TOWN OF STANFORD TOWN BOARD   
MINUTES of MARCH 9th, 2023

The Town of Stanford Town Board met for their monthly meeting on Thursday, March 9th, 2023, at the Town Hall. Supervisor Burton called the meeting to order at 7:00 PM with the Pledge of Allegiance led by Karen Mosher.   
 This meeting was dedicated in memory of Carin Goldberg who had recently passed away.

A friend, Shoshana Gray, spoke of Carin’s many achievements, including her love of working with the Stanford Library on a film series, and then a video of her amazing designs was shown to all in attendance.

Roll call: Wendy Burton – present

Anne Arent - present

Margaret Fallon – absent

Nathan Lavertue - present

Also in attendance was Town Attorney Robert Butts.

PROCLAMATION FOR THE TOWN’S 230TH BIRTHDAY: Town Historian Kathy Spiers read the following resolution proclaiming March 12th, 2023 as Stanford’s 230th birthday:

PROCLAMATION

(Resolution #3C of 2023)

On the 230th Birthday

of the

Town of Stanford

Dutchess County, New York

WHEREAS the territory of the Town of Stanford was included in the Great Nine Partners Patent being at first a part of the Town of Washington, and

WHEREAS the territory was officially separated from the Town of Washington by the State Legislature on March 12, 1793 becoming the Town of Stanford, and

WHEREAS the first town meeting was held on the first Tuesday in April, 1794 at the dwelling of Ephraim Paine (Payne), and

WHEREAS James Tallmadge was elected Supervisor; Solomon Sutherland, Town Clerk; William Cash, James Hildreth and Lewis Barton, Assessors; John Sherwood, Tax Collector; John Sherwood, William Bockee and Benjamin Dimmick, Constables; Zachariah Mosher and Elias Walbridge, Overseers of the Poor; Gurdon Miller, Jeremiah Sherrill and John Thompson, Commissioners of Highways; William R. Sutherland, Amos Knapp, Asa Alling, George Adsit and Samuel Lovett, Fence Viewers and Pound Masters, and

WHEREAS as the Town of Stanford grew, so did the hamlets and the number of roads, farms, mills, factories, shops, taverns, stills, churches, and schools, and

WHEREAS with that growth came farmers, tailors, harness makers, shoemakers, blacksmiths, tinsmith, millers, merchants, ministers, teachers, and finally the railroad, and

WHEREAS the Town Board of the Town of Stanford is desirous of remembering the town’s past and the achievements of our founding fathers,   
NOW THEREFORE BE IT RESOLVED that it is the will of the Town Board of the Town of Stanford that March 12, 2023 shall be observed and celebrated as the 230th birthday of the Town of Stanford. March 9, 2023, Town Board, Town of Stanford, Dutchess County, NY

LIAISON REPORTS:

Nathan Lavertue was unable to make the Rec. Commission meeting and had no updates from the Transfer Station.

Anne Arent thanked the Fire Commissioners for their welcoming to her and reported that their busiest discussion centered around the ambulance district, which will have a separate budget line next year in the Town’s budget. Wendy Burton added that the Town had set up this special ambulance district last month so the Fire Company’s budget will appear as a separate line on tax bills next year.

Wendy Burton covered the recent Planning Board meeting since Councilman Pepe had resigned in January. She stated that Malabar Hills on Hobbs Lane was applying for lot line adjustments and selling the property to a neighbor, and added that Malabar Hills has never re-applied for a timber harvesting permit. The Zoning Board did not have a meeting, only an Executive Session to interview for a new member. And that she had told the Garden Club of a landscape architect that had offered garden tours in the spring.

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SUPERVISOR’S REPORTS: Supervisor Burton stated that she had given the Board her Supervisor’s report, the February bank reconciliation and two payroll verifications. Next month she would have a quarterly financial forecast ready. The Community Garden committee will be having 3 different lectures in April at the Library and at the Rec. Community Garden. The Town Board would also be having their final review of the draft Comprehensive Plan that would be followed by public hearings before being adopted, and a new zoning commission would be created after that. She and Teddy Secor of the Climate Smart Task Force had a 1 ½ hour webinar for the Task Force that included three hours of free consultation and grant information. The Town Hall also just had their phone system upgraded, and she briefly spoke of Northeast Dutchess Transit’s Dial-A-Ride programs availability in Town.

PRIVILEGE OF THE FLOOR:   
 Jack Evans, Bulls Head Road – yielded his two minutes of speaking time to Divo Martini.

Divo Martini, Shelley Hill Road – thanked the Board for acknowledging veterans’ services programs but spoke of the negative comments about him by some Board members at the February meeting when discussing the ZBA vacancy. Apparently he had offended somebody since he had spoken at the cannabis meetings about criminal elements coming into Town. He had thought that the Board would appreciate his law enforcement background and said that there already had been cannabis stores’ robberies in NYC. Mr. Martini added that he has been the Fire Police Captain as a volunteer and on the Fire Company Board of Directors and expected to be treated in a far more respectful manner. Regarding the racist comment, he had seen the devastating segregation policies in the South as a veteran of the Navy, as well as having a graduate degree in Public Administration and serving 26 years in the Police Dept. He has always dealt with the public These matters are certainly more critical than a lot line adjustment. Will not be waiting for an apology but stated that we agree to disagree on a number of matters, ending with treat others as you wish to be treated.

Laura Kirkpatrick, 83 Grist Mill Lane – handed out information folders for the Board and the Clerk. Stated that she loved her home on Grist Mill but these was a big problem with speeding cars on her road, that seemed to have started when they put in the new bridge on Bulls Head. Grist Mill Lane is not the way it used to be, but now treated as a short cut. She needed to register the complaint about the 35 mph limit and the 20 mph suggested limit, which was too fast for this road with the blind curves and needs help with this issue. She also spoke of driving the road and the few seconds of time it saves if going over the posted speed limit. People or pets will be hurt. Supervisor Burton responded that speeding was a problem all over, especially on Hunns Lake Road and on Layton, but the Town is restricted from changing speed limits according to State law. To have an engineer do a town-wide study could cost up to $100,000. Having been at the recent Association of Towns annual meeting, she had proposed a resolution that will go to the State Legislature to have towns have home rule on their respective roads. Hwy. Supt. Jim Myers is really burdened by the current State laws, but we will see what we can do.

Reagan Cronin, Grist Mill Lane – added that he hoped something can be done to slow people down. He even has those green “mannequins” on the his part of the road but doesn’t help with people driving 40 – 50 mph on the straight away after Bulls Head.

Claudia DeBellis, Charwill Drive – adding another issue about exiting the Taconic State Parkway at Nine Partners Road. One needs to come to an almost full stop to make the right onto Nine Partners; a turning/exit lane is needed. Supervisor Burton replied that that a good idea but is under the State’s jurisdiction.

Kathy Zeyher, Shelley Hill Road – appreciated Divo’s comments. Had attended the Board’s workshop the other night and two items that were discussed that are not on this agenda was SPARC Park and the property that was offered to the Town, and these are pretty important. Supervisor Burton responded the Board had approved a resolution last year that SPARC Park be replicated with ADA compliant features but was still in the hands of the Rec. Capital Fundraising group and not yet officially to the Town. As far as the land offered, a beautiful 40-acre piece with a 1700’s home, to convert that to a Town Hall would be almost impossible as it would require an elevator to the 2nd floor and it would need an immense amount of refurbishing in order for it to be accessible to the public. Ms. Zeyher also mentioned the safety report only mentioned 18 items that were a concern. Ms. Burton replied that the lifespan of SPARC Park was 30 years, but was hoping much of the original structure would be preserved or salvaged, especially the brass plaque to memorialize the efforts of the community 30 years ago. The Town cannot afford

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to repair or replace it so the Rec. Capital Fundraising Committee is seeking donations for the kids to have a new playground.

MOTION TO APPROVE AGENDA: A motion was made by Wendy Burton, seconded by Anne Arent, to approve the agenda. Motion carried with all present voting in favor.

NEW BUSINESS:  
1. APPOINT NEW TOWN BOARD MEMBER: Supervisor Burton stated that four wonderful candidates had been interviewed for the vacant position and this new appointment would be to fill the vacancy until the end of the year. However, one of the applicants was a Pine Plains resident. The Board was pleased to appoint Corey Clanahan, and had found him to be engaged and invested in his community and had spoken intelligently and calmly on an issue in his Hobbs Lane neighborhood. He is young and has a wife and two children and added that local government needs young people to get involved. He and his wife are opening up a new business that they had hoped to be in Stanford, but eventually went to Pine Plains. Wendy Burton made a motion to approve the appointment of Corey Clanahan, seconded by Nathan Lavertue, for the remaining term until December 31st. Motion carried with all present voting in favor. Mr. Clanahan, in attendance, thanked the Board for choosing him, saying you made the right decision, and is looking forward to working with you, loves the community and will listen to all concerns, and is excited to represent all of you. Town Clerk Bell swore Mr. Clanahan into his new position.

2. APPOINT NEW ZONING BOARD OF APPEALS MEMBER: A motion was made by Wendy Burton, seconded by Anne Arent, to appoint Steve Mosher to the vacant position on the ZBA. Ms. Burton added that Mr. Mosher is a 5th generation resident and knows the Town well and we are pleased to appoint him on the ZBA’s recommendation. Motion carried with all present voting in favor. Town Clerk Bell swore Mr. Mosher into his new position.

3. RECREATION DOCK BIDS: Rec Director Lauren Ostermann had secured a $100,000 grant from the County so the Town was able to look into replacing the docks for the Rec. pond. Bids had been advertised and received, and a motion was made by Wendy Burton, seconded by Anne Arent, to award the bid to F.W.M. of Hudson, NH in the amount of $65,698, which replicates the exact docks’ sizes that the Rec, has had. Motion carried with all present voting in favor. The Supervisor added that Mrs. Ostermann was also working on another $50,000 grant for SPARC Park.

4. HIGHWAY – POLE BARN BIDS: The Highway Dept. is in need of a structure to house certain pieces of equipment since the old Garage was torn down and the remaining part was given over for the Haunted Fortress props, etc. After receiving bids for a pole barn, a motion was made by Wendy Burton, seconded by Nathan Lavertue, to award the project to The Barn Raiser in Highland, NY in the amount of $118,599, which included materials and labor. Mention was made that a lower bid was received that was only for materials. This project will be paid for with ARPA funds. Motion carried with all present voting in favor.

5. HOLIDAY PAY POLICY: The following policy was approved for hourly employees as follows: Holiday Pay Policy

Policy Section: (04) Personnel Approval Date: 3/9/2023

Policy: (04) (c) Holiday pay

1. **Summary:** Establishes standards, parameters, definitions, and eligibility for non-union employee holiday pay.

# Purpose: The Town Board appreciates that certain national holidays may fall on days when employees would normally work, with the effect of depriving them of pay. This policy allows holiday pay when a Designated Holiday (as defined below) falls on a day when an eligible employee normally works.

# Eligibility:

* 1. Holiday pay is available to part-time non-union employees
     1. whose positions require 12 hours or more per week; and
     2. who have been employed by the Town for at least 90 days.

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* 1. Temporary employees and employees who work fewer than 12 hours per week

are not eligible for holiday pay.

* 1. An employee who holds more than one position with the Town may aggregate the hours worked in all positions to determine eligibility.

# Application:

* 1. This policy applies only to "Designated Holidays." Designated Holidays are New Year's Day, Independence Day, Labor Day, Thanksgiving, Veterans' Day and Christmas, all as observed.
  2. Holiday pay is paid when a Designated Holiday falls on a day that is a workday in the employee's standard work week. Applicability of this policy cannot be established by shifting a standard work day to a holiday.
  3. Holiday pay applies only to the number of hours an employee would work on that day in his/her standard work week.

1. **Effective date:** This policy is effective as of March 9, 2023.
2. **Construction**: In the event of conflict between this policy and Part 6 of the Town's Employment Policies and Practices Manual, this policy shall govern.

Motion made by Wendy Burton, seconded by Anne Arent. Motion carried with all present voting in favor.

6. MOTION TO CORRECT DOLLAR AMOUNT OF TELEPHONE UPGRADE FROM JANUARY 2023: A motion was made by Wendy Burton, seconded by Nathan Lavertue, to correct the dollar amount stated at the January meeting, a difference of $24.00, to $5,948.61. Motion carried with all present voting in favor. The resolution is below to correct the bookkeeping records.

7. RESOLUTION #3A – TELEPHONE UPGRADE AND BUDGET MODIFICATION: Councilman Lavertue made a motion, seconded by Wendy Burton, to adopt the following resolution: RESOLUTION #3A OF 2023

TO TRANSFER FUNDS FROM THE AMERICAN RESCUE FUNDS ACCOUNT NY CLASS BY #01-0010-0009 AND MOVE THE FUNDS TO THE GENERAL FUND #3900018

**Whereas the Town of Stanford** will be upgrading the telephone CPU with Superior Telephone as the current system is outdated, and

**Whereas** the NY Class Account 01-0010-0009 American Rescue Fund Account contains funds for this purpose, and

**Whereas** the Town of Stanford will transfer funds from NY Class Account 01-0010-0009 American Account to the Millbrook General Fund Account 3900018

. **Now therefore be it resolved**, the Supervisor is authorized to complete the following budget modifications and transfer the funds from the American Rescue Funds Account to the General Fund.

00-510 Estimated Revenue +5,948.61

00-4089 Federal Aid ARPA

00-960 Appropriations +5,948.61

00-01-1620-20 Town Hall Equipment

00-200 Cash +5,948.61

00-209 Cash- ARPA

Roll call vote as follows: Wendy Burton - yes, Margaret Fallon - absent, Anne Arent - yes, Nathan Lavertue – yes.

Resolution #3A of 2023 adopted by the affirmative votes of the Town of Stanford Town Board members present and certified this 9th day of March 2023. *Ritamary Bell, Town Clerk*

8. RESOLUTION #3B OF 2023 – BUDGET MODIFICATION FOR ESCROW FUND-O’CONNOR: Councilman Lavertue made a motion to adopt the following resolution, seconded by Wendy Burton, as follows: Resolution # 3B of 2023

Budget Modification regarding settlement

**Whereas** the Town of Stanford received a refund of prior year funds regarding the O’Connor settlement funds held in escrow from FY 2022, and

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**Whereas** the Town of Stanford needs to account for this transaction in 2023 to pay the appropriate parties and produce 1099’s, and

**Therefore be It Resolved** that the Town Board of the Town of Stanford approve the following budget modification in FY 2023:

00-510 Estimated Revenue +87,500.00

00-2701 Refund of prior year expenditure

00-960 Appropriations +87,500.00

00-01-1930-40 Judgements & Claims

Roll call vote as follows: Wendy Burton - yes, Margaret Fallon - absent, Anne Arent - yes, Nathan Lavertue – yes.

Resolution #3B of 2023 adopted by the affirmative votes of the Town of Stanford Town Board members present and certified this 9th day of March 2023. *Ritamary Bell, Town Clerk*

9. RESOLUTION #3D OF 2023 – TO RENAME THE STANFORD WILDLIFE PRESERVE IN HONOR OF GARY LOVETT: The following resolution was offered by Anne Arent, seconded by Wendy Burton, and wholeheartedly endorsed by the Stanford Conservation Advisory Commission, of which Gary Lovett was a long-time member:

RESOLUTION #3D OF 2023

RENAMING THE STANFORD WILDLIFE PRESERVE

Whereas, the Town Board of Stanford acknowledges that the Stanford Wildlife Preserve is an integral part of our town’s natural beauty and rural character, and

Whereas, Gary M. Lovett dedicated years to protecting the natural resources of the Town of Stanford, and

Whereas, the Town of Stanford Town Board wishes to honor the extraordinary efforts of Gary M. Lovett to protect the natural resources of our town through his many roles in our community including his dedication to the Comprehensive Plan Committee and the Conservation Advisory Commission,

NOW THEREFORE, LET IT BE RESOLVED that the Town of Stanford Town Board renames the Stanford Wildlife Preserve as the Gary M. Lovett Wildlife Preserve and commissions a permanent sign to designate it as such.

Roll call vote as follows: Wendy Burton - yes, Margaret Fallon - absent, Anne Arent - yes, Nathan Lavertue – yes.

Resolution #3D of 2023 adopted by the affirmative votes of the Town of Stanford Town Board members present and certified this 9th day of March 2023. *Ritamary Bell, Town Clerk*

10. EMERGENCY INTERIM SUCCESSORS: Supervisor Burton stated that at the January Re-Organizational Meeting she named her “Emergency Interim Successors” but since her third appointment, Councilwoman Margaret Fallon, works full-time out of town, Ms. Burton replaced her with Assessor Stephen Gotovich. The appointment was approved with a second made by Anne Arent. Motion carried with all present voting in favor.

11. CARPETING BIDS: A motion was made by Wendy Burton, seconded by Nathan Lavertue, to award the bid to Foster’s Flooring in the amount of $16,059 to replace the carpet in the Town Hall’s main Hall and the Town Board Room. Motion carried with all present voting in favor.

12. AIROSMITH CELL TOWER APPLICATION: Attorney Butts explained that this application had been erroneously sent to the Planning Board last year while it should have been forwarded to the Town Board for a proper permit. As the Planning Board had reviewed the application, as well as Atty. Ian MacDonald, the Town Board can waive parts of the application as already being approved and can accept the previously submitted application. However, there is still a process that the Town Board and the applicant need to complete.

13. NEW HIGHWAY TRUCK: Highway Supt. Myers had requested that he put in an order for a new plow truck, as it takes two years to get it. The price has risen by $100,000 since the last truck purchase to $341,924.58 on the State Bid list. Ms. Burton stated that the Highway Vehicle Reserve Fund has $300,000 in it now but $150,000 will be used for a new mower that has been ordered. Funds can be taken from the NY CLASS account to cover the balance of this purchase.

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The Supervisor then made a motion to allow the Highway Superintendent to order the truck, seconded by Nathan Lavertue. Motion carried with all present voting in favor.

14. APPROVE THE BOOKS OF THE BUILDING INSPECTOR: As Building Inspector Don Smith could not make the February meeting for this, he presented to the Board his books and an

annual report from his office. A motion was made by Wendy Burton, seconded by Anne Arent, to approve the Building Inspector’s books to the best of their knowledge. Motion carried with all present voting in favor.

15. APPROVAL OF MINUTES: The Minutes of the February 9th, 2023 were approved as written on a motion made by Wendy Burton, seconded by Anne Arent. Nathan Lavertue did not vote as he was absent at the February meeting. Therefore, no vote, and the Minutes’ approval will be on the April agenda.

16. APPROVAL OF MARCH ABSTRACT #3 OF 2023: A motion was made by Wendy Burton, seconded by Anne Arent to approve the March Abstract of Claims as follows:

General Fund: check #s 6952 – 6998 in the amount of $118,221.42

Check # 6995 in the amount of $500,000 (Stanford Fire District)  
 Highway Fund: check #s 4278 – 4289 in the amount of $42,730.00  
 Bangall Lights: check #3059 in the amount of $1,177.70

Escrow: check # 1035 in the amount of $2,232.51

Total of March Abstract #3: $664,361.63

Motion carried with all present voting in favor.

17. PRIVILEGE OF THE FLOOR:

Jack Evans, Bulls Head Road – stated that there was also a traffic speeding issue on Bulls Head, and there have already been several incidents. The County Road’s posted speed is 35 mph but was waiting for a serious accident to happen adding that a law enforcement presence was needed. Councilman Lavertue agreed. He added that he had come up with a plan for the Bulls Head, Rt. 82 and Church Lane intersection but there were questions on funding since dealing with both State and County roads. Supervisor Burton also added that she has seen Troopers and Sheriffs along Rt. 82 and that Congressman Pat Ryan was trying to get grants for transportation and local roads. Mr. Lavertue also said that law enforcement presence was better requested from the public rather than the Town Board.

Pat Tierney, Jameson Hill Road – also had issues with speeding on his road, especially large trucks. Supervisor Burton responded that that Town had purchased speed monitors and they’ve been delivered, but still need to be recalibrated and can’t use until April.

EXECUTIVE SESSION: A motion was made by Wendy Burton, seconded by Anne Arent, to close the regular meeting and go into an Executive Meeting regarding litigation and personnel at 8:20 PM. Motion carried with all present voting in favor. Newly appointed Board member Corey Clanahan was asked to join the Executive Session.

The Board exited their Executive Session at 9 p.m. and with no action taken, Councilman Clanahan made a motion to adjourn, seconded by Wendy Burton. Motion carried with all present voting in favor.

Respectfully submitted,

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Ritamary Bell, Town Clerk