TOWN OF STANFORD TOWN BOARD

MINUTES OF THE AUGUST 6TH, 2007

SPECIAL MEETING / PUBLIC HEARING

AND WORKSHOP

The Town of Stanford Town Board convened for a Special Meeting / Public Hearing on Monday, August 6th, 2007 at the Stanford Town Hall. Supervisor David Tetor called the meeting to order at 7:30 PM.

Roll Call: Robert Cadwallader – present

Larry Clark - absent

Joyce Hadden – present

Virginia Stern - present

David Tetor – present

Also present was Attorney for the Town William Bogle, Jr.

A motion was made by Joyce Hadden, seconded by Robert Cadwallader, to go out of the Special meeting and into a scheduled Public Hearing. Supervisor Tetor explained that this public hearing was set to accept comments for the creation of a town sewer district for the property known as “Brook in Waterland,” formerly known as the Waterlands Subdivision located on Bentley Road in the Town of Stanford, pursuant to discussions with the Applicant and the Dutchess County Water and Wastewater Authority.

George Rodenhausen, attorney for the applicant, explained to those present that a conditional site plan approval had been granted for this 26-lot subdivision, with 23 of these lots being made part of a central sewer district. This was being done to cluster some of the houses to preserve trees and 75% of the open space. The Town should not end up with the responsibility of a central sewer district, just be a “back-up.” This application will be formalized by the Dutchess County Legislature and the County Executive for them to sign off on before its passed on to the County’s Water and Wastewater Authority. This agreement has been negotiated with the town attorney but the Town Board has to agree to this and have the Supervisor sign it.

Waterlands’ developer will be building this water treatment plant and will “transfer” the ownership to a privately owned sewer, or transportation corporation. If this treatment plant fails to complete construction or is abandoned by the owner, Dutchess County Water & Wastewater Authority will automatically become the owners for $1.00. The Authority can also purchase the plant from the developer at a fair market value.

Mr. Rodenhausen went on to explain in detail how the developer, Mr. Perukel, signs the agreement, and it is then forwarded on to the Dutchess County Legislature to become a part-County district. At that point they will do the assessments on each property in this sewer district and forward to tax levy information onto to the Town for billing. Attorney Bogle added that without the Town’s and County’s approval, the 23 homeowners would have control – a mish-mash of fee collection, and no way for the municipality to collect. This is strictly a framework for the billing. This will be implemented with a resolution to set up the sewer district, then a subsequent resolution will be made to make the original fall by the wayside upon County approval. Also mentioned were bonds that will be put in place to assure the plant’s completion as well as operation and maintenance. It was added that all of this treatment plant work and connection must be in place before the first house is ready, other wise no certificate of occupancy will be issued. If no houses are sold, the plant still needs to be built.

Councilwoman Stern asked about the two performance bonds: one for construction of the plant, and one to run it for five years or more. Mr. Rodenhausen stated that each house will have its own well, but no house of the twenty-three will be built without connection to the plant. Mr. Perukel, also in attendance, stated that they can use only half of the plant if a smaller numbers of lots expected are sold than. Mrs. Stern also asked if the cost of this district would ever be passed on to the community as a whole, and was told “No.” The worst case scenario would be that the Town would have to tax the lot owners directly, but the County has always administered this in the past.

Mr. Rodenhausen then summarized this request: that the Town approves the petition to form a district, as per the two-step outline, and also approves the three-way agreement provided to form this sewer corporation. Mr. Bogle added that there are a few questions on the final numbers for the letters of credit, but the requested $475,000 would

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not be a problem. He was also waiting for a final approval from Dave Clouser regarding the metes and bounds as per Town engineer David Clouser, and approval from the attorneys.

With no other comments, a motion was made by Robert Cadwallader, seconded by Joyce Hadden, to close the Public Hearing at 7:55 PM. Motion carried with a roll call vote as follows: Robert Cadwallader – yes; Larry Clark – absent; Joyce Hadden – yes; Virginia Stern – yes; David Tetor – yes.

Attorney Bogle stated that at the regular meeting on Thursday he will have an updated resolution prepared for execution by the Town Board as well as a resolution for consent to form this transportation corporation. The road issues were briefly discussed but Mr. Tetor added that the Town Board will deal with them at another time.

A motion to close this Special Meeting at 8:03 PM was made by David Tetor, seconded by Robert Cadwallader, with a roll call vote as follows: Robert Cadwallader, - yes; Larry Clark – absent; Joyce Hadden – yes; Virginia Stern – yes; David Tetor – yes.

The Town Board then continues into their regularly scheduled Workshop Meeting.

Respectfully submitted,

Ritamary Bell

Town Clerk