TOWN OF STANFORD TOWN BOARD

MINUTES OF THE JUNE 14TH, 2012 MEETING

The Town of Stanford Town Board convened for their monthly meeting on Thursday, June 14th, 2012 at the Stanford Town Hall. Supervisor Virginia Stern called

the meeting to order at 7:30 PM, and asked for a moment of silence to reflect on the

meaning of our flag and for all those who protect it.

Roll Call: Virginia Stern - present

Johanna Shafer - present

Joseph Norton - present

Thomas Dewhirst - present

Mark D'Agostino - present

Also in attendance was Attorney William Bogle, Jr.

PRIVILEGE OF THE FLOOR:

Bill Reilly, Goodwin Lane - read a letter to the Town Board over the dangerous parking conditions and safety problems on Hunns Lake Road in Bangall.

Charles Lawrence, Leavitt Road - spoke of the terrible condition of his road.

Melissa Burdick, Halas Way - read a letter to the Board regarding lies that had been told about her family and wanted the noise / ATV petition thrown out.

Mel Eiger, Attlebury Hill Road - mentioned this country's freedom of speech, claimed responsibility for some mailings and spoke of his objection of emails/mailings by Mark D'Agostino that had been sent to residents as well as members of the Recreation Commission.

Mike Shafer, Decker Road - stated that there were easier ways to solve these noise issues and spoke of addressing somewhat the same matter years ago.

Councilman D'Agostino gave the Clerk three letters to read, from Tori Elvin, Lea Bonte and Stephanie Kipp that requested that their names be removed from the petition they had signed regarding the AT'V issue.

As a point of Clarification, Supervisor Stern to date, has NOT proposed a resolution or motion asking the town board to vote on the ATV/Noise Petition.

REPORTS:

COUNTY LEGISLATORS REPORTS: As Legislator Dave Sherman was present, the Board agreed to give his report at this point. He stated that Leg. Kelsey was on vacation and spoke of the following County matters: a proclamation for June 15th to be World Elder Abuse Awareness Day, a commendation for retiring Commissioner of Public Works Charlie Traver, a presentation by the County Budget Director regarding a budget survey for all county residents to respond to, a proposed local law for partial tax exemptions for those with disabilities and limited incomes, a public hearing in July for agricultural district map updates, to approve the Community Development Block Grant program for another 3 years, bonds issued for the DPW and the County's Central Printing office, the reappointment of Election Commissioner Eric Haight, the Board of Election's consolidation for the upcoming primary, the approved date change for the September primary from the 11th to the 13th, and meetings for the reapportionment of legislative districts. Resident Andy Lawson, N. Anson Road, asked about “fracking” in the local area. Councilman Norton requested that Leg. Sherman try to speed up the County engineer's review of the Bangall area, with Supervisor Stern responding that Fred Bentley has already been there.

LIAISON REPORTS:

Councilman Tom Dewhirst gave his report from the recent Zoning Board of Appeals meeting.

Councilman Mark D’Agostino reported from the recent Recreation Commission Meeting and mentioned that Master Plan Committee had received public comments on their draft.

Councilman Joseph Norton stated that the Farm & Agriculture Committee and the CAC were reviewing the draft Master Flan as well.

Councilwoman Shafer spoke of the Fire Department's latest calls, but added that she had been unable to attend the Planning Board meeting as she had gone to the Sheriff's Memorial with Supervisor Stem.

SUPERVISOR'S REPORT:

Supervisor Stern reported that the pond repair had been completed and would open on time, June 22nd, and thanked the Highway Department for the great job that they had done. Assemblywoman Didi Barrett would be having another mobile office meeting in Pleasant Valley on 6/22, and added that everyone should be aware of ticks as it was supposed to be a bad season this year.

HIGHWAY SUPERINTENDENT'S REFORT:

Highway Supt. Jim Myers stated that everything was fine and that the crew had been doing blacktop on Willowbrook, Wendover and Stissing as well as applying oil & stone. They had also been working on the pond and on the new garage.

APPROVAL OF MINUTES:

The Minutes of May 4th, 2012 were approved as written on a motion made by Virginia Stern, seconded by Joseph Norton. Motion carried with a roll call vote as follows: Virginia Stern - yes; Johanna Shafer - yes; Joseph Norton - yes; Thomas Dewhirst - abstained; Mark D'Agostino - abstained.

The Minutes of the May 7th, 2012 were approved as written on a motion made by Virginia Stern, seconded by Mark D'Agostino. Motion carried with a roll call vote as follows: Virginia Stem - yes; Johanna Shafer - yes; Joseph Norton - yes; Thomas

Dewhirst - yes; Mark D'Agostino - yes.

The Minutes of the May 10th, 2012 were approved as amended on a motion made by Mark D'Agostino, seconded by Johanna Shafer. Motion carried with a roll call vote as follows: Virginia Stem - yes; Johanna Shafer- yes; Joseph Norton - yes; Thomas

Dewhirst - yes; Mark D'Agostino - yes.

The Minutes of May 26h, 2012 were approved as written on a motion made by Mark D'Agostino, seconded by Johanna Shafer. Motion carried with a roll call vote as follows: Virginia Stern - yes; Johanna Shafer - yes; Joseph Norton - yes; Thomas Dewhirst - abstained; Mark D'Agostino – yes.

ACCEPTANCE OF AGENDA:

A motion to approve agenda was made by Virginia Stern, seconded by Mark D'Agostino, with the following changes: move #6 New Business to #2A Old Business as “UnauthorizedRelease of Supervisor's confidential and private information", move #’s 7 – Highway Garage Capital Project Resolution - & 9 New Business - Resolution to transfer funds from the General Fund to the Garage Capital Project Fund - to be with #4 Old Business - Highway Garage change order #G-3, and to move # 5 New Business - Lisman easement - to be under #1 New Business. Motion carried with a roll call vote as follows: Virginia Stern - yes; Johanna Shafer --yes; Joseph Norton - yes; Thomas Dewhirst - yes; Mark D'Agostino - yes.

OLD BUSINESS:

1. ELECTRONICS RECYCLING: A motion was made by Virginia Stern, seconded by Joseph Norton, to sign on with "We Recycle" to provide bins at the Transfer Station at no cost to the Town. Attorney Bogle had some concerns with two of the sections in the contrast so after further discussion, it was agreed that this matter would be postponed until next month. Supervisor Stem withdrew the motion.
2. HUDSON VALLEV PURCHASING GROUP: After discussion, a motion was made by Virginia Stern, seconded by Joseph Norton, to register the Town and become part of this agency. Motion carried with a roll call vote as follows: Virginia Stern - yes; Johanna Shafer - yes; Joseph Norton - yes; Thomas Dewhirst - yes; Mark D'Agostino - yes.

2A. **UNAUTHORIZED** RELEASE OF SUPERVISOR’S CONFIDENTIAL AND PRIVATE INFORMATION: After discussion, Mark D’Agostino made a motion to have the Ethics Committee Chairman secure the hard drive from the Supervisor’s computer for the investigation into this matter as it was Town property. The motion was seconded by Thomas Dewhirst with a roll call vote as follows: Virginia Stern – abstain; Johanna Shafer – no; Joseph Norton – yes; Thomas Dewhirst – yes, Mark D’Agostino – yes. Motion carried.

1. WEBSITE ISSUES: A motion was made by Mark D'Agostino seconded by Thomas Dewhirst, to have the following elected officials and their website links added to the Town's website as follows: U.S. Congress, NYS Assembly, NYS Senators, Dutchess County Executive and the Dutchess County Legislators, Roll call vote as follows: Virginia Stern - no; Johanna Shafer - yes; Joseph Norton - yes; Thomas Dewhirst - yes; Mark D'Agostino - yes. Motion carried.
2. NEW HIGHWAY GARAGE MATTERS: A motion was made by Virginia Stern, seconded by Joseph Norton, to approve Change Order #G-3 to approve and pay for the additional construction joints that had already been completed. After discussion, with Councilman D'Agostino and Norton feeling that this matter should wait and not be approved now, the following roll call vote was taken: Virginia Stem - yes; Johanna Shafer - no; Joseph Norton - no; Thomas Dewhirst - no; Mark D'Agostino – no. Motion did not carry.

4A. HIGHWAY GARAGE CAPJTALPROJECT RESOLUTION AND TRANSFER OF FUNDS: The following resolution was offered:

RESOLUTION #32 OF 2012

TO TRANSFER FUNDS TO THE HIGHWAY CAPITAL PROJECT FUND

Motion made by: Councilman Joseph Norton

Seconded by: Supervisor Virginia Stern

WHEREAS, expenses for the Highway Garage Capital Project need to be

approved by the Town of Stanford Town Board meeting on this date, June 14th ,2012, and

WHEREAS, a motion to transfer funds from the General Fund to the Highway

Capital Project Fund is needed to cover the expenses, and

WHEREAS, the construction work is not completed and the contractors' work is ongoing,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Stanford Town Board approve the transfer of $160,000.00 from the General Fund balance to the Highway Capital Project to cover expenses for the construction of the new Highway Garage.

Roll call vote as follows: Virginia Stern – yes; Johanna Shafer - yes; Joseph Norton – yes; Thomas Dewhirst – yes; Mark D’Agostino – yes.

Resolution #32 of 2012 approved by the unanimous vote of the Town of Stanford Town Board members and certified this 14th day of June 2012.

After discussion, the majority of the Town Board was in agreement not to change the original capped amount of $2,000,000 from the "Highway Garage Capital Project" resolution from July of 2010 but to move cautiously with the project's funding and change only in the future if the costs are justified. Supervisor Stern indicated the Town Board capped the 2010 costs to $2,000,000 but the costs are going to go over that somewhat.

1. PARKING AT BANGALL MONUMENT: Councilman Norton asked the attorney if the town starts regulating parking on a county highway, what is the reality of what we just assumed. Attorney Bogle responded, if the town chooses to regulate it then the town is responsible for what it does, if you assume the regulation of it like what was done with the stop sign at bulls head rd., then you become liable. Councilwoman Shafer had prepared a resolution regarding this matter, but she suggested that Councilman Norton work with her as Mr. Reilly had mentioned other possibilities to resolve the issues in the area. Supervisor Stern added that the County engineer would have something to the Board by the first week of July.

NEW\_BUSINESS:

1. LISMAN EASEMENT: Discussion followed regarding Bruce Lisman's request to have all utilities buried underground on Mill Lane and easements granted for this work to be done. Another road resident, Florence O'Malley, had concerns over this work. A motion was made by Virginia Stern, to the extent that the Town may own the property, seconded by Joseph Norton, to grant the easement request. Roll call vote as follows: Virginia Stern - yes; Johanna Shafer - yes; Joseph Norton - yes; Thomas Dewhirst - yes; Mark D'Agostino - yes. Motion carried.
2. RIITIREMENT RESOLUTION FOR EI,ECTED OFFICIAL: Councilman D'Agostino made a motion to approve the standard workday reporting resolution for Councilman Norton for NYS Retirement, seconded by Thomas Dewhirst. After discussion, a roll call vote was taken: Virginia Stern - no; Johanna Shafer - no; Joseph Norton - abstain; Thomas Dewhirst - yes; Mark D'Agostino - yes. Motion did not carry and there was no vote. The matter was tabled until July as a request for an extension was not a problem.
3. MOVE THERMOSTAT IN THE TOWN HALL ADDITIOIN: A motion was made by Johanna Shafer to table the issue of the thermostat, the air conditioning unit and the fax machine, seconded by Thomas Dewhirst. After discussion, the motion was rescinded by Johanna Shafer and a new motion was made by Johanna Shafer to have electrician Bill Bray move the thermostat in the new addition and table the purchase of the air conditioner and fax machine, seconded by Virginia Stern with a roll call vote as follows: Virginia Stern - yes; Johanna Shafer - yes; .Joseph Norton - no; Thomas Dewhirst - no; Mark D'Agostino - no. Motion did not carry.
4. COURT FACILITIES MATTER: AIR CONDITIONING AND FAX MACHINE: These matters were tabled.
5. BOOKKEEPER'S FINANCIAL / ACCOUNTABILITY REPORT: A motion was made by Mark D'Agostino, seconded by Joseph Norton, to have this report given to the Town Board at each monthly workshop meeting. Motion carried with a roll call vote as follows: Virginia Stern - yes; Johanna Shafer - yes; Joseph Norton -yes; Thomas Dewhirst - yes; Mark D'Agostino - yes.
6. RESOLUTION TO AMEND THE HIGHWAY BUDGET THE N.Y.S. RETIREMENT ADJUSTMENT: The following resolution was offered:

RESOLUTION #33 OF 2012

TO AMEND THE 2012 HIGHWAY BUDGET FOR A N.Y.S. RETIREMENT ADJUSTMENT

WHEREAS, the Town of Stanford Town Board has approved and adopted the 2012 Budget, and

WHEREAS, the Town of Stanford needs to have a balanced budget, and

WHEREAS, the Town Board recognizes the need to amend the 2012 Budget due to a former employee policy and there are no additional funds in the Highway Budget to cover this expenditure, and

WEREAS, the Highway Fund has unappropriated fund balance,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Stanford Town Board authorizes the increase of the 2012 Budget by $9,548.00 for this expenditure in the budget line 01-08-9010-80 NYS Retirement, and that this amount will be transferred from the Highway unappropriated Fund Balance.

Roll call vote as follows: Virginia Stem - yes; Johanna Shafer - yes; Joseph Norton - yes; Thomas Dewhirst - yes; Mark D'Agostino - yes.

Resolution #33 of 2012 adopted by the Town of Stanford Town Board and certified this 14th day of June 2012.

1. GENERAL FUND BUDGET RESOLUTION:

RESOLUTION #34 OF 2012

GENERAL FUND BUDGET RESOLUTION

Motion made by Supervisor Virginia Stern

Seconded by Councilwoman Johanna Shafer

WHEREAS, the Town Board of the Town of Stanford has expenditures for the adopted 2012 General Fund budget line items that will exceed the amount available in the below mentioned lines, and

WHEREAS, the Town of Stanford has funds available in other budget lines and needs to transfer funds to provide for expenses incurred,

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Stanford hereby amends and transfers from and to the following budget lines for the adopted 2012 General Fund Budget:

|  |  |  |
| --- | --- | --- |
| **ACCOUNT** | **INCREASE** | **DECREASE** |
| 00-01-1410-20 - Town Clerk - equipment | $83.98 |  |
| 00-01-1410-40 - Town Clerk – contractual exp. |  | $83.98 |
| 00-01-1420-42 – Attorney Fees | $72.44 |  |
| 00-01-1990-40 – Contingency |  | $72.44 |
| 00-07-8010-11 – Codes Committee – secretary |  | $40.00 |
| 00-07-8030-10 – Master Plan – salaries-secretary | $40.00 |  |
| **TOTAL** | **$196.42** | **$196.42** |

Roll call vote as follows: Virginia Stern - yes; Johanna Shafer -yes; Joseph Norton - yes; Thomas Dewhirst - yes; Mark D’Agostino – yes.

Budget Resolution #34 of 2012 unanimously approved by the Town Board of the Town of Stanford this 14th day of June, 2012.

1. APPROVAL OF ABSTRACTS: The June 2012, Abstract of Claims were approved for payment as follows on a motion made by Virginia Stern, seconded by Johanna Shafer: General Fund check numbers 22711 - 22715 and 227l7 - 22765, in the amount of $98,806.56; {JC Fund, check numbers 22713 & 22716} Highway Fund, check numbers 22766 - 22784 in the amount of $58,588.93; Stanfordville/Bangall Light District, check #22785 in the amount of $657.11; and Capital project Account-Highway Garage, check numbers 22786 - 22791, in the amount of $155,310.68. Total of Abstract #6 for June of 2012: $313,363.28.

Planning Board Escrow Abstract #6P: check numbers 817-820, in the amount of $665.30. Motion carried with a roll call vote as follows: Virginia Stern - yes; Johanna Shafer - yes; Joseph Norton - yes; Thomas Dewhirst - yes; Mark D'Agostino - abstained.

With no other business, a motion to adjourn at 9:34 PM was made by Virginia Stern, seconded by Joseph Norton. Motion carried with all in favor.

Respectfully submitted,

Ritamary Bell

Town Clerk