TOWN OF STANFORD TOWN BOARD   
MINUTES of OCTOBER 12th, 2023

The Town of Stanford Town Board met for their monthly meeting on Thursday, October 12th, 2023, at the Town Hall. Supervisor Burton called the meeting to order at 7:00 PM with the Pledge of Allegiance led by Pat Tierney.   
 Supervisor Burton said that the flag at the Town Hall was at half-staff to remember the men, woman and children that have been brutally murdered in Palestine and Israel, adding that there are so many things that are very upsetting in this world that are impossible to digest. She asked for a moment of silence and to pray for peace.

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 Wendy Burton, seconded by Corey Clanahan, to approve the agenda, with the addition of a Tax Certiorari motion and an Executive Session at the end of the meeting. Motion carried with all present voting in favor.

LIAISON REPORTS: Corey Clanahan reported that the Planning Board had two applications, one for a small lot line adjustment and the other for a pool house or guest cottage. A public hearing for the latter was set for November but they might need more time for this application.

Nathan Lavertue said that the Rec. Commission did not meet last night but they would be having their annual “Trunk or Treat” on 10/27 along with a food truck for BBQ and pizza; the fundraising committee will also be there. The Rec. Commission was also planning some winter activities. Rec. Dir. Lauren is looking for more estimates on the electrical work needed for the pond pumps. The Haunted Fortress started this weekend, with Sunday having a great turnout, but more volunteers are needed.

Margaret Fallon stated that the CAC dedicated the Stanford Wildlife preserve with its new name and sign, the Gary Lovett Preserve, on Sunday, October 8th. It was a very moving tribute and about 40 people attended. A bench was also installed in memory of Beth Ashton, a long-time CAC member, and the Highway Dept. was thanked for all their work on this project.

Wendy Burton said that there was one application in front of the ZBA, a request for a 41’ front setback for a mudroom addition on Grist Mill Lane that will have a public hearing in November. The Zoning Board also had an Executive Session, closed to the public.

SUPERVISOR’S REPORTS: Supervisor Burton reported that she had spoken with the County DPW about the Hunns Lake bridge detour, that the project was not on schedule due to problems with the new pilings, but they would be working through the weekend to fix the foundation. There were also questions about the temperatures for pouring the cement. The project will hopefully be done by December as some citizens have been concerned about driving on Bangall Amenia Road in the winter. Ms. Burton will continue to keep everyone informed about this project but added that residents could sign up for her weekly emails, or if requested, they can be mailed. The Haunted Fortress was marvelous as was the dedication of the Gary Lovett Park, both spoken about by the other Board members, but I’ve been asked, why Gary Lovett? It was because of his exceptional dedication to this town and of all of his community service. Ms. Burton had also met with the County Health Dept. and the owners of the new coffee shop but there are some State issues with their permit, but they are trying to open. She mentioned that her office is trying to secure a County Development grant to help draft zoning amendments and the awards could be up to $20,000.

The Supervisor’s financial reports: she had submitted two payroll verification reports, her monthly Supervisor’s report and the September bank reconciliation, which was a problem with the Bank of Millbrook’s new banking system so could not get the full monthly statement. For the revenues, the final County sales tax payment was up but the formula will be changing for next year; the NY CLASS account was earning 5%; the Transfer Station fees were up but so were the hauling fees; Mortgage tax revenue has been a challenge, building permits are coming up a bit but there is not a lot of housing stock. Due to the legal fees associated with an Article 78, the Town is carefully watching expenditures.

PRIVILEGE OF THE FLOOR:

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Claudia DeBellis, Charwill Drive – last meeting had spoken about being polite but wants to reiterate that we are all still neighbors, before and after the election, and to be kind to each other.

Greg Arent, 57 Charwill Drive – gave an update on the Haunted Fortress: the first weekend, Friday was slow, Saturday was rained out, but Sunday was the largest Sunday, 160 people in just 2 hours and with 31 actors, and had fun with Pete Wing’s son and granddaughter there. There are three more weekends to go and they still need actors, food like crock pot meals, makeup, guides, lots to do, and thanked everyone for their support.

Stacey Adams, 69 Millis Road – discussed the issue of where to put political signs and had very little collateral damage so far. People need to know where signs can be put but was asking for some consideration and respect and leave signs, or just call to discuss.

Anthony Sarnicola, 25 Hunns Lake Road – if Stacey sees a problem, please call, or keep in touch. This has been one of the more civilized elections in a long time.

Judith MacDonald, Decker Road – was in total support of the proposed Burdick Park and was working on making it ADA compliant with a pond for fishing, fields of wildflowers, pathways, etc. and was hoping to get a Federal government grant to fix the parking lot, but added they will need more volunteers.

Kathy Zeyher, 158 Shelley Hill Road – continued the discussion from last night at the ZBA meeting and addressed Attorney Butts if the Town was exempt from zoning law, and the answer was no. Then it was told to her that access to the Town Attorney would be limited to matters before the ZBA only. Wished to get clarification of access to the attorney by boards and citizens. Attorney Butts stated that she had mischaracterized his response, and that primarily, he was attorney to the Town Board, and should not be given opinions unless there is actual business before the Town. The other departments have questions referred to the Board and then to him. If there is an application, we have an escrow procedure where the applicant covers attorney fees, to keep the town’s legal expenses lower, which can be costly, especially with the ongoing litigation. Ms. Zeyher stated that the ZBA does not require escrow fees but she will look into that. Supervisor Burton added that the policy has been that if there is an issue in front of a Board, or if its just a question, it costs the Town every time someone picks up the phone, or contacts him by mail. He is not the “world’s” attorney.

NEW BUSINESS:

1. SET PUBLIC HEARING DATE FOR 2024 BUDGET: A motion was made by Wendy Burton, seconded by Nathan Lavertue, to set the Public Hearing date for the 2024 Budget on Thursday, October 19th, 2023 at 7 PM. Ms. Burton stated that the Board had held three budget workshops and the Tentative budget is currently up on the website. Even though the Town’s expenses are up 12%, there is a zero percent increase in the budget. Motion carried with all present voting in favor.

2. RESOLUTION #10A – BUDGET MODIFICATION: A motion was made by Wendy Burton, seconded by Nathan Lavertue to approve the following resolution:

**Budget modification Resolution # 10A 2023**

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

**Whereas**, the Highway (DA) Fund have 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 for FY 2023:

**ACCOUNT DESCRIPTION INCREASE DECREASE**

01-04-5130-42 Parts +$ 11,878.00

01-04-5142-41 Sand -$ 11,878.00

**Total Fund Highway: +$ 11,878.00 -$ 11,878.00**

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

Wendy Burton, Supervisor - Yes; Anne Arent – absent; Margaret Fallon – Yes; Nathan Lavertue – Yes; Corey Clanahan – Yes.

The Budget Modification Resolution #10A of 2023 was adopted by the affirmative votes of the Board members present and certified this 12th day of October 2023 *Ritamary Bell, Town Clerk*

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3. APPOINT 250TH COMMITTEE AS PER TOWN HISTORIAN KATHIE SPIERS: A motion was made by Wendy Burton to create a committee to plan for the Town’s celebration of the country’s 250th birthday, seconded by Corey Clanahan. Motion carried. Another motion was made by Supervisor Burton, seconded by Margaret Fallon, to appoint the following community members to be on this committee, as requested by Kathie Spiers, Town Historian:

Kathie Spiers - Town Historian , Crista Cerul - Stanford Library, Susan Poole DiSalvo - Cold Spring Early Learning Center, Stacey Adams - Stanford Republican Committee, Geneva Simms - Stanford Democrat Committee, Ryan Orton - Stanford Grange #808, Evelyn Seipp - Stanford Fire Company, Ritamary Bell - Stanford Garden Club and Stanford Lions Club, Karen Mosher - Stanford Business Association, Lauren Osterman - Stanford Recreation Committee, Donnie Roberts - Stanford Pride, Mindy Alford - Stanford Nursery School, Jeff Brouws - Stanford Historical Society.

Motion carried with all present voting in favor.

4. COMPREHENSIVE PLAN STATUS: Supervisor Burton said that the revisions to the draft Comprehensive Plan have been an arduous task, but it has been sent to Nina Peek, a consultant from the first review committee, to check it over. Once done, the document will be posted on the website and available in the Town Clerk’s office and the Library. Then a public hearing will then be held at the Cold Spring School to get public comment, no date set yet.

5. HIGHWAY BID OPENING RESULTS: A motion was made by Wendy Burton, seconded by Margaret Fallon, to approve the bidding results for the Highway Department’s materials, as per Highway Superintendent Jim Myers’ recommendation: that the Town accepts all of the bids and award to the “lowest apparent bidder” and reserves the right to utilize the next lowest bid in case the awarded lower bidder cannot meet the quality and quantity requirements of the materials that were bid on. Motion carried with all present voting in favor.

6. APPROVAL OF MINUTES: The Minutes of the August 15th Special Meeting was approved as written on a motion made by Wendy Burton, seconded by Margaret Fallon. Motion carried with all present voting in favor. The Minutes of the September 14th regular meeting was approved as written on a motion made by Wendy Burton, seconded by Margaret Fallon, with all voting in favor except Nathan Lavertue who had been absent for this meeting.

7. APPROVAL OF OCTOBER ABSTRACT #10 OF 2023: A motion was made by Wendy Burton, seconded by Margaret Fallon, to approve the October Abstract of Claims as follows:

General Fund: check #s 7322-7368 in the amount of $ 62,051.39

Highway Fund: check #s 4399-4418 in the amount of $ 34,406.96  
 Bangall Lights: check #3064 in the amount of $ 887.27

Escrow Fund: check #1038 in the amount of $612.00

Total of October 2023 Abstract #10: $ 97,957.62

Motion carried with all present voting in favor.

8. OTHER: ADDITIONS TO THE AGENDA:

A. TAX CERTIORARI MOTION: Supervisor Burton stated that there was noted a conflict of interest with two Tax Certiorari cases the Town Assessor’s office is facing. Therefore, on the advice of counsel, Ms. Burton recommends that the Town Board grants the Supervisor the authority to appoint Conflict Counsel in instances where conflict of interest makes it impossible for our own attorneys to handle these cases. In this specific case I make a motion to authorize the Town Supervisor, on behalf of the Town Board, to engage Shane Egan as attorney in two tax certiorari matters (Joseph Kohls and Hassan El Masri), due to conflict of interest on behalf of Mackey Butts & Whalen. The motion was seconded by Margaret Fallon, with all present voting in favor. Motion carried.

9. PRIVILEGE OF THE FLOOR:

Mike Shafer, 21 Decker Road – thanked the Supervisor for how she opened the meeting, sharing the grief we all feel in regard to the Mideast situation as we are all children of Abraham, with Pope Francies writing an encyclical about it. He also spoke about the Comprehensive Plan and Gary Lovett’s passing that we still mourn. He added that he was hoping that the plan was passed even though it may not be perfect, but it was done by good people.

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Greg Arent, Charwill Drive – forgot to mention that for the next two Sundays, they will be having sensory friendly walk throughs from 2 – 4 PM at the Haunted Fortress with no actors, sounds or fees, it will be like a Pete Wing art exhibit.

Carl Merritt, 168 Creamery Road – stated that he had looked over recent budgets and wanted to know why the Supervisor received a 28% raise and the Board had received a 30% raise a few years ago; the Highway never got a 30% raise. He also asked about a mechanism that would purchase development rights from property owners, that a 2% tax might be added on everyone selling their house. Supervisor Burton replied that she had recused herself from the vote on her increase and was the lowest paid supervisor in the County and the salary hadn’t been raised in over a decade. For her first 3 years she had been making about $10.41 per hour for about 36 hours per week, including meetings and dedications, etc. She added that if the position of supervisor had a better salary it might attract younger people to run for office. She also stated that she loved what she does, but there is so much more to do and that is why she was running again. The Town Board’s salaries have not been raised since she’s been in office. Councilman Lavertue added that the Board looked at budget percentages, looking at the salaries of the other supervisors and their budgets, and still came out the lowest. It has been unique this year as we‘ve also had the Comprehensive Plan to work on, for which he alone, had spent over 100 hours for the better part of a year. Ms. Burton also replied that regarding the property development rights in the Comprehensive Plan, which was a difficult balancing act to maintain the Town’s rural character, but it was suggested to create a fund to compensate a landowner if restrictions were placed on their property, one mechanism would be to charge a 2% fee for a sale above the median price, but is only a suggestion, or an exercise. But there are other ways, grants, donations, etc., as well as other wealthy landowners who have previously donated to the Town, such as Gayle Bontecou. Councilwoman Fallon added that the median sales price is about $500,000 so it would not be every home, then some percentage over the median, but nothing has been set. Councilman Clanahan added that no one up here is doing it for the money, but rather for the love of the community. As far as the pay raise is concerned, it is still very small and certainly not a living wage, and you can also vote for whomever you want if you don’t want to vote for Wendy, but all candidates are not doing it for the money.

Divo Martini, Shelley Hill Road – speaking of leadership, this Town Board is supposed to be leaders, but some members of this Board have accused him of being a racist, which is hateful and hurtful. When he had volunteered for the Zoning Board of Appeals and was recommended by them, a member of the Town Board thought he was racist, a despicable comment, and added that he had provoked a fight at a school Board meeting. He had asked for a retraction and an apology from the Supervisor twice but nothing had come. Leaders address their mistakes, and treat others as they wish to be treated, but this shows a major lack of leadership on the Town Board, and there is no excuse for what has been done. Supervisor Burton replied that 6 to 7 months ago his appointment to the ZBA was a matter before the Board but she had left a message to the ZBA chairwoman that there were not enough votes to appoint him, even though she had planned to vote for him. He was not called a racist but it was believed that he had used racist language. Months later and he had asked to make an appointment to see her, but came along with Adrienne Zetterberg and Jack Evans from the Republican committee and was surprised at this. He accused me of being a racist, which she denied, but they had a recording of the ZBA chair’s message that she had left months before explaining that she did not have the votes for his appointment. Why did that voicemail get released? No one called him a racist but she was not responsible for what others think and say so if an apology is needed, ask the person who released the message, they should be the one to apologize. This whole scenario feels like the most political thing since I’ve been elected.

Anthony Sarnicola, 25 Hunns Lake Road – regarding the supervisor’s pay but he finds it disgusting that a private phone message was released for political means. Councilman Clanahan was right, no one up here is doing this for the money. The Town Supervisor salary formerly was how much below minimum wage? McDonald’s workers make more. This Democratic Town Board did not raise the pay for a Democratic supervisor but for anyone elected going forward, well below poverty wages even working 20 hrs. a week. But they are running because they care. Councilwoman Fallon responded that she’s disagrees that its not a pittance, but it was part of our conversation because we wanted people to run for the job, someone perhaps younger, that a better salary might make a difference for people to run in the future.

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Jim Griffin, Charwill Drive – said that this was the first government meeting that he’s ever heard that someone was working too hard. He thanked the supervisor for undoing the damage of Norton and D’Agostino and thanked them all for their work.

Kathy Zeyher, 158 Shelley Hill Road – stated that she was the person who got that phone message from Ms. Burton that racist comments had been inferred and of horrific behavior at a school board meeting and would not have enough of the Board’s votes for his appointment. She had relayed this information to the Zoning Board but deferred to Divo when he felt it was appropriate to release it. You attacked someone who was qualified, very wide interpretation of what was said at the cannabis hearing. He tried to get to you apologize in private several times and should be given now. Ms. Burton resented that this was political, but there were other good candidates as well for the ZBA vacancy, but I am not the victim, and feels that this was purely political. Ms. Fallon added that she was the one that did not vote for Mr. Martini but thought he did not have the best skills for the ZBA, and Supervisor Burton did not make any comments about him.

With no other comments heard, a motion was made by Wendy Burton at 8:20 PM, seconded by Corey Clanahan, to close the meeting and go into an Executive Session regarding litigation, but thanked all for coming out for this meeting. Motion carried with all present voting in favor.

At 8:32 PM a motion was made by Wendy Burton, seconded by Corey Callahan to close the Executive session and go back into the regular meeting, and with no action taken, to adjourn the meeting. Motion carried.

Respectfully submitted,

Ritamary Bell, Town Clerk