

The regular meeting of the Town Board of the Town of Stamford was held on July 8, 2009 at 7:00 P.M. at the Town of Stamford Municipal Building with the following present:

Supervisor-Michael Triolo  
Councilperson Floyd Many  
Councilperson-Rudy Stripp  
Hwy. Supt. John A. Rice, Jr.

Absent was: Councilperson-Katherine Engert  
Councilperson-Bette Jayne Spinney

Also present: Liz Page, Jim Barr, John Wright, Michael Jastremski, Tom Mallory, Lorraine Ziek, and Travis Pedley.

A MOTION was made by Floyd Many and seconded by Rudy Stripp to approve the minutes of the previous meeting. ALL AYE votes cast, MOTION carried.

RESOLUTION NO. 16-2009 was introduced by Rudy Stripp and seconded by Michael Triolo:

BE IT HEREBY RESOLVED that we adopt the following:

**TITLE: ADOPTION OF THE WEST BRANCH  
DELAWARE RIVER STREAM CORRIDOR MANAGEMENT PLAN**

**WHEREAS**, the Delaware County Soil and Water Conservation District (DCSWCD) and New York City Department of Environmental Protection (NYCDEP) have worked closely with a local Project Advisory Committee, the Town of Stamford and other watershed stakeholders to develop the West Branch Delaware River (WBDR) Stream Corridor Management Plan (SCMP) which takes a science based, long term management approach to the streams in the basin; and

**WHEREAS**, the Delaware County Board of Supervisors declared lead agency for the adoption of both plans and coordinated the environmental review with the other involved agencies, towns, and villages as a Type 1 action under 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, the Delaware County Board of Supervisors issued a negative declaration under SEQRA for the adoption of the WBDR SCMP, Resolution No. 206, on October 22<sup>nd</sup>, 2008; and

**WHEREAS**, the Delaware County Board of Supervisors have adopted the WBDR SCMP by Resolution No. 207, on October 22<sup>nd</sup>, 2008; and

**WHEREAS**, the WBDR SCMP addresses water quality and economic vitality issues as defined by local communities and regional experts; and

**WHEREAS**, the Town of Stamford has adopted and supports the goals of the Delaware County Action Plan for water resource protection; and

**WHEREAS**, the Town of Stamford has adopted and supports the goals of the Delaware County All-Hazards Mitigation Plan; and

**WHEREAS**, the DCSWCD and the Town of Stamford recognize that the WBDR and its tributaries are a key element of the identity of the Cannonsville Reservoir watershed; and

**WHEREAS**, the DCSWCD and the Town of Stamford have worked cooperatively on stream management issues relevant to both public and private interests; and

**WHEREAS**, the DCSWCD and the Town of Stamford desire to work cooperatively to implement the WBDR SCMP for the common benefit of both parties, protection of the natural resources and the interests of the broader watershed stakeholders;

**NOW, THEREFORE, BE IT RESOLVED** the Town of Stamford recognizes, and adopts the West Branch Delaware River Stream Corridor Management Plan as a guidance document that can assist the Town and its landowners with addressing long term management of the West Branch watershed in a manner that is consistent with the protection of public and private property, the protection of natural resources, goals and strategies for water quality protection, and economic opportunities as defined in the plan, and in a way that will provide the Town of Stamford, its landowners and visitors with multiple benefits.

The foregoing RESOLUTION WAS DULY PUT TO A VOTE WHICH resulted as follows:

AYES: Michael Triolo-Floyd Many-Rudy Stripp  
Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 17-2009 was introduced by Michael Triolo and seconded by Rudy Stripp:

BE IT HEREBY RESOLVED that we agree to the following:

**Memorandum of Understanding  
for  
Implementation of the  
West Branch Delaware River  
Stream Corridor Management Plan**

This is an agreement between the following parties;

Party 1                      Town of Stamford (the Town)  
   101 Maple Avenue  
   PO Box M  
   Hobart, NY 13788

Party 2                      Delaware County Soil & Water Conservation District (DCSWCD)  
   44 West Street, Suite 1  
   Walton, NY 13856

**Whereas,**                      The Town has adopted by resolution the WBDR SCMP; and

**Whereas,**                      The WBDR SCMP is consistent with the attached *Statement of Stream Stewardship Principles* with which the Town, DCSWCD and Delaware Basin Project Advisory Committee agree; and

**Whereas,**                      The DCSWCD and the Town desire to work cooperatively to implement the WBDR SCMP for the common benefit of both parties, protection of the natural resources and the interests of the broader watershed stakeholders; now

**Therefore,**                      the Town and DCSWCD agree as follows,

**1. Funding**

This agreement is neither a fiscal nor a funds obligation document. The DCSWCD and Town mutually agree that execution of this MOU in no way obligates either party to fund, or automatically support activities that may be set forth in the MOU.

**2. Purpose:**

This agreement outlines the roles and responsibilities of both the DCSWCD and the Town for the purpose of implementing the WBDR Stream Corridor Management Plan (SCMP) and its recommendations, the Streamside Assistance Program, and/or projects funded by the Catskill Watershed Corporation Stream Corridor Protection Program. The parties agree that the implementation of this MOU will have mutual benefits.

### **3. Responsibilities of the DCSWCD**

The DCSWCD, within the limitations of its funding and staffing resources, shall provide the Town, its residents, and other stakeholders, with technical, administrative, and project management assistance to carry out the goals and objectives of the WBDR SCMP. This assistance shall include, but is not limited to the following:

- a. Convening and administering the Project Advisory Committee and its subcommittees which will guide the overall implementation of the Stream Management Plan and its recommendations.
- b. Provide a copy of the most recent version of the WBDR SCMP to appropriate Town and/or County officials, to include the Town and County Highway Departments.
- c. Distribute the WBDR SCMP and Action Plan to the Delaware County Planning Department for distribution to planning and zoning boards, and code enforcement officers, where applicable, as a guide to implement the recommendations of the plan and access technical information available in the plan and available assistance through the DCSWCD.
- d. Attend meetings at the request of the Town, as time permits.
- e. Provide, within the limitations of available resources, DCSWCD technical staff and/or consultants to assist the Town, its landowners or other applicable stakeholders, with issues related to stream management. Examples of such assistance may include, but are not limited to;
  - Providing training and/or assistance to the Town's highway department on matters related to bridge design, culvert replacement, streambank erosion and repair, stormwater management, critical area vegetation, stream crossings, emergency flood response and other issues related to natural resources and the Town's highway system.
  - Provide training and/or technical assistance to the Town's Planning Board, in coordination with the County Planning Board and Planning Department, for matters related to; stream management, stormwater management, floodplain management and other issues related to natural resources that may be applicable to projects presented to the planning board for review and approval.
  - Provide training, guidance and technical support, in coordination with the Delaware County Planning, Public Works and Emergency Services Departments, and the NYC DEP, for flood preparation, response and recovery plans and activities.

- Streamside Assistance Program
  - Provide assistance through the newly organized Streamside Assistance Program to the Town's landowners.
- Catskill Watershed Corporation Stream Corridor Protection Program
  - Provide assistance to municipalities regarding project feasibility and conceptual design assistance.
- Assist the Town with securing regulatory permits for projects of mutual interest to the Town and DCSWCD.
- Assist the Town with developing / amending strategies, ordinances, and plans as may be appropriate to address issues related to stormwater management, stream management, wetland impacts, etc.
- Assist the Town and its stakeholders with identifying, securing, and managing funds from multiple sources as may be appropriate to further the implementation of the WBDR SCMP.

#### **4. Responsibilities of the Town**

The Town, within its limitations and authority, agrees to work cooperatively with the DCSWCD, its various programs, and other agencies and stakeholders that may be involved with the implementation of the WBDR SCMP. The Town's responsibilities shall include, but not be limited to:

- a. Adopt and agree to implement the WBDR SCMP.
- b. Appoint a primary and secondary point of contact as their representatives to the Project Advisory Committee, identifying individuals that will effectively represent the varied interests of the Town and its stakeholders.
- c. Utilize the WBDR SCMP as a guidance document for Town activities as they relate to the WBDR and its associated natural resources.
- d. Work cooperatively with the DCSWCD to identify, secure and manage funds from multiple sources as may be appropriate to meet the objectives set forth in the Action Plan and SCMP recommendations.

#### **5. Term**

The term of this MOU shall be in effect for a period for five (5) years, coinciding with the DCSWCD contract with the New York City Department of Environmental Protection,

effective September 1, 2008. The agreement is renewable in five (5) year increments by resolution and written notification by each party prior to the expiration of the agreement.

## **6. Amendments**

Amendments will be enacted upon consensus between the two parties to the proposed changes in writing.

## **7. Termination**

This agreement can be terminated by either party, for any reason whatsoever, upon thirty (30) days written notice by the party seeking termination to the other party.

## **8. Limitations of Authority**

Neither the DCSWCD nor the Town shall have any authority to enter into contracts in the name of the other, or to bind or obligate the other to any contractor, subcontractor or other third party, for any sum of money, or in any other way.

Michael Triolo, Supervisor  
Town of Stamford

Signed:

Date:

Richard A. Weidenbach, Executive Director  
Delaware County Soil & Water Conservation District

Signed:

Date:

The foregoing RESOLUTION WAS DULY PUT TO A VOTE WHICH resulted as follows:

AYES: Michael Triolo-Floyd Many-Rudy Stripp  
Said RESOLUTION was thereupon declared duly adopted.

Travis Pedley presented a site plan review application and building plans for a proposed new office at the Delaware Valley Propane bulk storage plant.

RESOLUTION NO. 18-2009 was introduced by Floyd Many and seconded by Rudy Stripp:

BE IT HEREBY RESOLVED that we approve Site Plan Review Application NO. 1 – 2009, applicant: Titan Propane LLC, Delaware Valley Propane.

The foregoing RESOLUTION WAS DULY PUT TO A VOTE WHICH resulted as follows:

AYES: Michael Triolo-Floyd Many-Rudy Stripp  
Said RESOLUTION was thereupon declared duly adopted.

A MOTION was made by Rudy Stripp and seconded by Floyd Many to approve the Supervisor's report. All AYE votes cast, MOTION carried.

A MOTION was made by Michael Triolo and seconded by Floyd Many to approve General bills abstract no. 7, dated July 8,, 2009, claim nos. 122 – 142 in the amount of \$4,715.14. ALL AYE votes cast, MOTION carried.

A MOTION was made by Michael Triolo and seconded by Rudy Stripp to approve Highway bills abstract no. 7, dated July 8, 2009, claim nos. 95 – 102 in the amount of \$22,598.79. ALL AYES votes cast, MOTION carried.

Highway Supt. John Rice gave the following report:

- In the process of mowing the roadsides, new mower is working well
- Started grinding 1.1 mile of Roses Brook Rd., calcium will be added for stabilization.
- All dirt roads will be graveled and graded
- Ditches will be cleaned
- Weather permitting, the stone and oil project will start in approximately a week
- The Summer Youth, Josh Palmatier is working out well

RESOLUTION NO. 19-2009 was introduced by Michael Triolo and seconded by Rudy Stripp:

BE IT HEREBY RESOLVED that we approve to expend the remainder of the Equipment Reserve Fund of \$5200. for partial payment of the gravel spreader, Claim No. 102.

The foregoing RESOLUTION WAS DULY PUT TO A VOTE WHICH resulted as follows:

AYES: Michael Triolo-Floyd Many-Rudy Stripp  
Said RESOLUTION was thereupon declared duly adopted.

Supv. Triolo informed the board the new town website is up and running. The website address is: [townofstamfordny.us](http://townofstamfordny.us).

The fifteen member Comprehensive Plan Committee was further discussed.

A MOTION was made by Michael Triolo and seconded by Floyd Many to adjourn this meeting at 7:40 P.M. The next regular meeting will be held on Aug. 12, 2009 at 7:00 P.M. at the Town Municipal Building, 101 Maple Ave., Hobart, New York.

WE, the undersigned members of the Town Board of the Town of Stamford, Delaware County, New York, do hereby certify that we have examined the minutes of the previous meeting and found them to be correct and accurate as recorded.

Supervisor\_\_\_\_\_

Councilperson\_\_\_\_\_

Councilperson\_\_\_\_\_

Councilperson\_\_\_\_\_

Councilperson\_\_\_\_\_

Attest\_\_\_\_\_

Town Clerk