

**REGULAR MEETING  
TOWN BOARD  
TOWN OF STEPHENTOWN  
MARCH 21, 2016**

The Regular meeting of the Town Board, Town of Stephentown was called to order by *Lawrence Eckhardt* at 7:50 PM at the Town Hall.

**MEMBERS PRESENT:**

(X) Supervisor Lawrence Eckhardt      ( ) High. Superin. Alden Goodermote  
(X) Councilman Chris Demick      (X) Town Justice John Meekins  
(X) Councilman William Jennings      (X) Clerk to the Assessor Jennifer Van Deusen  
(X) Councilman Philip Roder  
(X) Councilman Gerald Robinson  
(X) Town Clerk Stephanie Wagar

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

21 from the Public were present

**AUDIT OF CLAIMS:**

- Claim #57-16 through #90-16 in the amount of \$41,210.93 from the **General Account**
- Claim #35-16 through #63-16 in the amount of \$34,366.60 from the **Highway Account**
- For a **Total of \$75,577.53** were audited and approved by the Town Board.

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

Minutes of the **FEBRUARY 15<sup>th</sup>, 2016 Public Hearing on Proposed Local Law on Opening of Town Streets and Sidewalks** were approved by the Town Board as written.

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

Minutes of the **FEBRUARY 15<sup>th</sup>, 2016 Regular Meeting** were approved by the Town Board as written.

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

**TOWN CLERKS REPORT:** The Town Clerk turned over the sum of **\$511.00** to the Supervisor for the month of **FEBRUARY 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**.

**TRANSFER STATION REPORT:** The Transfer Station deposited a total of **\$4,628.00** for the month of **FEBRUARY 2016**.

Bags: **\$3,567.00**      C&D: **\$842.00**      Metal: **\$13.00**      Tires: **\$64.00**  
Stickers: **\$75.00**      Appl.: **\$35.00**      Propane Tanks: **\$0**      Electronics: **\$50.00**

*B. Jennings:* brought in about \$5,300 and spent about \$6,000 which isn't too bad.

**ACCOUNT TOTALS:**

**GENERAL \$267,390.29**      **HIGHWAY \$1,011,498.10**  
**GENERAL RESERVE FUND \$205,637.17**      **HIGHWAY RESERVE FUND \$111,832.03**  
**BEACON ESCROW \$ 885.19**  
**BEACON ESCROW FOR PLANT (BOND) \$5,000 & \$70,000.**

*L. Eckhardt:* received a check from FEMA, looking to buy a new truck, most of the revenues are taxes, received sales tax check for \$109,996.00 for 4<sup>th</sup> quarter.

**REPORT FROM THE TOWN BOARD:**

**RESOLUTION #27 - 2016**

**CALLING FOR A PUBLIC HEARING ON PROPOSED LAW  
REGULATING THE OPENING OF STREETS AND SIDEWALKS**

**WHEREAS:** the Town Board desires to protect its streets and sidewalks by the creation of a required permitting structure for the opening of Town streets and sidewalks, now therefore be it,

**RESOLVED:** that the Town Board hereby calls for a public hearing to be held on April 18<sup>th</sup>, 2016 at 7:00pm at the Town Hall, 26 Grange Hall Road, Stephentown, New York, at which time the public may comment on the text of said law as annexed.

**MOTION BY: ECKHARDT**

**SECONDED BY: ROBINSON**

**VOTES OF: 5 AYE**

**0 NAY**

**RESOLUTION #28 - 2016**

**CALLING FOR A PUBLIC HEARING ON PROPOSED DEFENSE  
AND INDEMNITY LOCAL LAW**

**WHEREAS:** the Town Board desires to pass a local law providing for the defense and indemnity of Town Officers, employees and the other persons providing service to the Town, now therefore be it,

**RESOLVED:** that the Town Board hereby calls for a public hearing to be held on April 11<sup>th</sup>, 2016 at 7:00pm at the Town Hall, 26 Grange Hall Road, Stephentown, New York, at which time the public may comment on the text of said law as annexed.

**MOTION BY: JENNINGS**

**SECONDED BY: DEMICK**

**VOTES OF: 5 AYE**

**0 NAY**

**RESOLUTION #29 - 2016**

**ZONING BOARD OF APPEALS APPOINTMENTS**

**WHEREAS:** the Town Board has requested letters of interest to fill two vacancies on the Zoning Board of Appeals (ZBA), and

**WHEREAS:** the Town Clerk received two letters of interest for the ZBA:

1. Bruce Fairweather, of Stephentown, NY
2. Art Karis, of Stephentown, NY

,now therefore be it

**RESOLVED:** that the Town Board would like to appoint Bruce Fairweather to the Zoning Board of Appeals, for a term to expire on December 31<sup>st</sup>, 2020 and further be it

**RESOLVED:** that the Town Board would like to appoint Art Karis to the Zoning Board of Appeals, for a term to expire on December 31<sup>st</sup>, 2019.

**MOTION BY: RODER**

**SECONDED BY: JENNINGS**

**VOTES OF: 5 AYE**

**0 NAY**

**RESOLUTION #30 - 2016**

**PLANNING BOARD APPOINTMENT**

**WHEREAS:** the Town Board has requested letters of interest to fill one vacancy on the Planning Board, and

**WHEREAS:** the Town Clerk received one letter of interest for the Planning Board:

1. Thomas Morelli, of Stephentown, NY

,now therefore be it

**RESOLVED:** that the Town Board would like to appoint Thomas Morelli to the Planning Board, for a term to expire on December 31<sup>st</sup>, 2020.

**MOTION BY: ROBINSON**

**SECONDED BY: JENNINGS**

**VOTES OF: 5 AYE**

**0 NAY**

*On March 16<sup>th</sup>, 2016 the Planning Board met and voted on Derrick Gardner being the new Chairmen of the Planning Board.*

**MEETING OPEN TO PUBLIC COMMENT:**

*D. Cyris: heard we will be getting better internet merger of Time Warner & Charter?*

*L. Eckhardt:* we heard about a contract between Time Warner and Charter we presently do not have the contract, or a franchise with either of these companies, will turn it over to Gerry and he can fill you in more.

*G. Robinson:* good possible news may be able to enhance the services for the Town. couple of options – one which Larry mentioned the merger between Time Warner and Charter that's still under approval by the federal FCC, State Public Services commission has only conditionally approved it, based on several criteria our committee looked at, one would be affordable rates for low income people, a pricing range of no more than \$60/month for service that would be 25 MIPs which is the speed which it travels. For a comparison Bill took a measure of his, I also have DSL from Fairpoint which is around 3 MIPs, so going from 3 up to 28 and they would also have to provide a 100 MIP for economic development for commercial outlets. We are not a franchisee so we cannot participate in that, we are looking into why we haven't been approached and looking into how we can get a franchise. The other option the Governor has initiated last summer called "Broadband for All" that has \$500 million in that initiative in other words from the private sector but the deadline is April 15<sup>th</sup> and we will not meet the deadline for phase one. That is not going to spend all the money, it is focused on rural areas like ours that have spars and diverse populations. Funds are being funneled through the Regional Economic Development Councils and Stephentown belongs to the Capital Region one, we are trying to understand what if anything what they are going around phase one, if there are any initiatives in Rensselaer County that we might be able to piggyback or join. Still working on getting information on both of those options, but both of them have great potential for revolutionizing our current broadband infrastructure which is Fairpoint Monopoly.

*D. Cyrus:* has Dish right now and it's awful, seriously thinking about switching to Fairpoint so I don't have to pay for data

*G. Robinson:* did that, was on Fairpoint DSL, when we went to mobile phones ended our landline, we went to dish, have the same problem with the data cap. The good news is the commissioner prohibits data caps, so it eliminates data caps and special pricing for low income people and elderly 60 or 65, minimum of 25 MIPs and a basic price of no more than \$60 for all the fees, can't be over \$60/month.

*D. Cyris:* any idea of time? Are we taking 2 years, 5 years, 10 years?

*G. Robinson:* the governor's initiative is to have something moving by 2018, it's moving along and then there is another phase of it, but all the projects have to be underway by 2018.

*L. Eckhardt:* do you currently have DSL now with Dish?

*D. Cyris:* had Verizon but had to switch to Fairpoint which took 3 months for them to get me a phone that worked. I can see the tower but I'm in a dead zone. The further you are from the station the worse the services is.

*G. Robinson:* the DSL with Fairpoint is no long bundled with the landline, so you don't need to get the landline to have DSL and that avoids the data cap, but it's slow.

*D. Cyris:* right but I need a phone.

*B. Jennings:* you don't get Verizon right there?

*D. Cyris:* I can see the tower from my house but I'm in a dead zone.

*P. Roder:* on Snow's flats I lose service there but that's it.

*D. Cyris:* I guess they said the further you are from the station here on Garfield the slower the service is. No one under 30 is going to want to move here.

*B. Jennings:* that is correct, Larry gets about 4 by 1, I am a quarter mile down the road and I get 3 by 0.3, mile further down some people can't get DSL at all.

*L. Eckhardt:* The next one is down behind the West Lebanon Post Office.

*B. Jennings:* Fairpoint does have funding through a federal program called connect America Fund that's a federal program and they have several million dollars in that to install new equipment and they are apparently spending money from what I can tell online, Fairpoint is a bankrupt company but they are spending money to improve on equipment, but the best we can get with DSL is about a 10 by 1 service, 10 megabits per second down and 1 megabits per second up, that's the best you can do with DSL. It's really going to require someone to install different infrastructure. It requires a 50/50 match.

*L. Eckhardt:* Paula I am putting the official order in for the signs, told us to contact him in spring

*P. Flint:* they will be going on Route 22?

*L. Eckhardt:* yes, both ends of Route 22 when you enter Town there will be new Stephentown signs.

*J. Van Deusen:* sent paperwork into to the State again to get my temporary cert. they originally denied my application and we appealed. I am registered to take a class in June, we are at 100% didn't lose anything for our equalization rate. Renewing our insurance.

*L. Eckhardt:* 9am on the 4<sup>th</sup> have a meeting with NYMIR, concerning data security firewalls, looking to have Alex available for the meeting for some of his advice.

*J. Van Deusen:* insurance companies are working on cyber liability, and covering people who are attacked through cyber networks.

**RESOLUTION #31 - 2016**

**CALLING FOR A PUBLIC HEARING ON PROPOSED MASS GATHERING "QUIET TIMES" LOCAL LAW**

**WHEREAS:** the Town Board desires to pass a local law providing for Mass Gatherings/Quiet Times, now therefore be it,

**RESOLVED:** that the Town Board hereby calls for a public hearing to be held on April 11<sup>th</sup>, 2016 at 7:15pm at the Town Hall, 26 Grange Hall Road, Stephentown, New York, at which time the public may comment on the text of said law as annexed.

**MOTION BY: ECKHARDT**  
**VOTES OF: 5 AYE**

**SECONDED BY: DEMICK**  
**0 NAY**

**MOTION TO ADJOURN AT 7:47 PM**

**MOTION BY: RODER**

**SECONDED BY: DEMICK**

**VOTES OF: 5 AYE 0 NAY**

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

**\*\*A Public Hearing on Proposed Defense and Indemnity Local Law** of the Town Board, Town of Stephentown will be held on **Monday, April 11<sup>th</sup>, 2016** at **7:00 PM** at the Town Hall.

**\*\*A Public Hearing on Proposed Mass Gathering/Quiet Times Local Law** of the Town Board, Town of Stephentown will be held on **Monday, April 11<sup>th</sup>, 2016** at **7:15 PM** at the Town Hall.

**\*\*A Public Hearing on Proposed Law Regulating the Opening of Streets and Sidewalks** of the Town Board, Town of Stephentown will be held on **Monday, April 18<sup>th</sup>, 2016** at **7:00 PM** at the Town Hall.

**\*\*The next Regular Meeting** of the Town Board, Town of Stephentown will be held on **Monday, April 18<sup>th</sup>, 2016** directly after the Public Hearing, at the Town Hall.

*Stephanie M. Wagar*  
**Town Clerk**