

**REGULAR MEETING  
TOWN BOARD  
TOWN OF STEPHENTOWN  
March 20, 2017**

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

**MEMBERS PRESENT:**

<i>(X) Supervisor Lawrence Eckhardt</i>	<i>( ) High. Superin. Alden Goodermote</i>
<i>( ) Councilman Chris Demick</i>	<i>(X) Assessor Jennifer Van Deusen</i>
<i>(X) Councilman William Jennings</i>	<i>(X) Town Justice John Meekins</i>
<i>(X) Councilman Philip Roder</i>	<i>(X) Deputy Code Enforcer Owen Cassavaugh</i>
<i>(X) Councilman Gerald Robinson</i>	
<i>(X) Town Clerk Stephanie Wagar</i>	

A quorum  was  wasn't established.

3 from the Public were present

**AUDIT OF CLAIMS:**

- Claim #47-17 and #48-17 and Claim #65-17 through #98-17 in the amount of **\$31,759.63** from the **General Account**
- Claim #36-17 through #62-17 in the amount of **\$40,072.99** from the **Highway Account**
- For a **Total of \$71,832.62** were audited and approved by the Town Board.

**MOTION BY: ECKHARDT**                      **SECONDED BY: ROBINSON**  
**VOTES OF: 4 AYE**                      **0 NAY**

Minutes of the **February 20, 2017 Regular Meeting** were approved by the Town Board as written.

**MOTION BY: RODER**                      **SECONDED BY: JENNINGS**  
**VOTES OF: 4 AYE**                      **0 NAY**

**TOWN CLERKS REPORT:** The Town Clerk turned over the sum of **\$422.78** to the Supervisor for the month of **FEBRUARY 2017**.

**JUSTICE COURT REPORT:** The distribution from the office of the State Comptroller, Justice Court Fund to the Town of Stephentown for the month of **FEBRUARY 2017** was \$\_\_\_\_\_.

**TRANSFER STATION REPORT:** The Transfer Station deposited a total of **\$5,342.00** for the month of **JANUARY 2017**

Bags: <b>\$3,663</b>	C&D: <b>\$487</b>	Metal: <b>\$5</b>	Tires: <b>\$14</b>
Stickers: <b>\$185</b>	Appl.: <b>\$15</b>	Propane Tanks: <b>\$0</b>	Electronics: <b>\$10</b>

**FEBRUARY 2017 – Will report next month Agnes has been out sick.**

**ACCOUNT TOTALS:**

<b>GENERAL \$215,888.07</b>	<b>HIGHWAY \$941,036.78</b>
<b>GENERAL RESERVE FUND \$250,423.34</b>	<b>HIGHWAY RESERVE FUND \$298,157.94</b>
<b>BEACON ESCROW \$ 885.19</b>	<b>BEACON ESCROW FOR PLANT (BOND) \$5,000 &amp; \$70,000.</b>

**2016 - 4<sup>th</sup> Quarter Sales Tax check came in for \$105,163.54**

*L. Eckhardt:* received the reimbursement check from ERCSWMA for \$3,174, was for over charging towns for fuel costs. Where should we put that once we deposit it?

*B. Jennings:* would put it in as a negative hauling fee.

*L. Eckhardt:* will ask Maureen, she will say we can't do that

*B. Jennings:* we can do it in the real world but maybe not here

*L. Eckhardt:* reads a letter from Kathy Jimino (*letter attached*). Want to thank Gerry for all his hard work he had put into the broadband project, this area has been awarded \$5.8 million.

*P. Roder:* Upcoming meeting on where we are at with the Committee and Sub Committees. Highway – no issues with our department with this past storm, New Lebanon had a truck rollover and Sand Lake had an issue, we were down a man and still able to get things done.

*L. Eckhardt:* Aldie does a great job here.

*G. Robinson:* update with Charter we are engaged, trying to get a certificate of confirmation, they have a commitment for breaks for seniors and low income families with a minimum of 25 mips. Once we can get Charter in we will have a better range of services and higher quality. IT training maybe available.

*L. Eckhardt:* even if Fairpoint got their grant, we will still be getting Charter to come through as well?

*G. Robinson:* Correct

*J. Meekins:* hopefully competition will bring the cost down.

*S. Menhinick:* How does the grant roll out?

*G. Robinson:* won't be asked unless we push, hoping they have an open mind when they roll this out, a lot of work to do and a lot of area to cover besides Stephentown, important for us to sit down and hope they have an open mind.

**MEETING OPEN TO PUBLIC COMMENT:**

*L. Eckhardt:* Library Update?

*S. Menhinick:* introduced himself as the new president for the library. We are looking to expand the book sale to an entire weekend, hoping to make a Celebration of Stephentown, it will be the weekend of August 18<sup>th</sup>-20<sup>th</sup>, maybe a walk a thon funding for the library. Possibly get the Fire Department involved, we thought it would be nice since we don't have anything going on in Town anymore, like a 4<sup>th</sup> of July Parade, looking to get in touch with all the other local businesses and organizations.

*B. Jennings:* we talked to Scott and asked him to be here tonight hoping to get it in the paper, but looks like Dave is not here, may want to write them and ask them to put something in the paper.

*G. Robinson:* not just once you may want to send it multiple times throughout the summer so people don't forget.

*L. Eckhardt:* we pay more organizations than just the Library, we have the Veterans, Seniors, Historical Society, so it would be nice to see something from them as well.

*S. Menhinick:* the Library Board really appreciated what you said and is taking it seriously.

*J. Meekins:* follow up on the Association of Town's annual meeting, there was 11 Resolutions all passed, have a book here for the board, they hand it out every year and have a lot of good classes for the Board Members.



**RENSSELAER COUNTY  
OFFICE OF THE EXECUTIVE  
NED PATTISON GOVERNMENT CENTER  
TROY, NEW YORK 12180**

**Kathleen M. Jimino  
Rensselaer County Executive**

**Phone: (518) 270-2900  
Fax: (518) 270-2961**

March 10, 2016

Hon. Lawrence Eckhardt  
Supervisor, Town of Stephentown  
26 Grange Hall Rd.  
Stephentown, NY 12186

Dear Hon. Lawrence Eckhardt,

As you may be aware, under State law counties are required to seek authorization from the State Legislature every two years to extend the additional one percent sales tax rate above the statutorily authorized three percent maximum. Recently, a resolution requesting that the State grant this extension of the additional one percent sales tax that we have collected in Rensselaer County since 1994 was passed by the Rensselaer County Legislature, a copy of which is attached.

As I am sure you are aware, under the sales tax agreement or contract between the County and your municipality, a portion of the sales tax we collect is distributed to the municipalities. This includes the revenue we collect from the additional one percent. Consequently, failure of our efforts to extend the additional one percent sales tax would result in a reduction in the sales tax distribution of \$87,173 to your municipality based on our most recent sales tax collections.

In order to ensure that our County and State Legislators know the importance of this revenue to our municipalities I am writing to ask for a letter of support for the extension of the additional penny of sales tax that I can share with our local and State representatives.

Thank you in advance and please do not hesitate to contact me with any questions or concerns.

Sincerely,

Kathleen M. Jimino  
Rensselaer County Executive

# RENSSELAER COUNTY LEGISLATURE

Introduced by Legislator(s) Danaher, Brownell, Grimm

Sent To: Budget & Finance

Committee

Date February 14, 2017

Resolution No. G/54/17

RESOLUTION REQUESTING INTRODUCTION OF LEGISLATION BY NEW YORK  
STATE SENATE AND ASSEMBLY EXTENDING IMPOSITION OF ADDITIONAL  
ONE PERCENT SALES TAX- BUREAU OF FINANCE

WHEREAS, This resolution is filed with the Rensselaer County Legislature by the Rensselaer County Executive; and

WHEREAS, The local share of sales tax was increased by one percent in 1994 in order to stabilize finances during a period of economic downturn; and

WHEREAS, Current economic factors threaten the fiscal well being of all levels of government, including the County of Rensselaer; and

WHEREAS, The additional one percent local share of sales tax in Rensselaer County will expire November 30, 2017, unless extended by State legislation; now, therefore, be it

RESOLVED, That the New York State Senate and Assembly are hereby requested to draft and introduce legislation extending the additional one percent local share of sales tax in the County of Rensselaer for the period commencing December 1, 2017 and ending on November 30, 2019; and be it further

RESOLVED, That the Clerk of this Legislature transmit certified copies of this resolution to State Senators Neil D. Breslin and Kathleen A. Marchione, and State Assemblymen Steven F. McLaughlin and John T. McDonald III.

Prior to vote on Resolution No. G/54/17, Legislator Fiacco entered the chambers.

Resolution ADOPTED by the following vote:

Ayes: 13

Nays: 2 (Grimm, Welcome)

Abstain:

February 14, 2017

Clerk of the Legislature

Sent to County Executive 2/15/17

Received from County Executive 2/16/17

Jessica L. Charon  
Clerk of the Legislature



Executive Action

Approved  Date 2/16/17

Disapproved \_\_\_\_\_  
Veto Message Attached and Returned to Clerk

Kathleen M. Jimino  
County Executive

**REPORT FROM THE TOWN BOARD:**

**RESOLUTION # 2 – 2017**

**TOWN ACCEPTING WQIP CONTRACT T305148 FOR GRANT FUNDING**

**WHEREAS:** the Town of Stephentown is authorizing the Highway Superintendent to enter into a contract for a grant from Water Quality Improvement Project (further known as WQIP); and

**WHEREAS:** WQIP requires the Town to adopt a resolution for the Grant Contract #T305148; now therefore be it,

**RESOLVED:** that the Town Board authorizes the Highway Superintendent to enter in the grant contract #T305148, and further be it,

**RESOLVED:** that the work completed will be under the direction of the Stephentown Highway Superintendent and it shall be under his discretion on how the work shall be performed.

**MOTION BY:** RODER

**SECONDED BY:** ROBINSON

**VOTES OF:** 4 AYE

0 NAY

**RESOLUTION # 3 - 2017**

**2017 PROCUREMENT POLICY FOR STEPHENTOWN**

**WHEREAS:** Section 104-b of the General Municipal Law (GML) requires every Town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML # 103 or any other law; and

**WHEREAS:** comments have been solicited from those officers of the Town involved with procurement; now therefore be it,

**RESOLVED:** that the Town of Stephentown does hereby adopt the following procurement policies and procedures:

Guideline 1: Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML #103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter referred to as Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of the other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2: All purchases of – a) supplies or equipment which will exceed \$20,000.00 in a fiscal year or b) public works contracts over \$35,000.00 shall be formally bid pursuant to GML #103. All purchases for which the GML #103 bid requirements are not applicable, but which are otherwise governed by the provisions of this resolution may only be made on approval of two members of the Stephentown Town Board.

Guideline 3: All estimated purchases of:

\*Less than \$10,000.00 but greater than \$3,000.00 requires a written request for proposal (RFP) and written/fax quotes from three (3) vendors.

\*Less than \$3,000.00 but greater than \$1,000.00 requires an email request for goods and email/fax quotes from two (2) vendors.

\*Less than \$1,000.00 but greater than \$250.00 is left to the discretion of the Purchaser.

All estimated public works contracts of:

\*Less than \$20,000.00 but greater than \$10,000.00 requires a written RFP, email or fax/proposals from three (3) contractors.

\*Less than \$3,000.00 but greater than \$500.00 is left to the discretion of the purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile lists of all vendors from whom written/fax/email quotes have been requested and the written/fax/email quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4: The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall be documented and filed with the record supporting the procurement.

Guideline 5: A good faith effort shall be made to obtain the required number of proposals or questions. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6: Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a. Acquisition of professional services
- b. Emergencies
- c. Sole source situations
- d. Goods purchased from agencies for the blind or severely handicapped
- e. Goods purchased from correctional facilities
- f. Goods purchased from another government agency
- g. Goods purchased for less than \$250.00
- h. Public works contracts for less than \$500.00
- i. Goods purchased under State or County bids

Guideline 7: This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

**MOTION BY:** RODER

**SECONDED BY:** ROBINSON

**VOTES OF:** 4 AYE

**0 NAY**

*Discuss on Resolution #3 – P. Roder: remove “oral” and add “email”*

*J. Meekins – suggested not reading resolution #4 “everyone here can read”*

*L. Eckhardt: gives summary of Resolution #4-2017, we have Owen here to discuss some things on how it may affect the Code Enforcement Office.*

*O. Cassavaugh: looking to get clean energy, benchmarking, unified solar and street lights this is all great but does it add another layer of work to the Code Enforcement office? How much money are you going to spend to get back any?*

*B. Jennings: 4 out of 10 items to complete to be names a “Clean Energy Community” if we can get there we could get up to a \$50k grant one is collecting data, we already do that in the AUD.*

*O. Cassavaugh: do you have to submit it into another program?*

*L. Eckhardt:* we already submit the data

*O. Cassavaugh:* correct but in the same system?

*B. Jennings:* there will be data entry which will fall on the Town Clerk and needs to go on the website.

*O. Cassavaugh:* Unified Solar permit which is a different permit.

*B. Jennings:* setting a stage will give it to you after, we currently meet three, the 4<sup>th</sup> we thought would be the easiest would be the Unified Solar Panel Permit.

*O. Cassavaugh:* doubling the work, if the solar permit becomes its own permitting process it will double the work we have our own permitting system, figure out the entire plan before you adopt part of it. Every year it becomes more and more work, this burn permit change added 75 more permits alone last year.

*B. Jennings:* we can nickel and dime things but we have a process it's called budget we asked you people if you wanted to charge and you said no.

*L. Eckhardt:* guess we should have asked how much more you want to do.

*B. Jennings:* we need to understand, not even sure if we could meet 4 things.

*O. Cassavaugh:* unified mechanism, everything needs to go through Planning and it's easier to get a permit in Stephentown.

*P. Roder:* why would you have your permit and their permit?

*O. Cassavaugh:* we don't have this layer, this would add a layer

*P. Roder:* if this was adopted you would pull our form and use theirs

*O. Cassavaugh:* it's not that simple, the system has it's set forms.

*L. Eckhardt:* glad you are here; do you think this is a little much?

*O. Cassavaugh:* don't know how much data you are collecting so don't know how much work needs to be done.

*L. Eckhardt:* right look at all the buildings in Troy they have full-time people that do all this.

*S. Menhinick:* as a solar customer, we don't see the permitting process so doesn't make it easier or harder for the customer.

*G. Robinson:* so, is this resolution still on the table?

*P. Roder:* yes, still no motion made on this resolution

*G. Robinson:* Okay move to move.

#### **RESOLUTION # 4 - 2017**

#### **ADOPTING ENERGY BENCHMARKING POLICY REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS IN THE TOWN OF STEPHENTOWN**

**WHEREAS:** buildings are the single largest user of energy in the State of New York, and the poorest performing buildings typically use several times the energy of the highest performing buildings, for the exact same building use; and

**WHEREAS:** this Local Policy will use Building Energy Benchmarking to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town of Stephentown; and

**WHEREAS:** collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide; and

**WHEREAS:** equipped with this information, the Town of Stephentown will be able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

**WHEREAS:** the following definitions will apply:

- A. "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- B. "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.
- C. "Commissioner" shall mean the Town Supervisor.
- D. "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Town of Stephentown that is 1,000 square feet or larger in size.
- E. "Department" shall mean the Stephentown Town Board.
- F. "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.
- G. "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.
- H. "Energy Use Intensity (EUI)" shall mean the kBtus (1,000 British Thermal Units) used per square foot of gross floor area.
- I. "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.
- J. "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.
- K. "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.
- L. "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations; and

**WHEREAS:** this Local Policy is applicable to all Covered Municipal Buildings as defined in item 5 above of this Local Policy; and

**WHEREAS:** the Town Supervisor may exempt a particular Covered Municipal Building from the benchmarking requirement if the Town Supervisor determines that it has characteristics that make benchmarking impractical; and

**WHEREAS:** no later than June 30, 2017, and no later than May 1 every year thereafter, the Town Supervisor or his or her designee shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year; and



**WHEREAS:** for new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Town Supervisor or his or her designee shall begin inputting data in the following year; and

**WHEREAS:** the Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

- a. no later than August 31, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

**WHEREAS:** the Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

- a. Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and
- b. For each Covered Municipal Building individually:
  - i. The status of compliance with the requirements of this Local Policy; and
  - ii. The building address, primary use type, and gross floor area; and
  - iii. Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and
  - iv. A comparison of the annual summary statistics (as required by this Local Policy) across calendar years for all years since annual reporting under this Local Policy has been required for said building; and

**WHEREAS:** the Department shall maintain records as necessary for carrying out the purposes of this Local Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years; and

**WHEREAS:** the Town Supervisor or his or her designee shall be the Administrator of this Local Policy; and

**WHEREAS:** the Administrator of this Local Policy may promulgate procedures necessary for the administration of the requirements of this Local Policy; now therefore be it

**RESOLVED:** that within thirty days after each anniversary date of the effective date of this Local Policy, the Administrator of the Benchmarking Policy shall submit a report to the Stephentown Town Board including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Town Supervisor determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Local Policy; and further be it

**RESOLVED:** this Local Policy shall be effective immediately upon adoption by the Stephentown Town Board, and a copy of this resolution shall be provided to the Stephentown Town Board.

**MOTION TO PASS WITHOUT READING:** ROBINSON

**SECONDED BY:** JENNINGS

**VOTES OF:** 4 AYE 0 NAY

*B. Jennings:* have you fully studied this to know if it would create more work?

*O. Cassavaugh:* yes, it would make more work, it would double the work.

*B. Jennings:* PJ said to use this and not the other

*O. Cassavaugh:* can't, the form is what it is in the system, don't want to double enter.

*B. Jennings:* we will have to take it all into consideration

*L. Eckhardt:* Jenn anything to report from the Assessor's office?

*J. Van Deusen:* busy time with exemptions

*L. Eckhardt:* received all the Town's portion of taxes, Aldie had a small water leak in hot water tank, told him to reach out to Doug R. to get quotes on "on demand" system.

*B. Jennings:* would be beneficial here too.

**\*\* Master Planning Committee with be holding a Public Informational Meeting here at the Town Hall on March 27<sup>th</sup>, 2017 at 7:00pm \*\***

**MOTION TO ADJOURN AT 8:49 PM**

**MOTION BY: RODER**

**SECONDED BY: ROBINSON**

**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, April 17<sup>th</sup>, 2017 at 7:00 PM** at the Town Hall.

*Stephanie M. Wagar*

**Town Clerk**