TOWN OF STANFORD TOWN BOARD   
MINUTES of AUGUST 10th, 2023

The Town of Stanford Town Board met for their monthly meeting on Thursday, August 10th, 2023, at the Town Hall. Supervisor Burton called the meeting to order at 7:00 PM with the Pledge of Allegiance led by Jeff Spiers.   
 This meeting was dedicated to Kevin and Holly Travis whose passions and skills resurrected the Haunted Fortress. They will be moving from Stanfordville and will be greatly missed as they put so much time and effort into the Haunted Fortress as well as their own materials, and a huge thank you to both of them. They will be missed.

Roll call: Wendy Burton – present

Anne Arent - absent

Margaret Fallon – present

Nathan Lavertue – present

Corey Clanahan - present

Also in attendance was Town Attorney Robert Butts.

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

LIAISON REPORTS: Councilman Clanahan reported from a recent Planning Board meeting that the Rocky Reef subdivision e was that the road will be able to be used by all and maintained; Fox Run Farm’s application discussed road frontage; and a two-bed home for elderly care had asked how to move forward with their plans.

Anne Arent was out of town for the last Fire Commissioners meeting, but after speaking with Commissioner Buchal,

PUBLIC HEARING:

TO ESTABLISH AN AMBULANCE DISTRICT WITHIN THE BOUNDARIES OF THE TOWN OF STANFORD

A motion was made by Wendy Burton, seconded by Margaret Fallon, to open the scheduled Public Hearing on the establishment of an Ambulance District in the Town. Motion carried. Ms. Burton asked if anyone had any questions or comments.  
Mark Burdick 19 Burdick Way – said that he was in favor of the Town taking over this part of the budget for the Fire Company.

With no other comments, she made a motion to close the Public Hearing, seconded by Corey Clanahan. Motion carried with all present voting in favor.

LIAISON REPORTS:

Corey Clanahan reported from the very brief Planning Board meeting: a future resident wanted to adjust an apartment building and have a carport so the Board scheduled a public hearing pending a decision from the Zoning Board.

Nathan Lavertue had no Recreation Commission report.

Margaret Fallon stated that the CAC had been updating their website, as well as putting a bench in the Stanford Wildlife Preserve/the Gary Lovett Park in memory of former CAC member Beth Ashton. She also added that 40 miles of Town roads had been cleaned up in April.

SUPERVISOR’S REPORTS: The Board members have received two payroll verification reports, the monthly bank reconciliation and Supervisor’s report. Expenditures were roughly on target but have a few line item adjustments. Revenues are also on target but will be watching the Court revenues as there is some catching up to do with the turnover in judges. Interest income is now $11,500 above what was expected, and she moved funds from the Bank of Millbrook to the NY CLASS account to take advantage of higher interest rates.

Ms. Burton also wished to congratulate the Stanford Republican Committee and the Dutchess County Mental Health America group for the successful fundraiser this past Saturday, where they raised almost $2,500 to provide services to veterans. Seven local vets were also honored at this event and were hoping to make it an annual event. She added that the County Supervisors and Mayors were looking into the matter of short-term rentals and were opposed to a proposed state-wide registry as this could go against home rule; many towns have their own laws. With the help of Assessor Gotovich, she was working on low-income disability, senior and firemen exemptions. And the Climate Smart Task Force had their second meeting and were working on their “score card” status to receive a bronze certification: included was working with the CAC on composting with energy conservation and public awareness.

PRIVILEGE OF THE FLOOR: Jack Evans, 2248 Bulls Head Road – read letters from MHADC and from the Republican Committee that thanked everyone for their generous donations for their Vet 2 Vet program which raised almost $2,500 plus various donations and hoped it would

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become an annual event, which was sponsored and paid for by the Committee, adding that they had appreciated the Supervisor’s comments at the event, and many others’ attendance there.

Kathy Zeyher, 158 Shelley Hill Road – asked that her comments be included in the Minutes, as follows:

I am here to urgently address the current townwide crisis regarding “Prohibited Contractor Yard” enforcement. I am not representing the ZBA, but my knowledge of zoning is based on my many years on the ZBA, currently the chairman.

As background information, the current Zoning Code has many significant deficits, which has been frequently brought to the town boards attention, specifically with regards to contractor yards.

The current Zoning Code PROHIBITS contractor yards in all zoning districts of the town as it is listed in definitions and not included in use tables. The definition is very vague and found verbatim in many older zoning codes in which it has been eliminated and revised with zoning updates.

Definition: ANY SPACE, WHETHER INSIDE OR OUTSIDE A BUILDING USED FOR THE STORAGE OR KEEPING OF CONSTRUCTION SUPPLIES, MATERIALS, EQUIPMENT, MACHINERY OR VEHICLES ,OR PARTS THEREOF, WHICH ARE IN ACTIVE USE BY A CONSTRUCTION CONTRACTOR

This definition does not clarify what the intent of the definition is, therefore it is open to wide interpretation and enforcement. This can potentially apply to a lawnmowing business ,plumber, electrician as well as more extensive machinery, vehicle storage on any property in the town.

The Building inspector has issued a notice to a homeowner of the prohibited use of his property as a contractor yard and has stated ”You are hereby notified pursuant to section 164-47c of the Stanford Zoning Code that your use as a contractor yard is a violation of the town’s zoning and must be remedied or removed within 10 days of service of the notice upon you”.

This is what other homeowners may be issued as once an enforcement occurs discriminatory enforcement is illegal, It becomes a town wide enforcement.

My suggestions are:

1 Place a moratorium on enforcement to contractor yard use to allow time to develop zoning law changes to

2 rewrite the definition to be more specific or eliminate it entirely from the Zoning Code.

3 allow use in town either as a permitted use in all districts, allowed use in some districts, or allowed use with special permit

4 ” grandfather in” the current “contractor yards in town” with basic site requirements if needed

This town board has indicated their intent to not undertake this issue, but to wait until the new Master Plan is approved, and have the “ to be appointed Zoning Commission” address this.

This needs to addressed immediately and I urge all homeowners to convey their concerns on this directly to the town board

Jim King, 176 Charwill Drive – Last month told the Board of several zoning violations at 158 Charwill Drive with copies of the code and asked to review the requested “cease and desist” order. Nothing obvious has been done and asked why this illegal operation was still allowed. Thought it was ludicrous that if this matter went to the ZBA, they would not be objective as it concerns one of their members, and he was appointed one month after my original complaint. This is not right and should be stopped. On March 23rd, the Building Inspector acknowledged the egregiousness of this operation and gave guidelines for the operation. Who enforces? Supervisor Burton responded briefly that the matter could not be discussed as attorneys are involved.

Mark Burdick, 19 Burdick Way – any contractor that meets the definition of a contractor yard or any other type cannot have a business in the Town of Stanford unless there before 1984. That means any local business (listed many). There are at least 50 of those businesses in town. These uses have been allowed for many years, and obviously was a mistake by not allowing any businesses at all. How can we not allow that? We need them, and they need us. The Town Board should make an immediate amendment to this zoning law and not wait for the Comprehensive Plan. We need them. Supervisor Burton asked Attorney Butts if a contractor yard was considered a business, or where things are stored? Atty. Butts replied that it is not uncommon to find ambiguities in local codes, and further discussion continued but it certainly wasn’t the intention of the Town to zone out businesses or render them illegal, but it could depend on the activity of certain businesses. Supervisor Burton then added that the Board looks like they are being chastised for not jumping into a zoning matter, but when the Comprehensive Plan is adopted, zoning issues will be looked at carefully. She also said that she really couldn’t speak anymore about the issue since lawyers are involved.

NEW BUSINESS:

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1. NURSERY SCHOOL’S LICENSE EXTENSION: Supervisor Burton spoke of the Nursery School as having “lost their home” after being in existence for 51 years, and as they are trying to find another place, the Town has agreed to extend their license here at the Town Hall for another year, June ‘23 to June ‘24. While being very happy to do this, Wendy Burton made a motion to extend their license, seconded by Corey Clanahan. She added that the Town Clerk verified with the Board of Elections that voting in the Town Hall can be moved from the “gym”, now being used by the Nursey School, to the Board Room and continue to use the Community Room as well on primary days and election days. Motion carried with all present voting in favor.

2. DISCUSSION ON LOCAL LAW #1 OF 2023 ~ ALARMS:  A “glitch” was found in this Local Law that was recently passed in January and several words need to be changed. Unfortunately, the entire process of adopting a local law must be done again, including holding another Public Hearing. Thanks to Jane Cottrell for seeing the incorrect wording.

3. UPDATE ON COMPREHENSIVE PLAN: See Resolution #6A below.

4. RESOLUTION #6A OF 2023 – TO REFER THE REVISED COMPREHENSIVE PLAN TO DUTCHESS COUNTY FOR REVIEW AND TO SET A PUBLIC HEARING ON THE PLAN FOR 7/24/23: The following resolution was offered by Wendy Burton, seconded by Nathan Lavertue, as follows:

**RESOLUTION #6A OF 2023**

**TO refer the revised comprehensive plan to dutchess county for review and to set up a public hearing on this plan**

**Whereas the Town Board of the Town of Stanford** has completed its revision on the proposed Comprehensive Plan and,

**Whereas** proper protocol is to send this plan to the Dutchess County Planning Department, and

**Whereas** the Town Board of the Town of Stanford is required to hold a Public Hearing on the proposed Comprehensive Plan,

**Now therefore be it resolved**, the Town Board authorizes the Town Attorney to send the proposed Comprehensive Plan to the Dutchess County Planning Department for review, and

**Be it further resolved** that a Public Hearing on this plan be held on Monday, July 24th, 2023 at Town Hall at 7:00 p.m.

Roll call vote: Wendy Burton – yes; Margaret Fallon – yes; Anne Arent – absent; Nathan Lavertue – yes; Corey Clanahan – yes. Motion carried with all present voting in favor.

Resolution #6A of 2023 adopted by the affirmative votes of the Town of Stanford Town Board members and certified this 8th day of June 2023. *Ritamary Bell, Town Clerk*

5. RESOLUTION #6B OF 2023 – GENERAL FUND BUDGET RESOLUTION: The following resolution was offered by Nathan Lavertue, seconded by Wendy Burton:

**General fund Budget Resolution #6B 2023**

**Whereas** the Town of Stanford has expenditures for the adopted 2023 General Fund lines that will exceed the amount of fund available in these certain budget lines, and

**Whereas**, the General Fund has funds available in other lines and needs to transfer such funds to provide for expenditures,

**Now therefore be it resolved** that the Town of Stanford Town Board hereby amends and transfers from and to budget lines listed below :

ACCOUNT DESCRIPTION INCREASE DECREASE

00-01-1620-45 Special Projects [NS] +$193.54

00-07-8011-41 Zoning Commission -$193.54

00-01-1670-40 Central Printing +$2,000.00

00-07-8011-41 Zoning Commission -$2,000.00

00-08-9040-80 Worker’s Comp +$32.25

00-07-8011-41 Zoning Commission -$32.23

00-01-1620-15 Special Projects Sal. +$1158.08

00-07-8011-41 Zoning Commission -$1158.08

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Roll call vote: Wendy Burton – yes; Margaret Fallon – yes; Anne Arent – absent; Nathan Lavertue – yes; Corey Clanahan – yes. Motion carried with all present voting in favor.

Resolution #6B of 2023 adopted by the affirmative votes of the Town of Stanford Town Board members and certified this 8th day of June 2023. *Ritamary Bell, Town Clerk*

6. RESOLUTION #6C – TO TRANSFER FUNDS FROM THE NY CLASS ACCOUNT TO THE GENERAL FUND: Wendy Burton made a motion to approve the following resolution to transfer funds, seconded by Corey Clanahan:

**RESOLUTION #6C OF 2023**

**TO TRANSFER FUNDS FROM AMERICAN RESCUE FUNDS ACCOUNT NY CLASS**

**NY 01-0010-0009 AND MOVE THE FUNDS TO THE GENERAL FUND #3900018**

**Whereas the Town of Stanford** will be investing American Rescue Plan funds to pay for the removal and installation carpet by Fosters Flooring at Town Hall hallway, 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 00-0010-009 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 +16,059.00

00-4089 Federal Aid ARPA

00-960 Appropriations +16,059.00

00-01-1620-20 Town Hall Equipment

00-200 Cash +16,059.00

00-209 Cash- ARPA

Roll call vote: Wendy Burton – yes; Margaret Fallon – yes; Anne Arent – absent; Nathan Lavertue – yes; Corey Clanahan – yes. Motion carried with all present voting in favor.

Resolution #6B of 2023 adopted by the affirmative votes of the Town of Stanford Town Board members and certified this 8th day of June 2023. *Ritamary Bell, Town Clerk*

7. RESOLUTION #6D AND 6E – VOTE ON ESTABLISHMENT OF THE AMBULANCE DISTRICT:

**RESOLUTION NO. 6D OF 2023**

**RESOLUTION OF SEQR DETERMINATION**

**FOR ESTABLISHMENT OF TOWN WIDE AMBULANCE DISTRICT**

At a meeting of the Town Board of the Town of Stanford (“Town Board”), held at the Town of Stanford Town Hall on the 8th day of June, 2023, at 7:00 p.m., Town Councilman Nathan Lavertue called the meeting to order, and she, seconded by Supervisor Wendy Burton, moved the following resolution, containing the findings and determination under the New York State Environmental Quality Review Act (“SEQRA”) for the establishment of an Ambulance District the boundaries of which shall be co-terminus to those of the entire Town of Stanford.

WHEREAS, the Town Board arranged to have a Map, Plan and Report prepared and such Map, Plan and Report filed in the office of the Town Clerk and the Town Board adopted an Order which was entered in the minutes of its proceedings specifying the time when and place where said Town Board will meet and hold a Public Hearing pursuant to Section 209-c of the Town Law; and

WHEREAS, a copy of such Order was properly published and posted and the Public Hearing was held on the 8th day of June, 2023, at 7:00 pm during the regular meeting of the Town Board at the Town of Stanford Town Hall; and

WHEREAS, the Town Board has prepared Part 1 of a Short Environmental Assessment Form (“EAF”), pursuant to the requirements of 6 NYCRR Part 617; and

WHEREAS, the establishment of an Ambulance District is an Unlisted Action under the New York State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Town Board has conducted its SEQRA review by (1) considering the criteria contained in subdivision (c) of 6 NYCRR §617.7 to identify any relevant areas of environmental concern, (2) thoroughly analyzing the identified relevant areas of environmental concern to determine if the action may have a significant adverse environmental impact and (3) completed Part 2 of the EAF and adopted Part 3 of the EAF, articulating the reasons supporting the Town Board's SEQRA determination; and

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WHEREAS, there are no involved agencies other than the Town Board;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby determines that the Action is an unlisted action under SEQRA; and

BE IT FURTHER RESOLVED, that the Town Board shall serve as Lead Agency and since there are no other involved agencies it is not necessary to conduct a coordinated review; and

BE IT FURTHER RESOLVED, that for the reasons set forth in Part 3 of the EAF the Action will not result in any significant adverse impacts on the environment and, therefore, that an Environmental Impact Statement need not be prepared and a Negative Declaration therefore be issued.

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute any such documents and take any such lawful actions as she may deem convenient, necessary or advisable in order to effectuate the foregoing Resolution.

The foregoing resolution was voted upon with all Board members voting as follows:

Wendy Burton, Supervisor \_\_Yes\_\_\_\_\_

Anne Arent, Councilperson \_\_Absent\_\_

Margaret Fallon, Councilperson \_\_Yes\_\_\_\_\_

Nathan Lavertue, Councilperson \_\_Yes\_\_\_\_\_

Corey Clanahan, Councilperson \_\_Yes\_\_\_\_\_

Resolution #6D of 2023 adopted by the affirmative votes of the Town of Stanford Town Board members and certified this 8th day of June 2023. *Ritamary Bell,* Town Clerk

**RESOLUTION # 6E of 2023 OF THE TOWN OF**

**STANFORD TOWN BOARD**

**ESTABLISHING AN AMBULANCE DISTRICT WITH BOUNDARIES CO-TERMINUS WITH THOSE OF THE TOWN**

At a meeting of the Town Board of the Town of Stanford (“Town Board”), held at the Town of Stanford Town Hall on the 8th day of June, 2023, at 7:00 p.m., Supervisor, Wendy Burton called the meeting to order, and she, seconded by Councilwoman Margaret Fallon, moved the following resolution:

WHEREAS, the Town Board wants to provide and/or arrange for an ambulance service to serve all the residents of the Town and for such ambulance service to have sufficiently trained and skilled emergency medical technicians serving on its ambulances available to serve persons located in the Town who need such ambulance service; and

WHEREAS, the Town Board has therefore determined it would be in the best interest of the Town to establish a Town wide Ambulance District with the authority to contract with an ambulance provider to provide such service; and

WHEREAS, in contemplation of establishing such Ambulance District, the Town Board has arranged to have a Map, Plan and Report prepared that is in such detail as is acceptable to the Town Board; and

WHEREAS, the Map, Plan and Report has been filed in the office of the Town Clerk pursuant to Section 209-c of the Town Law in advance of the adoption of this resolution; and

WHEREAS, the town board has adopted an Order and entered the same in the minutes of its proceedings reciting a description of the boundaries of the proposed Ambulance District sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum estimated amount proposed to be expended annually for the improvement, and the cost of the district to a typical property, and the fact that a Map, Plan and Report describing the same are on file in the Town Clerk’s office for public inspection and specifying the time when and place where said Town Board will meet and hold a Public Hearing to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, a copy of such Order has been published at least once in the official paper of the Town of Stanford the first publication thereof which was not less than ten (10) nor more than twenty (20) days before the date set therein for the Public Hearing since had preceding this resolution; and

WHEREAS, a copy of the Order was posted on the sign-board of the Town maintained pursuant to Subdivision Six of Section Thirty of the New York State Town Law, not less than ten (10) nor more than twenty (20) days before the day designated for the Public Hearing since had on this issue; and

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WHEREAS the Public Hearing was held on the 8th day of June, 2023, at 7:00 pm during the regular meeting of the Town Board at the Town of Stanford Town Hall with a street address of: 26 Town Hall Road, Stanfordville, NY 12581; and

WHEREAS, the Town Board has determined that the notice of Public Hearing was published and posted as required by law, and is otherwise sufficient; and

WHEREAS the Town Board has determined that all of the property and property owners within the proposed Ambulance District are benefited by the proposed Ambulance District; and

WHEREAS, the Town Board has determined that all of the property and property owners benefited are included within the limits of the proposed Ambulance District; and

WHEREAS, the Town Board has determined that the establishment of the Ambulance District is in the public interest; and

WHEREAS, the specific boundaries of the proposed Ambulance District are as follows:

All properties located within the boundaries of the Town of Stanford, Dutchess County, New York; and

NOW, THEREFORE, BE IT RESOLVED, that subject to permissive referendum, that the Town of Stanford hereby establishes an Ambulance District for the benefit of all of the property and property owners in the proposed Ambulance District; and

BE IT FURTHER RESOLVED that the boundaries of such Ambulance District shall include all property located within the boundaries of the Town of Stanford, Dutchess County, New York; and

BE IT FURTHER RESOLVED that this Resolution is subject to a permissive referendum and therefore shall not become effective until (30) days after its adoption, nor until approved by the affirmative vote of a majority of the owners of taxable real property situate in the proposed Ambulance District as shown upon the latest completed assessment-roll of the Town, voting on such proposition if within thirty (30) days after adoption of the Resolution there shall be filed with the Town Clerk a petition signed and acknowledged or proved in the same manner as a deed to be recorded, or authenticated in the manner prescribed by the New York State Election Law for the authentication of nominating petitions, by the owners of taxable real property situate in the proposed Ambulance District, as shown upon the latest completed assessment-roll of said town, in number equal to at least five (5) per cent of the total number of such property owners, or by one hundred of such owners, whichever is the lesser, protesting against this resolution and requesting that the matter be submitted for vote by the owners of real property within the District for their approval or disapproval in the manner provided by the Town Law; and

IT IS HEREBY ORDERED, that, the Clerk of the Town of Stanford shall file this Resolution in the office of the Clerk of the Town of Stanford and make such Resolution available for public inspection; and

IT IS FURTHER ORDERED, that, the Clerk of the Town of Stanford shall cause to be prepared and have available for distribution proper forms for a petition seeking a public referendum and shall distribute a supply to any person requesting the same; and

IT IS FURTHER ORDERED, that, if, after the expiration of the time for filing a petition requesting that the matter be submitted to a referendum of the property owners of the proposed Ambulance District, no such petition has been filed with the Town Clerk, the Town Clerk is directed to file a certificate stating such fact in the office of the Dutchess County Clerk; and

IT IS FURTHER ORDERED, that, upon the filing of such a certificate in the office of the Dutchess County Clerk, the Town Board shall adopt a final order establishing the Ambulance District.

The foregoing resolution was voted upon with all Board members voting as follows:

Wendy Burton, Supervisor \_\_Yes\_\_\_\_\_

Anne Arent, Councilperson \_\_Absent\_\_\_\_\_

Margaret Fallon, Councilperson \_\_Yes\_\_\_\_\_

Nathan Lavertue, Councilperson \_\_Yes\_\_\_\_\_

Corey Clanahan, Councilperson \_\_Yes\_\_\_\_\_

Resolution #6E of 2023 adopted by the affirmative votes of the Town of Stanford Town Board members and certified this 8th day of June 2023. *Ritamary Bell, Town Clerk*

8. APPROVAL OF MINUTES: The Minutes of the May 11th, 2023, meeting was approved as written on a motion made by Wendy Burton, seconded by Corey Clanahan. Motion carried with all present voting in favor.

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9. APPROVAL OF MAY ABSTRACT #6 OF 2023: A motion was made by Wendy Burton, seconded by Margaret Fallon, to approve the June Abstract of Claims as follows:

General Fund: check #s 7105-7161 in the amount of $72,586.36

Highway Fund: check #s 4327-4343 in the amount of $18,070.29  
 Bangall Lights: check #3062 in the amount of $852.32

Total of June 2023 Abstract #6: $91,508.97

Motion carried with all present voting in favor.

10. PRIVILEGE OF THE FLOOR:

Kathy Zeyher, 158 Shelley Hill Road – wanted to clarify the discussion with Mark Burdick, that her interpretation is that the Town does not have a problem with businesses but a construction yard that can even include a plumber having plumbing supplies in their truck. It’s a very vague definition and having a moratorium would be the best thing and have this matter corrected. All it takes is one person lodging a complaint; we want to help people. Be fair and work for everyone. Understood that our zoning code was from a template from Westchester. Hopes that the Town Board will address this issue.

Jim King – agreed, that this should be addressed. It was a mistake and should be corrected, but the law exists and can’t be ignored. Addressing this the sooner the better as it affects residences. This is a big deal operation, not a “Mom & Pop” operation. Councilman Clanahan mentioned that any cease and desist order and its enforcement comes from the Building Inspector.

At 8:00 PM a motion was made by Margaret Fallon, seconded by Corey Clanahan, to go into an Executive Session regarding litigation. Motion carried with all present voting in favor.

On a motion made by Wendy Burton, seconded by Corey Clanahan, a motion was made to close the Executive Session at 8:34 PM. Motion carried with all present voting in favor.

With no further business to attend to, Margaret Fallon made a motion to adjourn the meeting at 8:35 PM, seconded by Corey Clanahan. Motion carried with all present voting in favor.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ritamary Bell, Town Clerk