TOWN OF STANFORD
TOWN BOARD
MINUTES, AUGUST 11th, 2022

 The Town of Stanford Town Board met for their monthly meeting on Thursday, August 11th, 2022 at the Town Hall. Supervisor Burton called the meeting to order at 7:00 PM with the Pledge of Allegiance led by Gloria Heuer.
 This meeting was dedicated to Gloria Heuer, president of the Forever Young Club for the last nine months who took over when Kay Couse passes away. The club had lost a lot of seniors due to Covid and spirits were down, but she has transformed the Senior group with more energy and heart, and everyone is so grateful that she took over as president. A recent senior trip had to have a larger bus ordered as the Town of Clinton Seniors had also joined in, and the club is only getting better.

Roll call: Wendy Burton – present

 Anne Arent - present

 Margaret Fallon – present

 Nathan Lavertue - present

 Frank Pepe – present

 Also in attendance was Town Attorney Robert Butts.

LIAISON REPORTS:

 Frank Pepe stated that he had met with Director Jodie Miller of the Dutchess County Human Rights Commission regarding the roll of liaisons, working together more and spoke about County Executive Molinaro’s the housing initiative. Regarding insurance, he had an active discourse with Jane Cottrell over what insurance proposals would be suitable for which projects. Mr. Pepe had attended the ZBA meeting in Mrs. Arent’s absence, and reported they had a public hearing and an area variance application. For the Planning Board, they were making great progress on several items and were a very effective board.

 Nathan Lavertue reported that the Recreation Commission had been discussing grants and fundraisers; the tennis courts will be finished next week; they were working on a geese problem at the pond; Rec. Director Lauren Osterman was looking into having a summer camp next year, but the problem would be funding; Mrs. Osterman had also secured a grant for $100,000 for new docks and they would be put out for bid in the fall; swimming will probably be ending on August 26th or 28th due to fewer lifeguards; and the Haunted Fortress website is up and is also on Facebook.

Margaret Fallon stated that she had missed the last the CAC meeting as she was out of town.

SUPERVISOR’S REPORTS: Wendy Burton was thrilled to report that Christa from the Library had secured the Hudson Valley mobile food bank to come to the Library one day month, and had asked the Grange as well as Ann Derry, chair of the Community Garden, to get involved with food distribution from the gardens to help residents.

She also announced that she would be going away a few times in September for family matters.

Jane Cottrell and Kim Acard had been working diligently on various policies; the Town Hall furnace needed to be replaced and were looking into replacing carpets and blinds in the Assessor’s and the Town Clerk’s offices, and budget estimates were being worked on by all of the departments. The Special Events Committee was working on a fall weekend in October to highlight the Town’s agricultural heritage that would coincide with Pine Plains’ Ag Day and the Centennial Farm celebration at Kemmerers’.

 For her financial report, the Board members had received her Supervisor’s report, the monthly bank reconciliation and two payroll verification reports. The revenue forecast was very good, and that we would be getting the tax penalties from the County shortly for about $15,000; had received the 2nd quarter cable franchise fees for $13,000; Court fees were catching up and may beat their goal, and next December mortgage taxes were due in. We may have a shortfall in the Court’s prosecutor line but we will find the funding to keep that progress moving forward. I will have Highway next month.

PRIVILEGE OF THE FLOOR:

Henry Boehringer, 38 Thompson Lane – asked why there no minutes had been taken at the Comprehensive Plan workshops, no transparency there.

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

NEW BUSINESS:
1. PROCUREMENT POLICY-SECOND READING AND ADOPTION: The following Procurement Policy was read by Councilwoman Margaret Fallon:

 Policy Section: Purchasing (03) Approval Date: August 11, 2022, Revisions: Replacing “Purchasing 2015” Policy: 03.a Procurement
1. Summary: Establishes procedures for all purchases of goods and services, and all public works, not required to be publicly advertised and bid under New York State General Municipal Law (GML) §103.
2. Purpose. Goods and services that are not required by law to be procured pursuant to competitive bidding must be procured so as to assure the prudent and economical use of public moneys in the best interest of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the Town Board is adopting an internal policy and procedures governing all procurements of goods and services that are not required to be made pursuant to the competitive bidding requirements of GML §103 or of any other general, special or local law.
3. Policy:
Standard 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML§103. All purchases of a) supplies or equipment which will exceed $20,000 in the fiscal year or b) public works contracts over $35,000 shall be publicly advertised and bid pursuant to GML §103.
Standard 2. All purchases and acquisitions may proceed only if there are sufficient funds currently available in the budget or available through acceptable budget modifications. All payment vouchers must be signed by the department head or the Supervisor and approved by three members of the Town Board.
Standard 3. (a) All estimated purchases of:
(i) Less than $20,000 but greater than $6,000 require a written request for proposal (RFP) and written price quotes from three vendors.
(ii) Equal to or less than $6,000 but greater than $2,000 require an oral request for the goods and oral or written quotes from two vendors.
(iii) Equal to or less than $2,000 but greater than $250 are left to the discretion of the Purchaser. (b) All estimated public works contracts of:
(i) Less than $35,000 but greater than $10,000 require a written RFP and 2 proposals from three contractors.

(ii) Equal to or less than $10,000 but greater than $5,000 require a written RFP and proposals from two contractors.

(iii) Equal to or less than $5,000 but greater than $500 are left to the discretion of the Purchaser. (c) Any written RFP shall describe the desired good, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written or oral quotes have been requested and the written and oral quotes submitted.

(d) All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

(e) The Highway Superintendent does not require prior Supervisor or Town Board approval to purchase tools, equipment or supplies not exceeding $5,000.00.

Standard 4. The lowest responsible proposal or quote shall be awarded the purchase contract or public works contract unless the Purchaser provides written justification giving reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall be documented and filed with the record supporting the procurement.

Standard 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempts made to obtain them. In no event shall the inability to obtain proposals or quotes be a bar to the procurement.

Standard 6. Except as directed by the Town Board, no solicitation of written proposals or quotes shall be required under the following circumstances:

(a) Acquisition of professional services;

(b) Public emergencies as described in GML §103(4);

(c) Sole source situations;

(d) Surplus and second-hand supplies;

(e) Purchase contracts for less than $250;

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(f) Public works contracts for less than $500.

Standard 7. Under certain statutory exceptions to the bidding, quotation and proposal requirements of State law and this policy, the Town is authorized to consider other expedient procurement methods as follows:

(a) through certain State and Federal contracts per GML §104;

(b) through certain county contracts, except contracts involving services subject to Article 9 of 3 the New York State Labor Law, per GML §103(3);

(c) pursuant to State Finance Law §162;

(d) purchases from NYS OGS Preferred Source organizations;

(e) pursuant to any New York State Law enacted as an exception to the requirements of GML §103. Standard 8. The following (each, a Purchaser) are responsible for purchasing goods and services for the Town:

(a) Town Supervisor

(b) Superintendent of Highways

(c) Town Clerk (d) Town Justices

(e) Department Heads

Standard 9. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

Standard 10. The unintentional failure to comply fully with the provisions of General Municipal Law §104-b should not be grounds to void action taken or give rise to a cause of action against the Town of Stanford or any officer or employee thereof.

4. Source Documents & Samples:

(a) New York General Municipal Law

(b) Office of the State Controller: “Seeking Competition in Procurement” (2014)

(c) Office of the State Controller: “Fiscal Oversight Responsibilities of the Governing Board” (2016)

(d) Office of the State Comptroller: Professional Service Procurement: Considerations for Local Officials (2018) \*Adopted: March 10, 2005 \*Adopted: February 9, 2012 \*Amended: October 11, 2012

\*Adopted: January 10, 2013 \*Adopted: January 2, 2014 \*Amended: January 9, 2014 \*Adopted: January 5, 2015 \*Adopted: January 4, 2016 \*Adopted: January 3, 2017 \*Adopted: January 3, 2018 \*Adopted: January 3, 2019 \*Amended and Restated: August 11, 2022

 Motion made by Wendy Burton, seconded by Frank Pepe. Mr. Pepe added his thanks to the Supervisor and her staff but thought a corollary could be added to this policy as some of the limits are tough and can be reviewed again later. Motion carried with a roll call vote: Wendy Burton – yes; Anne Arent – yes; Margaret Fallon – yes; Nathan Lavertue – yes; Frank Pepe – abstained.

2. COMMUNITY GARDEN REPORT: Dennis Wedlick, member of the Community Garden committee, gave a brief overview of this project: how Supervisor Burton had raised $4,800 in grants and donations to get the plan started, how many local businesses, groups, the Highway Department and residents joined in with volunteers to get it started on July 8th. Six raised beds were built, filled and planted by the CAC, the Garden Club, the Grange and town residents. Mr. Wedlick said that this was “more than a garden” but rather a community gathering place that also raised awareness of the natural beauty of our park and the “importance of sustainable cultivation and conservation of our fragile rural surroundings.” The fencing will be completed shortly and a ribbon cutting will be on Sept. 16th from 4:30 to 6 PM and hoped many would attend.

3. RESOLUTION #8A TO INTRODUCE PROPOSED LOCAL LAW #2 OF 2022: Attorney Butts summarized this proposed local law, but the full text of the resolution is as follows:

**RESOLUTION No. 8A of 2022**

**To Introduce Local Law #2 of 2022**

**AMENDING VARIOUS SECTIONS OF CHAPTER 140 OF THE TOWN CODE ENTITLED SUBDIVISION OF LAND WITH RESPECT TO PRIVATE ROADS, HOMEOWNERS’ ASSOCIATIONS AND CONSERVATION DENSITY SUBDIVISIONS**

 At a meeting of the Town Board of the Town of Stanford (“Town Board”), held at the Town of Stanford Town Hall on the 11th day of August, 2022, at 7:00 p.m., Town Supervisor Wendy Burton called the meeting to order, and Councilman Frank Pepe, seconded by Councilwoman Margaret Fallon, moved the following resolution, to introduce the following proposed local law, to be known as Proposed Local Law No. 2 of 2022, entitled “A Local Law Amending Various Sections of Chapter 140 of the Town of Stanford Town Code entitled

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‘Subdivision of Land’, With Respect to Private Roads, Homeowners’ Associations and Conservation Density Subdivisions” as follows:

 BE IT ENACTED by the Town Board of the Town of Stanford as follows:

**Section 1.**  Declaration of intent. Chapter 140 of the Town of Stanford Town Code contains the regulations the Town Planning Board is required to apply to applications for the Subdivision of Land. The existing version of Chapter 140 includes provisions allowing Private Roads or Private Streets in residential subdivisions. The Town Board has determined that it is in the best interest of the Town and its residents to update some of those provisions and to give the Planning Board the discretion to allow a mechanism other than a Homeowners’ Association to have the responsibility to maintain such Private Road.

**Section 2.** Section 140-03 of the Town of Stanford Town Code entitled “Definitions” is hereby amended to repeal the existing definition of “Private Street” under subparagraph “B” of the definition of “Street” and replace it with the following language.

 “**B.** **PRIVATE STREET**

A street proposed for long-term ownership and maintenance by a private entity, e.g., a homeowners' or condominium association or other mechanism acceptable to the Planning Board and the Town Attorney, and including, without limitation, streets which have been offered for dedication but which have not been accepted by the Town.”

**Section 3.**  Section 140-18 of the Town of Stanford Town Code, entitled “Design standards”, is hereby amended to repeal the existing Section 140-18(A)(6)(d) and replace it with the following language.

“(d) The maximum number of residential lots gaining access through any portion of a private road shall be eight. Limited resubdivision may be authorized by the Planning Board, only to the extent that the total number of residential lots served by the private road never exceeds eight.”

**Section 4.** Section 140-18 of the Town of Stanford Town Code, entitled “Design standards”, is hereby amended to repeal the existing Section 140-18(A)(6)(i) and replace it with the following language.

“(i) A homeowners' association (HOA) or other mechanism acceptable to the Planning Board and the Town Attorney must be created to own and provide for the perpetual care and maintenance of the private road. The Planning Board shall have discretion to determine whether a performance bond must be posted by the applicant to ensure the proper completion of the private road and, if so, how much the performance bond shall be and what form it should take.”

**Section 5.** Section 140-18 of the Town of Stanford Town Code, entitled “Design standards”, is hereby amended to repeal the existing Section 140-18(A)(6)(j) and replace it with the following language.

“(j) Such HOE or other mechanism must have the power to assess the subdivision lot owners for their share of the maintenance costs of the private road. The Hao or other mechanism shall ensure that the road will always be maintained and kept open to permit emergency vehicle access.”

**Section 6.**  Section 140-18 of the Town of Stanford Town Code, entitled “Design standards”, is hereby amended to repeal the existing Section 140-18(A)(6)(k) and replace it with the following language.

“(k) In the event that the HOE or other mechanism does not ensure that the road is properly maintained, the Town of Stanford may assume maintenance responsibilities and charge the HOA or Lot owners for all reasonable costs thereof. Such costs, if unpaid for more than 60 days, shall, along with attorneys’ fees for their collection, become a lien on the Lots and be enforceable in the same manner as a property tax lien.”

**Section 7.**  Section 140-18 of the Town of Stanford Town Code, entitled “Design standards”, is hereby amended to repeal the existing Section 140-18(A)(6)(l) and replace it with the following language.

“(l) The private road can only be offered for dedication to the Town of Stanford if it conforms to the Town highway specifications for private roads in effect on the date of the offer of dedication. However, the Town Board shall be under no obligation to accept such an offer of dedication, even if the road conforms to Town highway specifications. In the event such dedication becomes necessary to ensure public safety, the cost of bringing the road up to Town highway specifications shall be borne by the HOA, if any, or by the Lot owners, as the case may be.”

**Section 8.**  Section 140-25 of the Town of Stanford Town Code, entitled “Conservation Density Subdivision”, is hereby amended to repeal the existing Section 140-25(B) and replace it with the following language.

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“B. Minimum lot area. A conservation density subdivision shall require a minimum lot area of five acres and a minimum average lot area of 25 acres. All lots created within a conservation density subdivision shall be permanently restricted by a conservation easement from further subdivision and shall, by virtue of the expressed language of said easement, be restricted to the development of one principal single-family dwelling unit and permitted accessory uses per approved lot, except as may be otherwise authorized on active farm parcels.”

**Section 9.**  Section 140-25 of the Town of Stanford Town Code, entitled “Conservation Density Subdivision”, is hereby amended to repeal the existing Section 140-25(C) and replace it with the following language.

“C. Maximum number of lots. The maximum number of lots and/or principal residences within a conservation density subdivision shall be eight.”

**Section 10.**  Section 140-25 of the Town of Stanford Town Code, entitled “Conservation Density Subdivision”, is hereby amended to repeal the existing Section 140-25(D)(5) and replace it with the following language.

“(5) The subdivider should also consider the applicability of § 352-e and related sections of Article 23-A of the General Business Law of the State of New York, and whether the filing of an Offering Plan or other submission with the Attorney General's office or the receipt of a no action letter from that office may be required.”

**Section 11.**  Section 140-26 of the Town of Stanford Town Code, entitled “Common Driveways”, is hereby amended to repeal the existing Section 140-26(M)(3) and replace it with the following language.

“(3) The subdivider should also consider the applicability of § 352-e and related sections of Article 23-A of the General Business Law of the State of New York and whether the filing of an Offering Plan or other submission with the Attorney General's office or the receipt of a no action letter from that office may be required.”

**Section 12.**  This local law shall take effect immediately upon filing with the New York Department of State.

Town Supervisor Wendy Burton advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it was necessary to hold a public hearing upon this proposed local law.

 WHEREAS, Supervisor Burton has introduced this proposed local law for the Town of Stanford, to be known as Town of Stanford Proposed Local Law No. 2 of 2022, entitled “A Local Law Amending Various Sections of Chapter 140 of the Town of Stanford Town Code entitled ‘Subdivision of Land’, With Respect to Private Roads, Homeowners’ Associations and Conservation Density Subdivisions.”

 NOW, THEREFORE BE IT FURTHER RESOLVED, that a public hearing be held in relation to the proposed local law as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall on Thursday, September 8, 2022, at 7 o’clock p.m., and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Stanford by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

 NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Stanford will hold a public hearing at the Town Hall, 26 Town Hall Road, Stanfordville, New York 12581, on Thursday, September 8, 2022, at 7 o’clock p.m., Prevailing Time on Proposed Local Law No. 2 of 2022, entitled “A Local Law Amending Various Sections of Chapter 140 of the Town of Stanford Town Code entitled ‘Subdivision of Land’, with Respect to Private Roads, Homeowners’ Associations and Conservation Density Subdivisions.”

 TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the Town of Stanford Town Hall, 26 Town Hall Road, Stanfordville, New York, during normal business hours on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

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

Wendy Burton – yes; Anne Arent – yes; Margaret Fallon – yes; Nathan Lavertue – yes; Frank Pepe – yes.

DATED: Stanfordville, New York

 August 11, 2022 *Ritamary Bell, Town Clerk*

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 4. QUALITY ENVIRONMENTAL SOLUTIONS BILL FROM 2017: Supervisor Burton said that that the Town had received a bill this month from this firm for asbestos and lead tests at the old Highway Garage that was performed when Joe Norton was the supervisor. After discussion and with Attorney Butts saying that the statute of limitations was six years, it was agreed that this was an obligation that should be paid, but that Supervisor Burton should call them and see if any of this billed amount was negotiable, as there was no budget line item for it.

5. RETIREMENT RESOLUTION #8B-ADD ON POSITION OF SENIOR CLERK: The following resolution was prepared as the Building Inspector’s secretary Katrina Gore was given a new title and it had to be acknowledged by the NYS Retirement System. Motion made by Wendy Burton, seconded by Margaret Fallon.



Motion carried with a roll call vote: Wendy Burton – yes; Anne Arent – yes; Margaret Fallon – yes; Nathan Lavertue – yes; Frank Pepe – yes. Resolution #8B of 2022 unanimously adopted by the affirmative vote od the Town of Stanford Town Board and certified this 11th day of August 2022. *Ritamary Bell, Town Clerk*

6. RESOLUTION #8C – RETENTION INCENTIVE: The following resolution was read by Supervisor Burton: **Resolution #8C 2022**

 **THE SUPERVISOR IS AUTHORIZED TO COMPLETE THE FOLLOWING BUDGET MODIFICATIONS AND TRANSFER THE FUNDS FROM THE AMERICAN RESCUE FUNDS ACCOUNT TO THE GENERAL FUND TO COMPLETE THE ONE TIME RETENTION INCENTIVE FOR A PART TIME EMPLOYEE**

00-510 Estimated Revenue $1,311.05

00-4089 Federal Aid ARPA

00-960 Appropriations

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00-02-3010-19 Building Inspector ARPA Salary $1,217.88

00-08-9030-89 Social Security ARPA $ 93.17

00-200 Cash

00-209 Cash-ARPA $1,311.05

 Motion made by Wendy Burton, seconded by Frank Pepe. Motion carried with a roll call vote: Wendy Burton – yes; Anne Arent – yes; Margaret Fallon – yes; Nathan Lavertue – yes; Frank Pepe – yes.
Resolution #8C of 2022 unanimously adopted by the affirmative vote of the Town of Stanford Town Board and certified this 11th day of August 2022. *Ritamary Bell, Town Clerk*

7. SENIOR TASK FORCE: The following draft statement was written and read by Councilman Pepe:

**Creating a Task Force to Serve our Seniors**

Draft 2

August 11, 2022

 The quality of our society and the cohesiveness of our citizenry require attention to the interests of our senior citizens.

 The range of interests is broad, from housing to grocery shopping. Some may be within the scope of Town government, while others achievable by volunteers. Although some personal or corporate needs are well beyond the resources and expertise of members of our Town, providing easy to use contacts for senior citizens and other creative solutions may very well be within our capabilities.

 It is also realized that more expansive services and opportunities for senior citizens may also have interest for the broader community.

 Three Stanford entities wish to initiate the identification and potential resolution of the interests of our older citizens and welcome the participation of additional interested individuals and organizations.

 This task force can also take advantage of organizations that already exist for the purpose of supporting Senior Citizens, such as the Dutchess County Office for the Aging and the Town of Rhinebeck Committee on Aging. Learning from the experience of other communities and tapping into these resources can hopefully streamline and enhance the work of this Task Force.

 Interested parties may contact:

 Wendy Burton, Gloria Heuer, President Frank Pepe

 Town Supervisor Forever Young Club Stanford: A Caring Community

8. RE-SCHEDULE COMPREHENSIVE PLAN WORKSHOP: The Board members agreed that their next Comprehensive Plan Workshop would be on August 25th from 6 PM to 7:30 PM at the Town Hall.

9. SPEED MONITORS’ PURCHASE: Ms. Burton had been trying to get speed limits lowered throughout the Town, and after researching several companies, a motion was made by Wendy Burton, seconded by Nathan Lavertue, to purchase two speed radar monitors, model EV 15 SG in the amount of $14,190 delivered, and adding that these costs were covered by the ARPA funds. Motion carried with all voting in favor.

10. BOILER REPLACEMENT: After a recent service call, the Town was told that the ancient Town Hall furnace boiler needs to be replaced. After discussion, Anne Arent made a motion to put out requests for proposals for a new boiler system, seconded by Margaret Fallon. Motion carried with all voting in favor, but Councilman Frank Pepe abstained. Mr. Pepe was in favor of looking into other options and opportunities for the Town, but Councilman Lavertue stated that it could be a dire situation when the colder weather came.

11. APPROVAL OF MINUTES: The Minutes of the July 14th regular meeting were approved as written on a motion made by Wendy Burton, seconded by Anne Arent. Motion carried with all voting in favor.

12. APPROVAL OF ABSTRACT #8 FOR AUGUST 2022: The August Abstract of Claims was approved for payment on a motion made by Wendy Burton, seconded by Margaret Fallon, as

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follows: General Fund: check #s 6621-6668, in the amount of $49,083.81
 Highway Fund: check #s 4154-4171, in the amount of $214,413.41

Stanfordville/Bangall Light District: check #3052 in the amount of $889.62

[Escrow account: ck #s 1024 in the amount of $878.12]

{DASNY grant: ck # 1001 in the amount of $97,447.66

 Grand total of Abstract #8 of 2022: $362,712.62

Motion carried with all voting in favor.

PRIVILEGE OF THE FLOOR:

 Dennis Wedlick, 43 Bowen Road – asked about the furnace boiler options and discussion ensued with the Town Board members and a few members of the audience.

 Gloria Heuer – thanked the Board for the dedication, adding that a year ago she did not know the club existed and thanked the many for helping her, and was interested in learning more about gardening for seniors.

 Jane Cottrell, Route 82 – was pleased to hear about the great Community Garden report.

 Christa Cerul, 504 Cold Spring Road – speaking as Library Director, wanted the Board members to know that there was now home delivery service of Library materials. Councilman Pepe mentioned that some of the seniors needed computer help too.

 With no action taken, a motion was made at 8:18 PM by Margaret Fallon, to adjourn the meeting, seconded by Nathan Lavertue. Motion carried with all voting in favor.

Respectfully submitted,

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Ritamary Bell, Town Clerk