TOWN OF STANFORD TOWN BOARD
MINUTES of MAY 9th, 2024

 The Town of Stanford Town Board met for their monthly meeting on Thursday, May 9th, 2024, at the Town Hall. Supervisor Burton called the meeting to order at 7:00 PM with the Pledge of Allegiance led by Adrienne Zetterberg.
 Supervisor Burton dedicated the meeting to the SPARC Park volunteers, especially Julia Descoteaux, Laurn Osterman and Lorelei Christensen who organized the rebuilding of our playground and took care of millions of details over ten “magical” days. She added she had no words to express her gratitude and joy, but it was so uplifting, as it was 33 years ago when Ed Zick, Arlene Christensen, Ritamary Bell, Laura Gilhooly, Karen Money, Roger Dalton, John Shanley, Tim Knickerbocker, Tim Knapp and the Thatcher’s built the first one. The team leaders were there 12 hours every day and especially Tim Gifford who never stopped, even though they encountered solid rock the first days. The community came together, and we did it, and she was overwhelmed with gratitude and amazement. A picture was taken by Michael Churton that showed 200 volunteers with the kids. So many aspects were covered – meals three times a day, childcare, tool people, porta-potties, donated concrete and cranes, etc. adding that it was the coolest experience of her life. There was a “soft opening” on May 4th, but a formal grand opening will be on June 28th. Supervisor Burton also added her congratulations to Jeff Spiers who was honored at their Fire Company dinner on April 20th on this 50th anniversary with the Stanford Fire Company, along with Bob Stramm, and read a proclamation sent by Senator Michelle Hinchey to honor Mr. Spiers’ 50 years of service.

Roll call: Wendy Burton – present

 Julia Descoteaux – present

 Eric Haims - present

 Nathan Lavertue – present

 Theodore Secor - present

Also in attendance was Town Attorney Robert Butts.

MOTION TO APPROVE AGENDA: Wendy Burton made a motion to accept the agenda, adding that the Climate Smart Task Force Presentation would be put off until July. Councilman Secor seconded the motion, with all voting in favor. Motion carried.

LIAISON REPORTS: Councilwoman Descoteaux reported that the CAC had met at the end of April and recapped that 49 miles of Town road had been cleaned up that month. The Natural Resource Inventory update showed that many wetlands could be destroyed and have an environmental impact on the Town. The Dutchess Land Conservancy is having a clean-up day at the Gary Lovett Park on June 16th from 4 – 8 PM.

 Councilman Lavertue stated that the Rec. would be meeting next week but they were busy with the SPARC Park build. Nathan also mentioned that he had an update on the Board’s letter to the DOT Commissioner, saying that the regional director Lance MacMillan had responded that Route 82 was not on their capital program list but would continue to repair any potholes, and then explained how potholes occur.

Councilman Haims stated that the Planning Board did not meet last month.

Councilman Secor said that Climate Smart Task Force had met last night and discussed several things: the greenhouse gas inventory, hazardous weather issues, Community Day plans with kids’ activities, a composting program and moving forward with working on their task sheet while making great progress towards possibly securing grants. He added that the ZBA had also met last night but only had an Executive Session and no determination was made.

 Supervisor Burton gave her Supervisor’s report: she had submitted her bank reconciliation, a Supervisor’s report and two payroll verifications. At the recent Fire Commissioner’s meeting in April, discussion centered on the Federal government’s strict OSHA training that would make it almost impossible for volunteer companies to continue. Lobbying efforts all over the country are trying to halt these mandates. The Zoning Commission also met in April and with Tom Angell’s help, had prepared a draft resolution to change the zoning for duplexes and auxiliary dwelling units. The 10’ x 12’ swap shed from Bayhorse Gazebos in Milan will be delivered to the Transfer Station at no charge, and once installed, we will have to put out guidelines for the acceptance of items that must be in good condition. Plastic and wood from the playground build will be used to make shelving. Carl Merritt is still working on the Town’s speed issues and monitors will be placed on Haight Hill and Jameson Hill Roads.

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PRIVILEGE OF THE FLOOR:

Stacey Adams, 69 Millis Lane – She reminded those in attendance that with the new assessment letters having just gone out, the Board of Assessment Review meets on Tuesday, May 28th from 1 – 3 PM and 7 – 9 PM. The purpose of the BAR is to grieve your assessment if you have not reached an agreement with our very approachable Assessor. On the Town’s website there is detailed information on what you need to do to go to Grievance Day.

 Adrienne Zetterberg, 16 Bangall Amenia Road – asked if the Town Board workshops or the Zoning Board of Appeals meetings would be videotaped. Supervisor Burton replied that it was not in the Town’s budget and that it costs $300 for every meeting to be taped.

 Angela Christian, 166 Charwill Drive – spoke of the business at 158 Charwill Drive and the loss of peace and safety in the area, and that they can’t enjoy their property because of the heavy equipment use. They are just a pretense of being a nursery, and not listed on the Agriculture and Markets website. She also had health concerns for her children as they are only 60 yards away and one of their children already had a health issue. They’ve lost their sense of safety through no fault of theirs’.

 Travis Christian, 166 Charwill Drive – was proud of his wife, speaking from the heart and is 8 months pregnant with their fifth child. They had moved to Charwill and hoped it would be their sanctuary. Instead, traffic, noise, safety concerns, snowplowing, material storage; the ZBA has let us down. Their decision defied the zoning code and use standards, reduced our property by 10%, does not meet the accessory use definition with the size, storage, hardscaping

materials, diesel tanks and a huge garage. The ZBA and the Building Inspector must stop it.

 Kathy Stanley, 102 Fancor Road – submitted a letter of complaint about Ben Rathjen’s business at 158 Charwill. She kept 2 weeks of traffic data and said it was an obviously commercial business that is not permitted in the area. Then she read a list of the types of trucks on just one day but also had kept a two-week log of the dates and times they were in an out as well as taking photos. Calling this a nursery was beyond the ZBA’s authority and as the judge stated, should be annulled.

 Jim King, 176 Charwill Drive – read a letter to the Board also against the construction business of Rathjen Landscaping adding that his property was devalued by 10% being in close proximity to this large construction operation in a residential area. His complaints: Ben Rathjen knowingly went ahead and created a large commercial contractor’s yard in a quiet residential neighborhood; then applied and was appointed to the ZBA so it would be impossible for them to render an objective decision; that the ZBA could do nothing at their 7/14/21 meeting as they only handle variances and to take his information to the Town Board; this commercial business has been subsidized by the Town’s residents as he is not paying commercial taxes and would otherwise have to rent space for his equipment. He added that legal fees have already cost the Town over $30,000 and he has even expanded his business during this litigation. Google Earth and online advertising show the size and scope of this large commercial business. It should be shut down.

 Supervisor Burton clarified one thing about the attorney fees: Town is bound to provide counsel for any committee during an Article 78 as well as for the Building Inspector.

 Betty Cosgrove, 186 Charwill Drive – concerned about the money being spent defending the ZBA, they could have refused to support him so in essence the money had been spent on his behalf. Several problems with his large landscaping business: the owner has invested $1.5 - $2 million equipment (from his social media) with a revenue of $2 to $5 million; he has six laborers, 7 Ram trucks and many more large pieces of equipment, 1600’ shop and garage with a salt shed are advertised on his social media. Her major concern is over the salt shed and de-icing in an area that is not sealed and could go into the well water. Also, the noise, the traffic. Anyone making that amount of money can afford to go to a commercial area and rent space.

 Claudia BeDellis, 265 Charwill Drive – was also part of this unhappy group, adding that she had a scary encounter with a truck on Hicks Lane, and asked that the double yellow line be extended on this road. The amount of traffic on the roads will be damaging both Charwill and Fancor Road and their shoulders; it’s a shame this has to happen and is hoping that the Highway Dept. will repave them. Nine years ago they moved here into a highly rural area and it’s no longer safe for us to be on the roads. Our neighborhood would socialize, our kids will be going to school with his kids, this has changed the neighborhood, and added that she was disappointed in the Zoning Board.

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Anne Bernstein, 956 S. Anson Road – read her letter to the Town Board again about the Palestine / Gaza conflict, 26 miles of a strip of land and people are being bombed. Please pass this ceasefire resolution.

Susan King, 176 Charwill Drive – has heard all the pleas, the reasons, the complaints, the details, and as neighbors of the Christians, can share some of their fears. Asked the Board to do the right thing, help them.

 Supervisor Burton asked Attorney Butts to explain what the Court has said: the process started with Don Smith issuing a notice of violation, then it went to the ZBA and they upheld the use by Mr. Rathjen. Then an Article 78 proceeding, was filed by some of the neighbors against the ZBA and Mr. Rathjen and the Town’s Building Inspector. The judge made a decision in April that rejected the ZBA decision due to the fact that some information was not presented, and annulled it, and that horticulture does not include landscaping, and that the accessory use of a nursery and a principle use as a residence was permitted under zoning. It was remitted to the ZBA and must determine the issue. They met last night in an executive session, but it must be determined by them or it could lead to further legal issues or even contempt of court. The court decision expressed did not determine that the use of the property as a landscaping business was proper. Supervisor Burton added that the court stated that to the ZBA that landscaping does not go hand in hand with a nursery as an accessory use to the principal use as a residence.

 Robert Barnes, 186 Charwill Drive – an accessory use cannot change the character of a neighborhood. Four dump trucks mean a large-scale business. We looked for our home because we love the house and the quiet property. We are very tired of hear rocks, machines, diesel smells, this is a large construction business. As a kid we used to play in the street, and now the neighbors here can’t let their kids and dog out on the road. He added that he hadn’t been prepared to speak tonight but would for the next meeting.

 With no further comments, Privilege of the Floor was closed.

NEW BUSINESS:

1. CLIMATE SMART TASK FORCE PRESENTATION: Tabled until July.

2. RESCIND APPOINTMENT OF JEANNE WALSH: A motion to rescind the new appointment of Jeanne Walsh as bookkeeper was made by Wendy Burton, seconded by Nathan Lavertue. Motion carried with all voting in favor.

3. APPOINT DEBRA BENNETT AS BOOKKEEPER: A motion was made by Wendy Burton, seconded by Teddy Secor to appoint Debra Bennett as the new bookkeeper who will be starting the beginning of June. Motion carried with all voting in favor.

4. HVAC BID RESULTS: Supervisor Burton stated that Jane Cottrell had worked with the engineering firm, and they approved the bid of the lowest bidder, Bottini, in the amount of $126,680. With a few minor changes to the contract, a motion was made by Wendy Burton, seconded by Eric Haimes to approve the bid of Bottini. The Supervisor stated that the funds to pay for this project will come from a $25,000 gift and the Town’s Building Reserve Fund. Motion carried.

5. STANFORD PRIDE MONTH PROCLAMATION AND LGBTQ+ FLAG RAISING IN JUNE: Nathan Lavertue read the following proclamation:

2024 STANFORD PRIDE MONTH PROCLAMATION

**WHEREAS,** in the State of New York the town of Stanford recognizes and proclaims the month of June 2024 as Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) “Pride Month” throughout the town and

***WHEREAS,*** Stanford, New York joins the County of Dutchess, the State of New York, and the Country of the United States to observe Pride Month to honor the history of the LGBTQ+ liberation movement and to support the rights of all citizens to experience equality and freedom from discrimination; and

***WHEREAS,*** the LGBTQ+ Pride advocates for inclusion, and support for social movements that advocate for LGBTQ+ people in society; and
***WHEREAS,*** all human beings are born free and equal in dignity and rights. LGBTQ+

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individuals have had immeasurable impact online the cultural, civic, and economic successes of our country and community; and

**WHEREAS,** Stanford New York is committed to supporting visibility, dignity and equality for LGBTQ people in our diverse community; and

***WHEREAS,*** while society at large increasingly supports LGBTQ+ equality, it is essential to acknowledge that the need for education and awareness remains vital to end discrimination and prejudice; and

***WHEREAS****,* this nation was founded on the principle that every individual has infinite dignity and worth, and the Stanford Town Board calls upon the people of this municipality to embrace this principle and work to eliminate prejudice everywhere it exists; and

***WHEREAS,*** celebratingPride Month influences awareness and provides support and advocacy for Stanford New York’s LGBTQ+ community, and is an opportunity to act and engage in dialogue to strengthen alliances, build acceptance, and advance equal rights; and

***WHEREAS,*** recognizing all LGBTQ+ residents whose influential and lasting contributions to our neighborhoods make Stanford a vibrant community in which to live, work and visit.

***NOW, THEREFORE BE IT RESOLVED*** that the Stanford Town Board herby proclaims the month of June 2024 as Pride Month in support of the LGBTQ+ community.
Proclaimed this 9th day of May 2024 on the motion made by Nathan Lavertue, seconded by Wendy Burton.

Roll Call Vote as follows: Wendy Burton – yes; Julia Descoteaux - yes; Eric Haims - yes; Nathan Lavertue - yes; and Theodore Secor - yes. Certified this 9th day of May 2024.

Mr. Lavertue made a motion to approve the following, seconded by Wendy Burton:

2024 STANFORD LGBTQ+ PRIDE FLAG RAISING

**WHEREAS,** the town of Stanford has recognized and proclaimed the month of June 2024 as Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) “Pride Month” throughout the town; and

***WHEREAS,*** the State of New York in 2022 elected to recognize local “Pride Month” celebrations by having the LGBTQ+ pride flag flown at the State Capital, Plaza and Governor’s Mansion for the duration of the Capital Pride Weekend; and

***WHEREAS,*** the local Stanford NY Pride committee is planning their celebrations for Saturday, June 1st, 2024; and

**WHEREAS,** Stanford New York is committed to supporting visibility, dignity and equality for LGBTQ people in our diverse community; and

***WHEREAS,*** celebrating ***“***Pride Month” influences awareness and provides support and advocacy for Stanford New York’s LGBTQ+ community, and is an opportunity to act and engage in dialogue to strengthen alliances, build acceptance, and advance equal rights.

***NOW, THEREFORE BE IT RESOLVED*** that the Stanford Town Board herby approve to raise the LGBTQ+ flag at the base of Town Hall Memorial Park for a period of two days beginning Friday, May 31st, 2024.

Roll Call Vote as follows: Wendy Burton – yes; Julia Descoteaux - yes; Eric Haims - yes; Nathan Lavertue - yes; and Theodore Secor - yes. Certified this 9th day of May 2024.

6. STANFORD LIONS CLUB REQUEST TO USE THE FRONT LAWN FOR THEIR ANNUAL FLEA MARKET ON JUNE 15, 2024: A motion was made by Wendy Burton, seconded by Nathan Lavertue, to approve the Lions Club use of the property on June 15th, 2024 for their Flea Market, 8AM to 2PM. Motion carried with all voting in favor.

7. ALTICE FRANCHISE AGREEMENT: Supervisor Burton stated that the Town’s franchise agreement with Altice (Optimum) ends in 2027 and was hoping to have a citizens group look into an alternative since the fee they pay of 5% is non-negotiable. Paul Coughlin has agreed to help but they would like one more person to be on his ad hoc committee.

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RESOLUTION #5A – NATURAL RESOURCES INVENTORY GRANT ACCEPTANCE:

**RESOLUTION #5A OF 2024**

**To establish natural resource inventory grant**

The following resolution was offered by Wendy Burton, seconded by Nathan Lavertue:

**WHEREAS** The Town was awarded a NYS Natural Resources Inventory (NRI) Reimbursement Grant in 2022 and

**WHEREAS**, The Town has now received its first invoice related to the NRI grant and

**WHEREAS** The Town needs to establish the Budget for the NRI grant

**NOW THEREFORE BE IT RESOLVED**, The Town Board authorizes the creation of the new revenue and expense codes related to the NRI grant

**BE IT FURTHER RESOLVED**, The Town Board approves the following budget for the NRI project:

Estimated Revenues $20,406.00

GRANT REIMBURSEMENT DEPOSITS 00-3910 $20,406.00

Appropriations $20,406.00

NRI CONTRACTED EXPENSES 00-07-8090-44 $20,406.00

Note: The town will contribute many Volunteer Hours and $738.00 in Administrative Salaries to the NRI project. The town’s NRI contribution is valued at $10,838.00.

Roll call vote as follows: Wendy Burton – yes; Julia Descoteaux - yes; Eric Haims - yes; Nathan Lavertue - yes; and Theodore Secor - yes.

Resolution #5A of 2024 adopted by the affirmative votes of the Town of Stanford Town Board members present and certified this 9th day of May 2024. *Ritamary Bell, Town Clerk*

9. RESOLUTION #5B – RECREATION CAMERAS AND CLAY MIX:

The following resolution was offered by Wendy Burton, seconded by Nathan Lavertue, as follows: **RESOLUTION #5B of 2024**

**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 installation of a Camera System at the Rec costing $4,495.00 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 be investing American Rescue Plan funds to pay for infield clay mix (20 tons) for the Baseball Field at the Rec Park costing $2,285.00, 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 for both of these of Rec Park Capital Projects,

. **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 +$6,780.00

 00-4089 Federal Aid ARPA +$6,780.00

00-960 Appropriations +$6780.00

 00-06-7140-21 Rec Playground Capital Equipment +$6,780.00

00-200 Cash +$6,780. 00

 00-209 Cash- ARPA -$6,780.00

Roll call vote as follows: Wendy Burton – yes; Julia Descoteaux - yes; Eric Haims - yes; Nathan Lavertue - yes; and Theodore Secor - yes.

Resolution #5B of 2024 adopted by the affirmative votes of the Town of Stanford Town Board members present and certified this 9th day of May 2024. *Ritamary Bell, Town Clerk*

10. RESOLUTION #5C – SWAP SHED AT TRANSFER STATION: The following resolution was offered by Wendy Burton, seconded by Nathan Lavertue, as follows:

**RESOLUTION #5C of 2024**

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**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 purchase of a 10 x 12” “Swap Shed” for the Transfer Station, and

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

**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 +$4,590.00

00-4089 Federal Aid ARPA +$4,590.00

00-960 Appropriations +$4590.00

00-07-8160-2 Transfer Station Equipment +$4,590.00

00-200 Cash +$4,590 00

00-209 Cash- ARPA -$4,590.00

Roll call vote as follows: Wendy Burton – yes; Julia Descoteaux - yes; Eric Haims - yes; Nathan Lavertue - yes; and Theodore Secor - yes.

Resolution #5C of 2024 adopted by the affirmative votes of the Town of Stanford Town Board members present and certified this 9th day of May 2024. *Ritamary Bell, Town Clerk*

11. RESOLUTION IN SUPPORT OF PEACE: The following resolution was offered by Theodore Secor, seconded by Nathan Lavertue, as follows:

**Resolution 5D 2024 In Support of Peace**

**Whereas,** there are currently violent conflicts throughout the world between various territories and factions including, but not limited to, Israel & Palestine, Russia & Ukraine, and the civil war in Sudan, and

**Whereas**, there have been recent local actions such as municipal support and protests calling for a ceasefire between all bodies involved in these numerous worldwide conflicts, and

**Whereas**, the Town of Stanford has residents who have called upon the Town Board to support a local resolution supporting a ceasefire for these, among other, world conflicts, and

**Whereas,** the Town of Stanford has taken it upon itself to reaffirm itself as a peaceful and caring community that supports open-minded and respectful discourse as a means to conflict resolution and does not support violent conflict that causes harm or death, therefore be it

**Now therefore be it resolved**, the Town Board of the Town of Stanford supports a peaceful means to ending the conflicts in these various battle-sieged territories and ending the loss of lives of innocent bystanders, including women and children, and releasing any and all hostages.

Roll call vote as follows: Wendy Burton – yes, but struggled with this resolution as it is not the Stanford Town Board’s job but she always prays for peace; Julia Descoteaux - yes; Eric Haims – no, like Wendy, not a Town governance matter but thanked Teddy for his work; Nathan Lavertue – yes, can see their points of view but we serve the community, as well as the emotional part; and Theodore Secor - yes.

Resolution #5C of 2024 adopted by the affirmative votes of the majority of the Town of Stanford Town Board and certified this 9th day of May 2024. *Ritamary Bell, Town Clerk*

12. APPROVAL OF MINUTES: The Minutes of the April 11th, 2024 meeting were approved as written on a motion made by Julia Descoteaux, seconded by Eric Haims. All Board members voted in favor, except Nathan Lavertue abstained as he was absent in April. Motion carried.

13. APPROVAL OF ABSTRACTS #5 FOR MAY: The following May Abstracts were approved for payment on a motion made by Wendy Burton, seconded by Teddy Secor as follows:

General Fund - $ 57,953.86;
Highway - $ 29,972.40;

Bangall Lights - $ 901.12;

 Escrow - $ 8,677.61;
 Ambulance - $ 62,500.00;

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 SPARC Park - $ 28,936.48

 HVAC - $ 440.00

Total of Abstract #5 of 2024: $ 189,381.47 Motion carried with all voting in favor.

PRIVILEGE OF THE FLOOR:

 Kathy Stanley, 102 Fancor Road – as a property owner, does not want to have a battle but it was all clearly stated by the judge. To the Highway Department, the roads are falling apart with this illegal business, who is also avoiding business taxes. She said she had lived here for 50 years, and it has been tranquil until Ben Rathjen’s business changed the character of the neighborhood, a blatant disrespect for the residents here. The ZBA will end up costing more in legal fees. Please correct this matter. She had compiled five pages of photos of trucks plus the employees’ cars, and this is not a complete list, but it has been going on for months, adding that she knows that the Town Board can’t resolve the issue.

 Betty Cosgrove, 186 Charwill Drive – had attended the ZBA meeting last night that was only an Executive Session; she had no confidence in them and was treated poorly. They are not serving the community. When asked the ZBA last night, was told “no determination” and was chased out of the building, very unprofessional, lack of confidence, prejudicial view and did not treat the citizens well.

 Jane Cottrell, 5951 Route 82 – regarding the HVAC bid, we went back to the low bidder, Bottini, regarding the minor changes that were made, none were substantive but were really just clarifications. She added good luck to Angela Christian with her new baby.

 Travis Christian, 166 Charwill Drive – said that he loved the new SPARC Park, even better than before and the best in the country by far. Will the volunteers be rewarded because they deserve it.

 This second Privilege of the Floor was close with the Supervisor thanking everyone for their calmness, patience and passion

 With no other matters to be discussed, a motion to adjourn was made at 8:43 PM by Nathan Lavertue, seconded by Theodore Secor. Motion carried with all voting in favor.

Respectfully submitted,

Ritamary Bell

Town Clerk