,277.13
Final Payment to County with Roll Books	\$	233,477.84
Total collected by Town	\$	2,375,714.97
Adjustment*		(2,055.05)
Revised Total collected by Town.....		2,373,659.92

Taxes collected by Bureau of Finance:

Corporate Taxes - State Lands (excl Time Warner).....	\$	106,153.04
Time Warner (excl franchise fees).....	\$	-
*** Time Warner Town Franchise fees	\$	-
Total collected by County.....	\$	106,153.04

*Adjustment - returned clk#1150 \$2098.15 4/6/16

Total Uncollected Tax Amount turned in with books	\$	399,466.87
	*REVISED	401,521.92

*** Per your cable agreement with Time Warner, they are permitted to reduce their annual property tax bill (which is paid to the County BOF) by the exact amount paid to the Town in Franchise Fees. Therefore, in order to properly reflect their taxes paid in full, the Town must pay the County an amount equal to the franchise fees they received from Time Warner.

Tax collector or receiver signature: Mary M. Grant Date: 6/8/2016

Town of Stephentown Town & County 2016
Collection Summary

Taxes Collected:	\$2,479,812.96
Penalty Collected:	\$4,841.23
Notice Fees Collected:	<u>\$144.00</u>
Total:	\$2,484,798.19
Minus Direct Payments to the County:	<u>\$106,153.04</u>
Total:	\$2,378,645.15
Remaining Uncollected:	\$401,521.92
Number of Parcels Uncollected:	163
Percentage Collected:	86.00%
Cash:	\$18,358.95
Check:	\$2,334,497.00
Other:	<u>\$25,789.20</u>
Total:	\$2,378,645.15
Total Collected ByTown (from Warrant Settlement)	<u>\$2,373,659.92</u>
Total Penalties/Fees Collected:	\$4,985.23 paid tonight with check#1227

Town of Stephentown Town & County 2015 & 2016 Comparisons

	2015	2016
Taxes Collected:	\$2,534,002.49	\$2,479,812.96
Penalty Collected:	\$5,420.94	\$4,841.23
Notice Fees Collected:	<u>\$180.00</u>	<u>\$144.00</u>
Total:	\$2,539,603.43	\$2,484,798.19
Minus Direct Payments to the County:	<u>\$108,196.13</u>	<u>\$106,153.04</u>
Total:	\$2,431,407.30	\$2,378,645.15
Remaining Uncollected:	\$463,550.62	\$401,521.92
Number of Parcels Uncollected:	170	163
Percentage Collected:	85.00%	86.00%
Cash:	\$2,495.97	\$18,358.95
Check:	\$2,415,419.31	\$2,334,497.00
Other:	<u>\$13,492.02</u>	<u>\$25,789.20</u>
Total:	\$2,431,407.30	\$2,378,645.15

REPORT FROM THE TOWN BOARD:

RESOLUTION #42 - 16

**HIRE FREDERICK HALEY PROFESSIONAL LAND SURVEYOR LLC. FOR THE
COMPLETION OF MOORE HILL ROAD IMPROVEMENTS**

WHEREAS: the Town Board is desirous of obtaining title insurance for Moore Hill road that does not have an exception from coverage for what an accurate survey would show; and

WHEREAS: Fred Haley, a licensed New York State land surveyor, has advised that he would provide said survey certified to the Town and Stewart Title Insurance Company for \$1,000.00; now therefore be it,

RESOLVED: that the Town Board resolves to commission the obtaining of said survey from Fred Haley at a cost of \$1,000.00.

MOTION BY: ECKHARDT

SECONDED BY: JENNINGS

VOTES OF: 5 AYE

0 NAY

RESOLUTION #43 – 16

ACCEPTING/AUTHORIZING TRANSFER OF LANDS/RIGHTS OF WAY TO BE USED TO ALTER/IMPROVE MOORE HILL ROAD

WHEREAS: the necessary landowners owning property/rights of way along Moore Hill Road have graciously offered to transfer to the Town, and now have all transferred to the Town, all necessary portions of real property that they own at no cost to the Town, as well as signed the requisite release, in order to facilitate the improvement and reconfiguration of Moore Hill Road; and

WHEREAS: the Town Highway Superintendent has recommended that the Town accept such transfer to further ratify and memorialize the reconfiguration and improvement of the road and to transfer portions of the location of the former road where no longer needed as useless; and

WHEREAS: the proposed action is hereby determined to be an unlisted action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act and the laws and regulations of the Town of Stephentown, the implementation of which action as proposed, the Town Board hereby determines, will not result in any significant environmental effects and hereby adopts the SEAF as prepared and authorizes its execution by the Town Supervisor; and

WHEREAS: the County Highway Superintendent of Highways has consented to the abandonment to the abutting owners of the parts of the old road as it existed before said improvement as no longer needed for highway purposes; now therefore be it,

RESOLVED: that the Town Board also determines that, following the recommendation of the Town Highway Superintendent, that the location of the portion of what used to be used as Moore Hill is no longer needed and now useless; and further be it,

RESOLVED: that the Town Board hereby accepts the transfer as well as authorizes the transfer of the aforementioned real property and the Town Supervisor is hereby authorized to execute all necessary documents in order to effectuate the aforementioned transfer and any prior transfer is hereby re-authorized and ratified with full force and effect and therefore authorizes the execution of all necessary documents, including, but not limited to, all Consents; and further be it,

RESOLVED: the Town Clerk shall cause the release and application to be filed with the County Clerk.

MOTION BY: RODER

SECONDED BY: DEMICK

VOTES OF: 5 AYE

0 NAY

RESOLUTION #44 – 16

PURSUANT TO HIGHWAY LAW §§ 171 AND 212-A TRANSFERRING ABANDONED ROAD/RIGHTS OF WAY REAL PROPERTY IN FURTHERANCE OF THE MOORE HILL ROAD ALTERATION/IMPROVEMENT PROJECT

WHEREAS: the Town Board has acquired, or is in the process of acquiring by gift, lands located along Moore Hill Road from the following landowners: Joshua Hoffman, William and Marilyn Siverson and Colburn Jones; and

WHEREAS: said landowners have graciously agreed to transfer said property in order to enhance the safety and improvement of Moore Hill Road; and

WHEREAS: the Highway Superintendent has recommended the reconfiguration of Moore Hill Road and the abandonment of portions of Moore Hill Road that will no longer be needed for highway purposes, deeming same of no value to the town and therefore surplus and recommending the transfer of same to gifting/adjoining landowners; and

WHEREAS: Foresight Engineering & Land Surveying, P.C. has prepared maps delineating the land to be abandoned; and

WHEREAS: NYS Highway Law § 212-a allows the Town Board, “upon the recommendation of the town superintendent of highways ... with the consent of the county superintendent of highways” “to abandon to the abutting owner or owners such sections or parts of the old road as it existed before such improvement which are of no further use for highway purposes; now therefore be it,

RESOLVED: the portions identified for abandonment by Foresight Engineering & Land Surveying, P.C. on its map identified as “Project Title: Right-of-Way Modification and Exchange” and noted as “Sheet Title: Highway Improvement Plan”, dated April 30, 2008 and revised August 19, 2008 and October 1, 2008 are determined to be no longer needed by the Town for highway purposes and are of no value to the Town and the transfer of same would enable usage and development of said parcel; and further be it,

RESOLVED: the Town Supervisor is hereby authorized to transfer the portions identified to be abandoned on the aforementioned map to Joshua Hoffman and William and Marilyn Siverson and Colburn Jones for no monetary consideration in light of their transfer of their aforementioned real property to the Town and the grant of other rights by said persons necessary for the project and any prior execution and transfer of same is hereby ratified, re-authorized with full force and effect; and further be it,

RESOLVED: the Town Supervisor is hereby authorized to execute all necessary documents to effectuate the transfer of the portions of Moore Hill Road abandoned by the Town as a result of the improvements and re-configuration of Moore Hill Road, to and any prior execution is hereby ratified with full force and effect.

MOTION BY: ROBINSON
VOTES OF: 5 AYE

SECONDED BY: JENNINGS
0 NAY

Motion: Go into Executive Session 8:24 PM to discuss personnel matters.

MOTION BY: ECKHARDT
SECONDED BY: ROBINSON
VOTES OF: 5 AYE 0 NAY

Motion: Come out of Executive Session 8:50PM

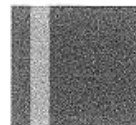
MOTION BY: ECKHARDT
SECONDED BY: DEMICK
VOTES OF: 5 AYE 0 NAY

P. Roder: Planning Committee meeting Next Monday here at 7:00pm

G. Robinson: presents a letter to the Town Board regarding Broadband, would like to submit this letter on Town Letterhead with Town Board signatures to the Secretary to the Commission at NYS Public Service Commission. (Board agrees – asks Town Clerk to prepare and mail)

(Letter Councilman Robinson presented attached)

Stephentown Town Council
26 Grange Hall Road
Stephentown, NY 12168
(518) 733-9195



Date (TBD)

Hon. Kathleen H. Burgess
Secretary to the Commission
New York State Public Service Commission
Agency Building 3
Albany, NY 12223-1350

Re: Joint Petition of Charter Communications and Time Warner Cable for Approval of a Transfer of Control of Subsidiaries and Franchises, Pro Forma Reorganization, and Certain Financing Arrangements.
Case 15-M-0388

Dear Secretary Burgess,

Please consider this communication as a request for the Commission's support and approval for our request to Charter Communication's for inclusion of Stephentown pursuant to the Commission's order under case 15-M-0388 together with the standards and requirements satisfying public interests contained thereunder. The town of Stephentown suffers from outdated or non-existent cable and broadband services. Stephentown relies on some form of communication as part of our personal, professional or public lives. Whether communicating by voice, e-mail or text message, or receiving content over the Internet, access to terrestrial, wireless or satellite communications are, without question, an essential component of our town's growth and stability. The needs of Stephentown residents and institutions, such as our homes, businesses, and public service institutions, rely on robust and stable communication networks to remain in contact with family, friends and businesses. Additionally, numerous Stephentown commercial and home-based businesses in the

areas of advertising, media and data production rely on an open communications network to reach consumers nationally and internationally. All of Stephentown's US census tracts meet the FCC definition of underserved with respect to broadband access to the internet and therefore are consistent in meeting the Commission's goal of expanding coverage to an additional 145,000 unserved/underserved residential housing units and/or businesses. While we are not currently in the Charter service footprint, we are nearby and in adjacent proximity to Charter's existing franchise areas and are willingly amenable to enter good faith negotiations for a certificate of franchise commitment with Charter Communications consistent with State and Federal regulations.

We are attaching responses from a survey conducted last year to further validate our need for enhanced broadband access for our residences and businesses. If you need further materials or information to consider our request please don't hesitate to contact me or Gerry Robinson, Chairperson of our IT Broadband Planning Committee.

Respectfully Submitted,

Stephentown Town Council

(Signatures of Town Board)

MOTION TO ADJOURN AT 9:02PM

MOTION BY: ECKHARDT

SECONDED BY: JENNINGS

VOTES OF: 5 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, July 18th, 2016** at **7:00 PM** at the Town Hall.

Stephanie M. Wagar

Town Clerk