

The regular meeting of the Town Board of the Town of Stamford was held on July 9, 2014 at 7:00 P.M. at the Town of Stamford Municipal Building with the following present:

Supervisor-Michael Triolo
Councilperson-Rudy Stripp
Councilperson-Daniel Deysenroth
Councilperson-Roderick Hillis
Councilperson-David Post
Hwy. Supt. John A. Rice, Jr.

Also present was: Liz Page, Velga Kundzins, Karina Walker and Vincent Milone.

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

A MOTION was made by Daniel Deysenroth and seconded by Rudy Stripp to approve the Supervisor's monthly report. ALL AYE votes cast, MOTION carried.

A MOTION was made by David Post and seconded by Roderick Hillis to approve Highway bills abstract no. 7, dated July 9, 2014, claim nos. 100 – 111 in the amount of \$30,921.06. ALL AYE votes cast, MOTION carried.

A MOTION was made by David Post and seconded by Roderick Hillis to approve General bills abstract no. 7, dated July 9, 2014, claim nos. 101 – 112 in the amount of \$7,115.96. ALL AYE votes cast, MOTION carried.

Hwy. Supt John Rice, Jr. gave the following report:

- Have finished mowing roadsides.
- Guide rails have been installed in three locations.
- Will finish shimming and paving Tower Mountain Rd. tomorrow, weather permitting.
- Will be replacing a culvert pipe at Ronald Adam's residence and replace a culvert on Davis Rd. soon.
- A load of 18" and 24" ADS plastic culvert pipes have been delivered.
- The County assisted the town highway dept. in the stone/oil of River St. in Bloomville and pull a tree out of the end of the Reservoir Rd. bridge.

RESOLUTION NO. 19-2014 was introduced by Michael Triolo and seconded by Roderick Hillis:

BE IT HEREBY RESOLVED that we appoint William Coleman as Fair Housing Officer for the Community Development Block Grant program.

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

AYES: Michael Triolo-Rudy Stripp-Daniel Deysenroth
Roderick Hillis-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 20-2014 was introduced by Daniel Deysenroth and seconded by Roderick Hillis:

Resolution Adopting a Citizen Participation Program

WHEREAS Federal and New York State Laws encourage the participation of its citizens and,

WHEREAS the Town of Stamford participates in the HUD Community Development Block Grant Program and,

WHEREAS, the Community Development Block Grant Program requires that each participating community maintain a Citizen Participation Plan

NOW THEREFORE, BE IT RESOLVED that the Town of Stamford hereby adopts a Citizen Participation Program, which is attached to this Resolution.

TOWN OF STAMFORD CITIZEN PARTICIPATION PLAN

The following policies have been adopted by the Town of Stamford in order to encourage participation by local citizens in the formulation of plans and proposals to be included in the local Community Development Program in compliance with Section 508 of the Housing and Community Development Act of 1987.

- A. In formulating the local Community Development Program, priority will be given to those activities, which benefit persons of low and moderate income. Those persons will be encouraged to participate in the development of all projects and any changes, which might be required during the implementation of the Community Development Program.
- B. Timely public notice will be given for all meetings of the Town Board where plans for the Community Development Program are to be considered. All information and records relating to such plans will be available at the office of the Town of Stamford offices and are accessible to any resident of the Town during regular business hours.
- C. To the extent possible, technical assistance will be provided to any group which requests assistance in developing proposals for consideration in the local Community Development Program.

- D. Public Hearings will be scheduled at important stages of the Community Development Program to solicit citizen views and respond to proposals and questions related to all activities included in that program. At a minimum, hearings will be held before each new funding proposal is developed, before submission of annual Performance Assessment Reports and when considering any modification of an existing program which results in a significant change in the scope, location or beneficiaries of any activity. All hearings will be held in the Town Hall after no less than seven days notice by legal advertisement in the official newspaper designated by the Town Board.
- E. Any complaints or grievances regarding the Community Development Program should be addressed in writing to the Town Supervisor. A written answer will be provided to all such complaints within 15 working days wherever possible and if not possible, a written notification will be provided which includes as estimate of the time required for a response.
- F. In the event that any non-English speaking residents are identified who would be affected by activities in the Community Development Program, special provision will be made for translation of all relevant materials presented at public hearings or otherwise used in the program.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis
Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 21-2014 was introduced by David Post and seconded by Daniel Deysenroth:

Resolution Adopting a Conflict of Interest Policy

WHEREAS Federal and New York State Laws require participants in CDBG programs to have a Conflict of Interest policy,

WHEREAS the Town of Stamford participates in the HUD Community Development Block Grant Program and,

WHEREAS, the Community Development Block Grant Program requires that each participating community maintain a Conflict of Interest Policy,

NOW THEREFORE, BE IT RESOLVED that the Town of Stamford hereby adopts a Conflict of Interest Policy, which is attached to this Resolution.

**Town of Stamford
Conflict of Interest Policy**

The Town agrees to comply with regulations established by HUD concerning conflict of interest. These regulations are spelled out in the Code of Federal Regulations at CFR 570.611.

Persons covered by the conflict of interest provisions are outlined at CFR 570.611(c). It is mutually agreed that no member of or delegate to the Congress of the United States and no resident Commissioner shall be admitted to any share or part of the contract or to any benefit to arise from the same. No officer, employee or public official of the Town who exercises any function or responsibility in connection with carrying out the project to which this contract pertains shall have any private interest, direct or indirect, in this contract or in its proceeds.

In the event that a relative of a Town Official needs to apply for a grant, or a relative of a Town Official wants to work as a contractor on a CDBG funded project, or a Town Employee needs to apply for a grant, the Town Board will refer the issue to the Town Attorney and he will offer his opinion about whether a conflict exists. If it is decided that there is not a conflict, the Town Board will hold a public meeting. After the public meeting, the Office of Community Renewal will review the issue and give its opinion.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis

Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 22-2014 was introduced by Daniel Deysenroth and seconded by Roderick Hillis:

**TOWN OF STAMFORD
EXCESSIVE FORCE**

WHEREAS, the Town of Stamford, State of New York, has made application for Community Development Block Grant (CDBG) Funds from the State of New York; and

WHEREAS, in accordance with Section 519 of Public Law 101-144, the HUD Appropriations Act requires certain statement of assurances and certifications;

NOW THEREFORE BE IT RESOLVED that pursuant to the Town of Stamford being granted CDBG funds by the State; the Town of Stamford, by administrative act, does adopt a statement of policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis

Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 23-2014 was introduced by Daniel Deysenroth and seconded by Roderick Hillis:

Resolution Adopting a PROGRAM INCOME IMPLEMENTATION PLAN

WHEREAS Federal and New York State Laws encourages the rehabilitation of homes occupied by low/moderate income residents

WHEREAS the Town of Stamford participates in the HUD Community Development Block Grant Program and,

WHEREAS, the Community Development Block Grant Program requires that each participating community adopt a Program Implementation Plan

NOW THEREFORE, BE IT RESOLVED that the Town of Stamford hereby adopts the Program Implementation Plan, which is attached to this Resolution.

**TOWN OF STAMFORD
PROGRAM INCOME IMPLEMENTATION PLAN**

The Town of Stamford as the recipient of a CDBG grant for the purpose of rehabilitation of owner-occupied homes will provide funds to homeowners in the form of a forgivable loan with a declining balance secured by a Note and Mortgage. In the event that the Town receives proceeds (Program Income) from the sale of real property that has been improved with CDBG funds, the funds will be retained by Western Catskills Community Revitalization Council, Inc (WCCRC). to continue rehabilitation activities within the Town of Stamford and consistent with the regulation and purposes governing the 2010 431HR4-10 program.

When income is generated by an activity that was only partially assisted with CDBG funds, the income shall be prorated to reflect the percentage of CDBG funds used.

If the total amount of funds received in a single year is less than \$25,000, the entire amount received will be treated as miscellaneous income and WCCRC will utilize the funds as described above. WCCRC will maintain a system of tracking program income on a program year basis. If annual revenue generated from CDBG activities exceeds \$25,000 WCCRC will notify the Office of Community Renewal Program Administrator.

Program Income received and retained will be treated as additional CDBG funds and subject to all applicable requirements of 24 CFR Part 570.489.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis
Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 24-2014 was introduced by Daniel Deysenroth and seconded by Roderick Hillis:

**RESOLUTION ADOPTING AN
ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

WHEREAS, the Town of Stamford intends to implement local community development activities with Community Development Block Grant funding which is available under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, Section 104(d) of the Housing and Community Development Act of 1974, as amended, requires the adoption of an Antidisplacement and Relocation Assistance Plan for all applicants for HUD CDBG funding; and

NOW, THEREFORE, BE IT RESOLVED, the attached Antidisplacement and Relocation Assistance Plan is hereby adopted as the official policy of the Town of Stamford with respect to operation of Community Development programs which are considered or funded under the HUD CDBG Programs; and

BE IT FURTHER RESOLVED, the Town Supervisor is hereby authorized and directed to take whatever actions are necessary to assure that these policies are followed in the process of formulation and administration of the local Community Development Programs.

**TOWN OF STAMFORD
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

This plan has been developed pursuant to Section 104(d) of the Housing and Community Development Act of 1974, as amended. The Town of Stamford will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606(b)(1).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the Town of Stamford will make public and submit to the Office of Community Renewal (an agency of NYS Homes and Community Renewal) the following information in writing:

1. A description of the proposed assisted activity;

2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement of dwelling units; and
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

The Town of Stamford will provide relocation assistance, as described in 570.606(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities. In the event that there is a need for the temporary relocation of residents during the rehabilitation of their homes with CDBG funds, the Town and Western Catskills (the sub-recipient) will work with the Delaware County Office of the Aging and/or Social Services Department and/or client family members to locate temporary housing. If these contacts cannot provide the temporary housing, the family will be moved into temporary quarters using program funds because temporary relocation is an eligible program expense.

Consistent with the goals and objectives of activities assisted under the Act, the Town of Stamford will take the following steps to minimize the displacement of persons from their homes.

1. The Town of Stamford will actively discourage plans, which involve the demolition or conversion of occupiable low/moderate income housing units.
2. Any party proposing the demolition or conversion of such housing units with Block Grant funds will be required to undertake an analysis of alternatives to demolition. Such party will be required to prove that there is no viable alternative to demolition or conversion that such activities are necessary, and will provide a greater wide benefit.
3. The party proposing demolition or conversion will be held responsible for replacing the housing pursuant to the provisions of Section 104(d) of the Housing and Community Development Act Of 1974, as amended.
4. The Town of Stamford will encourage the development of housing units for low and moderate income persons through assistance and participation in a wide range of State and Federally assisted housing and community development programs.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis
Daniel Deysenroth-David Post
NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 25-2014 was introduced by David Post and seconded by Daniel Deysenroth:

**TOWN OF STAMFORD
ADOPTION OF SECTION 504 OF THE REHABILITATION ACT**

WHEREAS the Town of Stamford has successfully been awarded a CDBG Housing Rehabilitation Program number 580HR85-12

and

WHEREAS the Western Catskills Community Revitalization Council, Inc will act as sub-recipient of that program

Let it be stated that no qualified individual with physical or mental handicaps will be, because the Town or sub-recipient's facilities are inaccessible to or unusable by such persons, denied the benefits of, or excluded from participation in, or otherwise subjected to discrimination under this program conducted by the Town and the sub-recipient

THEREFORE LET IT BE RESOLVED THAT No otherwise qualified individual with a disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by the Town as per Section 504 of the Rehabilitation Act.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis
Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 26-2014 was introduced by Daniel Deysenroth and seconded by Roderick Hillis:

**TOWN OF STAMFORD
Resolution Adopting the Program Regulations and Administrative Procedures**

WHEREAS the Town of Stamford has been awarded a CDBG Owner Occupied Housing Rehab Grant

AND WHEREAS the Town will follow all State and Federal regulations regarding this program

NOW THEREFORE, BE IT RESOLVED that the Town of Stamford hereby adopts the Town of Stamford Program Regulations and Administrative Procedures which are attached to this Resolution.

**TOWN OF STAMFORD
HOUSING REHABILITATION PROGRAM
REGULATIONS
AND
ADMINISTRATIVE PROCEDURES**

ADOPTED BY THE TOWN OF STAMFORD

2013 Office Community Renewal.
Community Development Block Grant Owner-Occupied Housing Rehab
PROGRAM 1108HR49-13

Adopted by the Town Board unanimously

Funding for this program is provided through the Community Development Block Grants awarded by the New York State Office of Housing and Community Renewal. These Regulations have been prepared in compliance with Rules established by HUD and published at 24 CFR Part 570.

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PROGRAM REGULATIONS

1.0 STATEMENT OF PURPOSE

1.1 Purpose

The purpose of the program is to improve and rehabilitate substandard housing within the program Service Area. The primary objective is to eliminate any conditions which may lead to health or safety problems. Energy conservation, historic preservation and other minor repairs will also be encouraged where the need exists.

1.2 Target Area

The Target Area for this program are outlined in the application to the Office of Housing and Community Renewal. The area includes those residential properties located along both sides of the streets identified on the map.

2.0 DEFINITIONS

Following are definitions of various terms as used with respect to the Housing Rehabilitation Program.

a. **Approving Body** - the approving body for all rehabilitation assistance will be the Town of Stamford Citizen's Review Committee, appointed by the Town Board of the Town of Stamford.

b. **Elderly and/or Handicapped** - elderly is defined as an individual 60 years or older; handicapped is defined by HUD in 24 CFR 885-1(d).

c. **Income** - the total annual income for all household members as defined by HUD.

d. **Low and Moderate Income Limits** - The latest income limits established by the Department of Housing and Urban Development for Section 8 projects.

e. **Mixed Use Property** - a building occupied by business(es) and residential unit(s).

f. **Owner Occupied Property** - a property occupied by the owner as their full time primary and sole residence, containing 1 to 4 dwelling units, and used entirely for residential purposes, except that home businesses are allowed where they conform to the local zoning code.

g. **Program Staff** - The individuals who have been assigned the responsibility of administering the Housing Rehabilitation Program and reviewing individual applications for compliance with these guidelines and all applicable regulations.

h. **Rental Property** - a property or dwelling unit used entirely for residential purposes that is not occupied by the owner.

i. **Residential Property** - a building which contains at least one residential dwelling unit occupied by the owner on a full-time basis as their primary and sole residence. Mixed use property is considered residential property if the residential unit is occupied by the owner on a full-time basis as their primary and sole residence.

j. **Section 8 Standards** - The Department of Housing and Urban Development Section 8 Housing Quality Standards.

k. **Service Area** - the area in which rehabilitation grants may be made as designated by the community and the Office of Housing and Community Renewal. The Service Area encompasses the entire Town of Stamford.

3.0 ELIGIBILITY FOR ASSISTANCE

3.1 Property Location

The assistance under this program will be made available to residential property located within the designated Service Area.

3.2 Property Ownership

Assistance will be available to the owner of the property if the property is owned by an individual and is occupied by the owner on a full time basis as their primary and sole residence. The owner will be required to prove ownership by producing the most current copy of the deed or land contract that has been filed with the County Clerk's office.

3.3 Application Priority

Applications for the program shall be processed on a first come-first served basis. However, any applicant who seeks assistance to reduce lead hazards in the home, demonstrates that there is at least one occupant with elevated blood lead levels, and has received an order from the New York State Department of Health to reduce lead hazards pursuant to lead testing in the home, shall be moved to the top of the waiting list. In such case, the applicant must present all such documentation from the State Health Department for such consideration. In addition, owners over the age of 60 with incomes at or below 50% Delaware County median income will be given preference.

4.0 ELIGIBLE IMPROVEMENTS

4.1 Priority 1: Health and Safety Improvements

All Priority One work must be performed if any work is to be done in the building. Generally, Priority One items include items necessary to make the building safe, and bring it into compliance with NY State code. The following would be considered Priority One items; not listed in order of importance:

a. **HUD Section 8 Standards** - all work items necessary to bring the building into compliance with HUD Section 8 Housing Quality Standards.

b. **Codes** - work items required to comply with New York State Uniform Fire Prevention Code, New York State Building Code and local codes.

c. **Roof** - repair or replacement (if life expectancy is less than 3 years).

d. **Plumbing Systems** - any work necessary to comply with the New York State Uniform Fire Protection and Building Code.

e. **Electrical Wiring** - any work necessary to comply with Section 8 Existing Housing Quality Standards.

f. **Heating Systems** - installation or upgrading heating systems to maintain an interior temperature of at least 68 degrees F.

g. **Structural** - repair or replacement of any structural defects, such as settling of porches, foundations, rotted support columns, rotted subflooring, masonry, etc.

h. **Lead Paint** - reduction of lead-based paint hazards.

i. **Windows** - replacement or repair of broken sash or panes.

j. **Doors** - replacement or repair of damaged primary doors.

k. **Stairwells and Platforms** - any work necessary to insure that they are safe.

4.2 Priority 2: Energy Related Improvements

The following energy conservation and weatherization items are eligible. The determination of priority for the following items shall be based on an analysis of cost effectiveness. The following would be considered Priority Two items; not listed in order of importance:

a. **Windows** - repair or installation of storm or insulated glass windows.

b. **Doors** - repair or installation of storm or more energy efficient doors.

c. **Insulation** - installation of ceiling, wall, floor, and foundation insulation with proper ventilation.

d. **Caulking and Weather Stripping** - repair or installation of caulking and weather stripping materials.

e. **Water Heater Insulation** - repair or installation of water heater insulation.

4.3 Priority 3: Other Necessary Improvements

The following list of items are eligible for assistance only if all conditions which may lead to health and safety problems (listed above) and energy conservation and weatherization items (listed above) are being corrected, or if none exist. The following would be considered Priority Three items; not listed in order of importance:

a. **Exterior Protection** - painting or covering of exterior surfaces, except that existing wood siding shall not be covered, unless no feasible alternative exists.

b. **Wood Surfaces** - repair of any damaged or deteriorated wood surfaces.

c. **Interior Walls and Ceilings** - repair or covering of interior walls and ceilings. Use of vapor barrier paints is encouraged.

d. **Floor** - covering of floors.

4.4 Applicable Standards

Those properties which have been identified by the New York State Historic Preservation Officer as having historic, architectural or cultural significance will be rehabilitated in accordance with the U.S. Secretary of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings".

4.5 Ineligible Improvements

Any repairs or improvements that fall into any of the following categories are not eligible for financial assistance through this program:

- a. Replacement of any building systems, coverings, fixtures or equipment determined to be adequate by the Program Staff;
- b. Expansions or additions to existing structures (including into non-living space) unless medical conditions of one of the present occupants or overcrowding by existing occupants create a need for such additional space (these exceptions shall be determined by the Program Staff on a case by case basis);
- c. Conversion of non-residential space to residential space;
- d. Subdividing existing living space into additional and separate dwelling units.
- e. Purchase of movable appliances, air conditioning systems or air conditioners (unless medically required).
- f. Construction of new garages, driveways, patios, or other amenities not essential to the dwelling units.
- g. Repair of non-attached buildings such as garages, sheds and barns.

5.0 FINANCIAL ASSISTANCE

5.1 Assistance to Owner Occupied Properties

a. Low and Moderate Income

Low and Moderate income owner occupants (those whose income is below 80% of the area median as adjusted for family size) will be eligible for grants for 100% of the eligible repairs on their property up to a maximum of \$25,000 per dwelling unit. This level of assistance shall apply to rental units located in the owner's home provided that the owner resides in a low or moderate income household, and that the rental units are not transient housing. This assistance is limited to properties containing one to four dwelling units. Properties containing more than four dwelling units will be treated as rental property, regardless of whether or not the owner lives in the building.

b. Income above Section 8 Limits

Owner occupants with income above the Section 8 Income limits (those whose income is above 80% of the area median as adjusted by family size) are not eligible for grants.

c. Multiple Buildings on One Parcel

If there is more than one building on one tax parcel, each building will be treated as a separate property for eligibility purposes. This means that if one structure on a parcel is owner occupied, and there is another house on the same parcel, the house not occupied by the owner will be treated as a rental property.

5.2 Assistance to Rental Properties

Rental properties are not eligible for assistance under this program.

5.3 Calculation of Grant

a. Contract Method

For housing rehabilitation work to be performed by a contractor, the grant shall be calculated on the basis of the lowest bid submitted by a qualified contractor.

b. Self Help Method

Owners may not do work on their homes under this grant program.

5.4 Multiple Grants

Applicants may receive more than one grant in conjunction with this program. However, the total of all grants may not exceed the maximum grant amount established in Section 5.1 plus \$15,000.

5.5 Restrictions on Financial Assistance

a. Elected Officials, Relatives, and Business Partners

Elected officials, property owners who are related to elected officials in the Town of Stamford, and property owners who have business ties to elected officials are prohibited from receiving financial assistance, unless a waiver is granted by OCR to permit such financial assistance.

b. Limitations on Compensation

No property owner can be paid for performing rehabilitation work on the property. This means that the owner cannot receive payment of CDBG funds for working on a property in which he has a financial interest, either directly, or as an employee of a contractor or subcontractor who is working at the property. This restriction also applies to family members and business associates of the property owner.

6.0 CONDITIONS

6.1 Property Taxes

As a condition to receiving assistance through this program, all property taxes must be paid. As part of the application, the owner will be required to provide proof of payment of all property taxes due, including local municipal taxes, water and sewer bills, and school taxes. If the homeowner is in an installment plan to catch up on back taxes, and is current on the installment plan, the owner is eligible to receive financial assistance.

6.2 Insurance

All properties assisted through the program must be insured. The homeowner will be required to provide proof of liability and property damage insurance on the property.

6.3 Sale Limitations

The owner of any residential property rehabilitated under this program will agree not to sell the property for a period of five (5) years after the completion of any eligible work items for which he or she receives a grant. Should the property be sold within this time period or if the property becomes a part of an estate, the seller must repay all or a portion of the grant to the Town, based on the following schedule:

<u>Sale Within</u>	<u>Amount Recaptured</u>
One Year	100%
Two Years	80%
Three Years	60%
Four Years	40%
Five Years	20%
After 5 Years	No Recapture

A transfer of property between immediate family members will not be construed as a sale of the property. Funds recaptured will be used within the Town for owner occupied housing rehab.

6.4 Rent Limitations

Owners of rental units rehabilitated through this program must agree in writing, to freeze current rents for a period of one year after the work is completed. After one year, these owners may be permitted to raise rents up to 5% to offset increasing ownership costs (limited to taxes, utilities and insurance). However, at no time may the amount the tenant pays be increased during the second year if the higher rent exceeds 30% of the renting family's household income.

In the case of vacant rental units, the owner must sign an agreement certifying that the unit will be rented to a low or moderate income household after rehabilitation work is complete. The owner must further agree to limit the rents for a period of two years. Rents may not exceed 30% of the Section 8 Income limits, to ensure affordability of rehabilitated units to low and moderate income households.

6.5 Other Financial Conditions

As a condition of receiving financial assistance under the program, property owners are expected to maintain a reasonably sound financial standing so as to avoid being in jeopardy of losing their homes to foreclosure or other action after receiving rehabilitation assistance. A meeting with the WCCRC Housing Counselor, in order to establish that these conditions are met, is mandatory to participate in this program.

In addition, the Town files a 5 year lien against the property to enforce the regulations of this program. Excessive debts or judgments filed against the property or its owner will render the lien of little or no value.

Therefore, the Town of Stamford shall deny assistance to property owners who have open judgments or State or Federal tax liens of any kind. Assistance shall also be denied in the event of excessive debt filed against the property such that the total liens against the property shall exceed the fair market value of the property. The provisions of this section may be waived upon review by the Citizen Review Committee, if the property owner can demonstrate unusual hardship which is not self imposed by the property owner.

6.6 Other Legal Considerations

The Town reserves the right to deny assistance to any applicant who is under indictment for any criminal act under State, Federal, or local law, or is currently serving a sentence for such criminal act.

ADMINISTRATIVE PROCEDURES

7.0 APPLICATION PROCESSING

The following are steps involved in processing an application for assistance.

Function	Reference Section
a. Explain the objectives and requirements of the program to the applicant.	Section 1.0-6.0
b. Make initial determination of eligibility.	Section 3.0
c. Owner fills out application form and gathers documentation.	Section 9.0
d. Verification of information obtained on the application form.	Section 3.0 – 5.0
e. Applicant will meet with Housing Counselor.	Section 6.5
f. Property Inspection.	Section 10.1
g. In-house review of all aspects of project eligibility.	
h. Prepare inspection report, work write-up with initial cost estimate and preliminary grant allocation.	Section 10.1-10.2
i. Inspect for lead based paint hazards according to Federal requirements. Provide occupants with EPA lead pamphlet and lead based paint notice.	Section 10.2
j. Obtain bids from contractors.	Section 10.3-10.6
k. Determine grant amount.	Section 5.3
l. Assist applicant in obtaining bank or other loan to cover a portion of improvement costs, if necessary.	
m. Approval of Grant by Citizen Review Committee.	Section 6.5
n. Notify applicant of approval.	Section 11.1
o. Prepare contracts and set up escrow account; obtain signatures on contracts.	Section 11.2
p. Authorize contractor to proceed.	Section 11.4
q. Inspection of work.	Section 12.1
r. Approve payments.	Section 12.0
s. Change orders (if required).	Section 12.5
t. Lead Clearance Inspection. Provide occupants with notice of lead hazard reduction activity.	Section 12.6
u. Final Payment and Close-out.	Section 12.7

8.0 VERIFICATION OF APPLICANT DATA

8.1 Ownership

The program must verify that the applicant(s) is/are the legal owner(s) of the property to be improved before a grant award can be made. A copy of the deed to the property (with County Clerk's filing stamp) may be acceptable as proof of ownership. If the Town is not satisfied that a copy of a deed is sufficient proof, the applicant may be required to submit a title report, the cost of a title search can be included as part of the rehabilitation costs. Land contracts are acceptable if they are recorded at County Clerk's Office.

8.2 Income

The Program Staff must verify the annual income of the applicant(s) in order to determine eligibility under the income guidelines. Verification of income can be done with various documents including tax returns, pay stubs, copies of pay checks, Social Security award letters, phone call to employer, etc. Whatever verification method is used, the program administrator should feel that the reported income has been substantiated and copies of such documents must be included in the applicant's case file.

8.3 Insurance and Taxes

The homeowner must provide proof of insurance coverage and payment of property and school taxes as spelled out in Section 6.1 and 6.2.

9.0 APPLICATION PACKAGE

9.1 Application Package Contents:

- a. Application Form and Supporting Documentation
- b. Deed or Land Contract
- c. Proof of Insurance
- d. Proof of Income
- e. Tenant income certifications, if any
- f. Other documentation to confirm program eligibility

10.0 DETERMINATION OF AND CONTRACTING FOR IMPROVEMENTS

10.1 Inspection of the Property

The Program Staff will inspect the property and prepare an inspection report identifying any conditions which could lead to health and/or safety problems and any additional eligible work items an applicant wished to do. This inspection report will serve as a basis for preparing a work write-up. A report identifying all risks associated with lead paint hazards will be prepared according to Federal guidelines by an EPA licensed inspector according to HUD & EPA guidelines.

10.2 Work-Write-up & Notice of Lead Risk Assessment

A work write-up is a statement prepared by the Program Staff based upon the inspection report, itemizing all the improvements to be made on the property. The write-up should first describe those work items which correct potential health and safety hazards as described in Section 4.1 and then in successive order those items listed in Section 4.2 and 4.3.

The work write-up should contain sufficient detail to allow a contractor to submit a proposal. The work write-up will be prepared in consultation with the applicant as to his preferences in materials, colors and other options. For those properties which have been identified as having historic or architectural significance, the work write-up will correspond to the Secretary of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings". The Program Staff must review these work write-ups with the State Historic Preservation Officer.

The occupants of the affected building will be provided with EPA Brochure 747-K-94-001 "Protect Your Family From Lead in Your Home" and will also be provided with a notification that a lead risk assessment has been completed along with a copy of the lead risk assessment. Occupants will be provided with the opportunity to obtain further information regarding lead paint risks in their home.

10.3 Contractor Selection

The selection of contractors to perform the improvements shall be done in the following manner:

- a. The Program Staff will provide copies of the Work Write-up packet to the property owner;
- b. The property owner will secure proposals from at least two contractors who have been approved by the Program Staff.
- c. All sealed proposals will be received by the Program Staff and opened at a predetermined time and place;
- d. The Program Staff will determine which bid is the lowest qualified bid and will recommend that the homeowner accept the lowest qualified bid. The homeowner can choose to accept a bid that is not the lowest qualified, but the homeowner will be required to pay the difference in cost. In no case will the homeowner be allowed to accept a bid that the Program Staff deems unqualified. If a contractor feels that he has wrongfully been denied participation in the program, he may appeal to the Citizens Advisory Board for a determination.

10.4 Contractor Qualifications

The Program Staff shall exercise good care and judgment in selecting a contractor. A selected contractor shall be of good reputation, financially sound, have adequate financial resources to carry out his bid and proposal and be qualified to do the required work. The contractor shall be required to carry sufficient comprehensive public liability, bodily injury, and worker's compensation insurance for all employees as required by N.Y.S. Law.

A contractor may be denied participation in the program, or be removed from the list of participating contractors in the program for any of the following reasons:

- a. Failure to complete a contract within the deadline specified in the contract.
- b. Repeated complaints from homeowners or the Program Staff about work quality, scheduling of work, or oversight of subcontractors.
- c. Failure to follow specifications or program procedures in completing work, including but not limited to change order procedures, bidding procedures, or billing procedures.
- d. Repeated disputes with program staff regarding specifications or completeness of the work.
- e. Being placed on the Federal List of Debarred Contractors.

- f. Violation of any rules or regulations of HUD, including Fair Housing and Equal Employment Opportunity, any acts of discrimination, failure to pay prevailing wage scale on projects involving Davis Bacon requirements, or any other State or Federal regulation.
- g. Allowing required insurance coverage to lapse during the performance of a contract.
- h. Threatening, abusive, or harassing behavior toward Program staff, homeowners, or inspectors.
- i. Any acts of collusion with any other bidder, or refusal to sign a certification of non-collusion.
- j. Any conduct that undermines the efficient operation, effectiveness, or integrity of the program.
- k. Charging a homeowner for work that is already included in the contract specifications.
- l. Not following codes, laws, or regulations regarding the use of licensed contractors or subcontractors where such licenses are required.

10.5 Acceptance of Proposals

The Program Staff will review all proposals to insure that they cover the work specified in the work write-up, the materials and method of work is acceptable, and the price is reasonable for that type of work in the locality. A bid tabulation form will be prepared by the Program Staff and approved by the applicant. After bid opening, contractors are not to contact homeowners to discuss bids or to coerce homeowners to accept any particular bid over another.

10.6 Bid Awards

Bids may not be awarded until an application has been approved by the Citizens Review Committee. Prior to signing a contract, the contractor must provide updated proof of insurance coverage, including liability, property damage, and worker's compensation coverage. Work will not commence until a contract and notice to proceed order has been issued by the program staff.

10.7 Labor Standards

Contracts for a property containing 8 or more dwelling units will be subject to all Federal Labor Standard provisions.

10.8 Labor Performed by Owner

A property owner may not complete any of the tasks described in the work write up to improve a property.

11.0 PRE-CONSTRUCTION ACTIVITIES

11.1 Application Notification

Upon approval of the application, the Program Manager will send a notification the applicant. If the application is denied, a letter setting forth the reasons for denial will be sent to the applicant.

11.2 Contract Signing

The Program Staff will prepare all appropriate contracts:

Construction Contract - Program Staff will prepare and distribute copies of the Construction Contract(s). All copies will be signed by the owner(s) and contractor. One copy goes to the contractor, one to the owner, and one to the case file.

Grant Agreement - Two copies of the contract (Grant Agreement) between the Town and the Owner will be prepared and executed, one for the owner and one for the case file.

11.3 Pre-Construction Conference

A conference will be held including the Program Staff, contractor(s), and property owner(s). All parties will review the scope of work, the contract provisions and all other general requirements to insure all parties agree.

11.4 Proceed Order

After the pre-construction conference, a notice to proceed order will be given to the contractor(s) instructing them to commence work within a specified time period.

12.0 INSPECTION OF WORK AND PAYMENTS

12.1 Construction Inspections

Inspections will be made as necessary to assure that construction work is being completed in accordance with the construction contract.

12.2 Payment Inspections

No progress payments or final payments will be approved without a payment inspection. The Program Staff will inspect the property to insure that the work completed matches that claimed on the contractor's Request for Payment.

12.3 Payments

Payments will be made to the contractor(s) in accordance with the payment schedule established in the construction contract. In the case of a homeowner contribution, the owner's funds will be used first in making payments. All payment checks will be made out to both the homeowner and contractor and must be signed by the homeowner prior to release to the contractor. Before final payment, the contractor will supply the property owner with a copy of all warranties and will sign a Release of Liens Form.

12.4 Pre-Payments

There will be no pre-payments made to contractors or to property owners for materials or labor. All materials should be installed on the site prior to payments being made for the purchase of such materials.

12.5 Change Orders

Change Orders are to be prepared on forms provided and approved by the Program Staff, the homeowner, and the Contractor for any change from the original work write-up. Any change order, which requires an increase in the approved grant amount of more than \$2,500, shall be reviewed and approved by the Town Supervisor or person so designated by the Supervisor. If the homeowner is contributing funds for the rehabilitation, then the contribution shall be adjusted accordingly, and the homeowner must provide the additional contribution prior to the expenditure of any further CDBG funds.

12.6 Lead Clearance Inspection & Notice of Hazard Reduction Activity

A lead clearance inspection, undertaken according to Federal procedures will be undertaken by an EPA certified individual. All dwelling units in a building must pass the final clearance inspection, including wipe sample lead levels, prior to paying a contractor the final 10% retainer on the rehabilitation contract. The occupants will be provided with a notice of hazard reduction activity, according to Federal guidelines.

12.7 Final Payment

Final payment will not be made until all work has been inspected by the Program Staff, and all punch list items have been addressed. In addition, a final lead clearance inspection must have been completed, and lead wipe samples must indicate lead dust levels below the Federal Standards. If the property fails the lead clearance inspection, the contractor must clean the premises, and address all failed items. The cost of any lead testing after the first clearance inspection shall be undertaken at the expense of the contractor. At the time of final payment, the Program Staff will prepare a disposition of funds form (2 copies), showing the usage of the project funds. The property owner will sign both copies. One copy will go to the property owner, and one copy will be retained in the applicant's file. In addition, the property owner will sign the Satisfactory Completion Form.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis
Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 27-2014 was introduced by David Post and seconded by Rudy Stripp:

BE IT HEREBY RESOLVED that we adopt the following:

**TOWN OF STAMFORD
NOTICE TO TOWN EMPLOYEES
DRUG FREE WORKPLACE STATEMENT**

As a recipient of federal grant funds, the Town of Stamford is required to comply with the provisions of the Drug-Free Workplace Act of 1988. The statement shall serve as notice to all employees that the Town is carrying out those required steps to ensure compliance with the Act. All Town of Stamford employees and employees of Western Catskills Community Revitalization Council, Inc. are notified as follow:

1. All employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the work place.
2. The following are actions that will be taken against any employee for violation of the above provisions:
 - a. All appropriate personnel actions against an employee, up to and including termination of employment. Specifically, an employee may be terminated for a conviction of unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace

- b. At the option of the Town of Stamford, the Town may require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes as a Federal, State, or local health or law enforcement agency in lieu of termination of employment.
3. Employees are notified that as a condition of employment that:
 - a. Employees must abide by the terms of this statement.
 - b. Employees are required to notify the Town of Stamford of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Such notice is to be delivered to the Town Clerk.
4. This notice is being posted in all prominent locations in the Town of Stamford workplaces and is being distributed to all Town Employees.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis
Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 28-2014 was introduced by Mike Triolo and seconded by Roderick Hillis:

TOWN OF STAMFORD DRUG FREE AWARENESS PROGRAM

The Town of Stamford has instituted a drug-free awareness program under the provisions of the Drug-Free Workplace Act of 1988. Under the provisions of that act the Town wants to make employees aware of the following:

1. All employees should be aware of the dangers of drug abuse in the workplace. Information on those hazards is available in the Town Clerk's office.
2. The Town wants all employees to be aware of the Town policy of maintaining a drug-free workplace.

3. Information is available on drug counseling, rehabilitation, and employee assistance programs in the Town Clerk's office.
4. The Town wants all employees to be aware of the penalties imposed for a drug abuse violation in the workplace. The following are actions that will be taken against an employee for violation of the drug-free workplace provisions:
 - a. All appropriate personnel actions against an employee, up to and including termination of employment. Specifically, an employee may be terminated for a conviction of unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace.
 - b. At the option of the Town of Stamford, the Town may require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health or law enforcement agency in lieu of termination of employment.
5. Questions relating to the Drug-Free Workplace Act may be answered at the Town Clerk's Office.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis
Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 29-2014 was introduced by Mike Triolo and seconded by Daniel Deysenroth:

BE IT HEREBY RESOLVED that we schedule a Public Hearing on Local Law No. 1 of 2014 – "TOWN OF STAMFORD FAIR HOUSING LAW" on Aug. 6, 2014 at 6:45 P.M. The regular August Town Board Meeting is rescheduled for Aug. 6, 2014 at 7 P.M.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis
Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO. 30-2014 was introduced by Mike Triolo and seconded by Daniel Deysenroth to accept the following agreement with The Humane Society of Central Delaware County, Inc.:

This agreement, made this 15th day of June 2014 between the Town of Stamford (the "Town") in Delaware County, NY, and The Humane Society of Central Delaware County, Inc. (d/b/a Heart of the Catskills Humane Society) ("HCHS"), in Delhi, NY;

WHEREAS, the Town occasionally has stray or lost dogs that are picked up by its employees;

NOW, THEREFORE, in consideration of the premises and the consideration hereinafter recited, the parties agree as follows:

1. The Town assumes all responsibility for the handling and turning over of any dog to HCHS and agrees to hold harmless and defend HCHS from any and all claims in connection with the picking up and turning over of said animals, and euthanizing of any such animal turned over to HCHS by the Town.
2. In the case where the Town has a holding facility for the handling of stray dogs, the Town will hold such animals for five days before turning over such animals to HCHS on the sixth day.
3. The Town agrees to pay HCHS a fee of forty dollars (\$40.00) for each dog turned over to HCHS by the Town, its agents or employees.
4. If the Town is not a township in Delaware County, the Town shall also pay an annual contract fee of \$250.00 to HCHS, due upon signing of this agreement.
5. For court ordered holds, or for any animal brought to HCHS in connection with allegations of animal cruelty, the Town will be charged a boarding fee of \$10. per day for each animal (dog) for the period of time of the hold or, in the case of an animal cruelty case, the period of time before the prosecuting authority notifies HCHS in writing that it does not require the animal to be held in connection with its prosecution, payable by the Town upon receipt of billing from HCHS.
6. HCHS assumes all responsibility for collecting fees from any person who redeems any animal that has been turned over to HCHS by the Town. HCHS assumes all responsibility for collecting impoundment fees from any person who redeems an animal that has been turned over to HCHS by the Town. HCHS will keep all impoundment fees as part of HCHS's \$40.00 fee (as set forth in paragraph 3 above) and will bill the remainder of that fee to the Town, which fee shall be payable upon receipt of billing from HCHS.

7. The Town shall deliver the animals to HCHS by the Dog Control Officer of the Town, or a duly designated agent or employee of the Town. The Dog Control Officer shall keep a record of all such animals left with HCHS.
8. The Town understands that fees of HCHS are subject to change. HCHS will notify the Town thirty (30) days before any change is to take effect.
9. HCHS agrees to bill the Town for stray animals brought to the helter by the Dog Control Officer.
10. HCHS agrees to accept, upon payment of the fees mentioned above, any animal brought to it by the Town and to take good care of each such animal as is HCHS's usual practice.
11. Following the expiration of the redemption period as outlined in Article 7 of the New York State Agriculture and Markets Law ("Article 7"), Section 117 (4) & (6), ownership of seized dogs will be transferred to HCHS pursuant to Article 7, Section 117 (7) for the purpose of placing them in adoptive homes, transferring them to the State University of New York, foster care or another approved shelter, or for any other lawful purpose as provided in Article 7, Section 117 (7-a).
12. This agreement may be cancelled upon review of same by the governing body of either party. Each party agrees to give other party thirty (30) days' written notice of cancellation.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis
Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

Supv. Triolo gave an update on the South Kortright Community Wastewater Program: Lamont Engineers submitted the 95% design plan, easements are in place, the Delaware River Basin gave their consent and it is possible that the project may go out to bid next month.

A quote was received from Quarino Stonescaping for the repair of an existing wall at the Burn's Cemetery. This decision was tabled until Supv. Triolo checks on prevailing wage requirements.

Estimates for sidewalk repair at the town office building and the highway garage apron will be obtained.

RESOLUTION NO. 31-2014 was introduced by Daniel Deysenroth and seconded by David Post:

BE IT HEREBY RESOLVED that we give Supv. Triolo the authority to sign a contract with Direct Energy Business, LLC for a rate reduction on town electric costs for 35 months, starting Aug. 14, 2014. The cost will be \$0.08100 per kwh.

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

AYES: Michael Triolo-Rudy Stripp-Roderick Hillis
Daniel Deysenroth-David Post

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

Discussed was the drug problem in town and the costs of implementing a town police officer. Supv. Triolo stated there is a Drug Hotline and a Delaware County Drug Task Force in place.

A MOTION was made by Michael Triolo and seconded by Daniel Deysenroth to adjourn this meeting at 8:22 P.M. The next regular meeting will be held on Aug. 6, 2014 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