

The regular meeting of the Town Board of the Town of Stamford was held on Feb. 10, 2010 at 7:00 P.M. at the Town of Stamford Municipal Building with the following present:

Supervisor-Michael Triolo
Councilperson-Rudy Stripp
Councilperson-Bette Jayne Spinney
Councilperson-Daniel Deysenroth
Councilperson-Christopher Gaddis
Absent was-Hwy. Supt. John A. Rice, Jr.

Also present: Wayne Reynolds and Tim Moretti

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

Wayne Reynolds, Commissioner of Delaware County Dept. of Public Works, gave a presentation on the replacement plans for a culvert structure on Co. Hwy. 18, south of the Village of Stamford. The culvert structure is approximately 150 years old and was damaged in the Jan. 19, 1996 flood. Replacement construction plans are to begin after June 15, 2010 and to be completed no later than Sept. 30, 2010. Temporary traffic signals will be installed to maintain one lane of traffic during construction. Mr. Reynolds will keep the town informed of the construction schedule. The culvert structure replacement is a county expense.

A MOTION was made by Bette Jayne Spinney and seconded by Rudy Stripp to approve General bills abstract no. 2, dated Feb. 10, 2010, claim nos. 23 – 46 in the amount of \$8,033.40. ALL AYE votes cast, MOTION carried

A MOTION was made by Rudy Stripp and seconded Daniel Deysenroth to approve Highway bills abstract no. 2, dated Feb. 10, 2010, claim nos. 16 – 31 in the amount of \$13,838.16. ALL AYE votes cast, MOTION carried.

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

Supv. Triolo contacted Time Warner and was assured the South Kortright hamlet is on the list for funding for cable. Supv. Triolo will submit a letter of request.

RESOLUTION NO. 6-2010 was introduced by Bette Jayne Spinney and seconded by Daniel Deysenroth:

An application has been duly made to the Board of the Town of Stamford, County of Delaware,

New York, by **TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP** ("Time Warner"), a partnership organized under the laws of the State of New York doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850, and holder of a cable television franchise in the Town of Stamford for the approval of an agreement to renew Time Warner's cable television franchise for an additional ten (10) years commencing with the date of approval by the Public Service Commission._____, _____. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Stamford , New York on Oct. 14, 2009 at 6:45 P.M. and notice of the hearing was published in the Mountain Eagle on Oct. 1, 2009 and Oct. 8, 2009.

NOW, THEREFORE, the Board of the Town of Stamford finds that:

1. Time Warner has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. The quality of the Time Warner service, including signal quality, response to customer complaints and billing practices has been in light of community needs; and
3. Time Warner has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
4. Time Warner can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Town of Stamford hereby renews the cable television franchise of Time Warner in the Town of Stamford for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

BE IT FURTHER RESOLVED that the Board of the Town of Stamford hereby confirms that this Franchise Renewal Agreement replaces the original franchise last amended on March 8, 2001 with the resolution dated March 9, 2001.

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

AYES: Michael Triolo-Rudy Stripp-Bette Jayne Spinney
Daniel Deysenroth-Christopher Gaddis

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

RESOLUTION NO.7-2010 was introduced by Christopher Gaddis and seconded by Rudy Stripp:

BE IT HEREBY RESOLVED that we adopt the following Sexual Harassment Policy, American with Disabilities Act (ADA) Employment Policy and Equal Employment Opportunity Policy.

Sexual Harassment Policy

Sexual harassment is a form of gender discrimination and is a violation of state and federal civil rights laws. It is the policy of this Town to strongly oppose and prevent any form of discrimination. We recognize that any employee's ability to perform his or her job may be adversely affected by harassment based on sex. Therefore, this policy has been prepared to aid our employees in understanding and helping to prevent sexual harassment.

The Equal Employment Opportunity Commission defines sexual harassment as "unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature" when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or; submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, or termination, affecting such individual, or; such conduct has the purpose or effect of

unreasonably interfering with an individual's work performance or creating an intimidating, hostile or otherwise offensive working environment, or; such conduct created an intimidating, hostile or offensive work environment.

Sexual harassment can include abusive verbal language related to an employee's sex, sexually oriented comments about an individual's body that are unwelcome and/or reasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive working environment; displays of obscene printed or visual material; and physical contact, such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

Any employee who believes that another employee is initiating sexual harassment may file a written complaint with Town Clerk, Diane S. Grant. She is designated to accept Sexual Harassment Claims within (30) calendar days of the incident. Retaliation against the complainant will not be tolerated. Due to the serious and private nature of this offense, false accusations of sexual harassment are and will be treated as a disciplinary offense and will result in the same level of punishment as that applied to one who engages in such behavior.

The policy of the Town of Stamford, NY is to investigate all such complaints. If an investigation confirms that harassment has occurred, the Town of Stamford, NY will take corrective action, including any discipline that is appropriate up to and including immediate termination of employment.

This directive is for municipal use only and does not apply in any criminal or civil proceeding. The municipal policy shall not be construed as a creation of higher legal standard or safety or care in an evidential sense with respect to third party claims. Violations of this directive will only form the basis for municipal administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

Americans with Disabilities Act (ADA) Employment Policy

It is the policy of the Town of Stamford, NY to fully comply with the provisions and spirit of the ADA and ensure equal employment opportunity for all qualified persons with disabilities. All employment practices, such as recruitment, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments, job classifications, paid or unpaid leave, fringe benefits, training, employer-sponsored activities, including recreational or social programs will be conducted so as not to discriminate unlawfully against persons with disabilities. This also extends to prohibit discrimination based on a person's relationship or association with a disabled individual. Reasonable accommodation is available to all qualified employees and applicants with disabilities, unless it imposes an undue hardship on the operations of a program.

Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position, not any disabling condition. Pre-employment physical exams will only be requested when in compliance with the law. The Town of Stamford intends to base employment decisions on principles of equal employment opportunity and nondiscrimination, as defined by law.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) along with work assignments, classifications, seniority, leave and all other forms of employment compensation or advantage.

The Town of Stamford has designated the Town Clerk, Diane S. Grant to accept discrimination claims and monitor compliance to monitor efforts to ensure the municipality's compliance with the ADA, and to receive complaints of discrimination against disabled persons. Any person who believes he or she is a victim of discrimination can direct a written complaint to this person. This procedure is not intended to restrict an individual's rights to make a complaint to a federal or state agency.

The Town of Stamford, NY's policy is to investigate all such complaints thoroughly and promptly. To the fullest extent practical, the Town of Stamford, will keep complaints and their resolutions confidential. If an investigation confirms that discrimination has occurred, the Town will take corrective action, including any discipline that is appropriate up to and including immediate termination of employment. The Town of Stamford, NY will cooperate with any state or federal agency in the investigation of any complaints.

This directive is for municipal use only and does not apply in any criminal or civil proceeding. The municipal policy shall not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this directive will only form the basis for municipal administrative sanctions. Violations of law will form the basis for civil and criminal sanctions and a recognized judicial setting.

Equal Employment Opportunity Policy

The Town of Stamford, NY is an Equal Opportunity Employer. Discrimination on the basis of race, color, sex, religion, age, national origin, marital status, disability or veteran status will not be tolerated.

This policy applies to all terms and conditions of employment, including but not limited to employment advertising, hiring, placement, compensation, training, promotion, demotion, termination, layoff, transfer, disciplinary actions, leave of absence or any other benefits. Discrimination based on any of the above is strictly prohibited and any supervisor, administrator or employee who engages in or tolerates such behavior is

subject to disciplinary action in accordance with the Civil Service Law, collective bargaining agreements or any other applicable State or Federal Laws.

If an employee believes they have encountered violations of this policy, they may advise their Department Head. In addition, an employee can file a written complaint with Diane S. Grant, Stamford Town Clerk, within (30) calendar days of the incident. Retaliation against the complainant will not be tolerated. False accusations will be treated as a disciplinary offense and will result in the same level of punishment as that applied to one who engages in such behavior.

The Town of Stamford's policy is to investigate all such complaints. If an investigation confirms that a violation has occurred, the Town of Stamford will take corrective action, including any discipline that is appropriate up to and including immediate termination of employment.

This directive is for municipal use only and does not apply in any criminal or civil proceeding. The municipal policy shall not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this directive will only form the basis for municipal administrative sanctions. Violations of law will form the basis for civil and criminal sanctions and a recognized judicial setting.

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

AYES: Michael Triolo-Rudy Stripp-Bette Jayne Spinney
Daniel Deysenroth-Christopher Gaddis

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

A Policy of Emergency Procedures has been agreed upon with Hwy. Supt. Rice and the Hobart Fire Dept. It will be written up and approved next month.

The next Comprehensive Plan Committee meeting will be held on Feb. 24, 2010 at 6:30 P.M. at the Town Hall.

RESOLUTION NO. 8-2010 was introduced by Rudy Stripp and seconded by Bette Jayne Spinney:

BE IT HEREBY RESOLVED that we adopt the following:

AUTHORIZATION FOR EXECUTION OF CHANGE ORDER TO LOCAL CONSULTATION
LAND ACQUISITION CONTRACT WITH THE CATSKILL WATERSHED CORPORATION

WHEREAS, the Town of Stamford is a signatory to the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA); and

WHEREAS, under Paragraph 148 of the Watershed MOA, the Catskill Watershed Corporation (CWC) administers the Local Consultation on Land Acquisition Program which provides reimbursement for costs actually incurred by a Town or Village to review, assess, and comment on submissions provided by the New York City Department of Environmental Protection (NYCDEP) regarding lands or conservation easements in the Town or Village which NYCDEP seeks to acquire under its land acquisition program; and

WHEREAS, the Town of Stamford previously executed an agreement with CWC to provide for reimbursement of eligible costs under the Local Consultation on Land Acquisition Program; and

WHEREAS, pursuant to the 2008 Filtration Avoidance Determination, the maximum amount of reimbursement under the Local Consultation on Land Acquisition Program for eligible costs was increased to up to \$30,000 for each Watershed Town and Village; and

WHEREAS, the Town of Stamford has reviewed the proposed change order to the Local Consultation on Land Acquisition Contract between the Town and the CWC increasing the total amount of funding to \$30,000.

NOW THEREFORE, the Stamford Town Board authorizes the Supervisor to execute the Change Order to the Local Consultation on Land Acquisition Program contract with CWC and to submit invoices to CWC from time to time as the Town incurs expenses which may be eligible for reimbursement under the contract.

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

AYES: Michael Triolo-Rudy Stripp-Bette Jayne Spinney

Daniel Deysenroth-Christopher Gaddis

NOES: None

Said RESOLUTION was thereupon declared duly adopted.

A MOTION was made by Michael Triolo and seconded by Rudy Stripp to adjourn this meeting at 7:58 P.M. The next regular meeting will be held on March 10, 2010 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