



Millerton Farmers Market 2023-24 Rules & Application

Mission: The Millerton Farmers Market, sponsored by the North East Community Center, seeks to build a sustainable community and support and promote local agriculture. The Market enables area residents and visitors to buy and eat fresh, locally grown produce; creates a vital village gathering place; helps farmers find markets for their produce; and creates educational and training opportunities for young people-

Principles: The market will operate under the following principles:

- **Locally grown, locally made, farmer grown:** Priority is given to farmers within a 35-mile radius of Millerton. If items would add to the diversity of the market, farmers within a 100-mile radius may be allowed. **Vendors must grow what they bring** – they may not “carry” or resell produce purchased from others, except under the following circumstances: if they run out of a specific item, and a neighboring farm whose produce or product meets all other market requirements can provide it, or, if an item is not currently available at the market but would fit the criteria of “locally grown, locally made”. In either case the farmer may bring the item with advance permission from the market manager and the farmer must clearly label the item with the neighboring farm name and location or web address. Farmers can offer a maximum of 20% of the approved alternate source products they sell compared to 80% of their own.
- **“Organic” “clean-grown” “chemical-free:”** a goal of the Millerton Farmers Market is to promote food (and growing practices) free from chemical fertilizers and pesticides. While it is not a requirement for participation, every vendor is expected to submit a statement explaining their growing practices, which the Market Manager will make available to any interested consumer. Farmers should answer any questions posed by consumers factually. Any farmer claiming to sell certified organic products (or similar) must display the appropriate certificates.
- **Equity and Diversity:** The vendor selection process, wherever possible, will promote beginning and minority farmers within the defined local area.
- **Freshness, Variety, and Quality:** Produce should be as fresh as possible and of the highest quality. The Farmers Market will promote a variety of products, keeping in mind the needs and wants of residents and patrons. Stalls should be safe, clean, neat and attractively arranged. Please read this entire document for any safety requirements and tips on creating effective displays.
- **Friendly, attentive customer service:** The market and its participants are honest, courteous and friendly, and do not discriminate for any reason. Vendors should refrain from eating or smoking/vaping while selling food products.

- **Youth work experience opportunities:** A unique feature of the Millerton Farmers Market is our teen work-skills program--Community Partnership with Schools and Business (CPSB). High school Food-Access interns work under NECC supervision to support the market throughout the year. Also, during the summer, the Teen Farm Education Program (TFEP) trains a group of students to learn about agriculture, grow and sell products at the market, assist farmers with setup/breakdown of their stands, serve customers, and under certain circumstances, help farmers with their stand operation.

Role of the Sponsor: the North East Community Center and its designated Market Manager are to:

- Establish an operations plan, operating budget, and raise enough money to support the Market
- Recruit and communicate with farmers and participants to ensure all are familiar with the rules and have fair opportunity to participate
- Establish and enforce rules, ensuring the Market and all participants are in compliance with all state and local laws, and to ensure all concerned are adequately insured
- Ensure the safe operation of the market
- Determine and arrange the operational schedule, location, and special activities
- Conduct an advertising and promotional program for the Market including signage
- Supervise and manage any CPSB Food Access Interns and TFEP Interns
- Address food access issues by accepting EBT/SNAP (formerly known as Food Stamps) and helping farmers enroll in Farmer's Market Nutrition Program (FMNP) to accept Senior and WIC FMNP Checks and other incentives like Health Bucks and Fresh Connect Checks.

Role of the Market Manager: in addition to adhering to and promoting the above principles, the manager is NECC's on-site designate who will:

- Ensure the orderly and efficient operation of the Market, including making decisions about closing due to inclement weather
- Serve as liaison among customers, farmers and NECC to ensure good communication and the best possible service to all
- Assign market spaces to each vendor at the beginning of the Market season; manager will make changes later in the season if needed

- Collect Market fees at the beginning of the Market season/each Market day plus additional fees as applicable to fulfill vendor obligations.
- Operate EBT terminal for SNAP and Credit/Debit transactions
- Report to NECC regarding Farmers Market performance and impact
- Address concerns that may arise from vendors, customers, or the community

Role of Farmer/Grower/Participants: In addition to agreeing to the above principles, Vendors should:

- Display appropriate signage including applicable licenses, SNAP/EBT eligibility, methods of payment accepted, vendor name and address plus the name and address of any other vendors whose products are being sold but were not produced by the participating farmer or vendor.
- Comply with all rules and policies specified in this agreement
- All applicable licenses and permits for products sold must be obtained and kept current. Copies of applicable permits and licenses will be kept on file with the market management.
- Arrive and set up for customers on time and remain present and open until the closing time of the market
- Utilize teen interns to help with stand operation and setup during market hours when and where appropriate in keeping with their availability and work experience program.
- Accept EBT/SNAP, FMNP Checks, Health Bucks, and Double Up Food Bucks (DUFB) if these programs apply to vendor's products
- If outside, utilize an overhead covering such as a tent or canopy to protect products and be uniform with the market's spaces.
- Clean up space and dispose of trash at closing time

Operating Schedule: The Millerton Farmers Market operates outside of the Millerton Methodist Church, 6 Dutchess Ave. The SUMMER SCHEDULE is as follows:

- 24 weeks, Saturdays, 10 am to 2 pm, from May 20th to October 28th.
- Vendors may begin setting up at 9 am and may stay until 3 pm to break down their stands. All vendors must be set up by 10 am. Vendors must leave the Methodist Church property by 3 pm, as per our agreement with the church.

WINTER MARKET NOTE: The Winter Market operates inside on the first floor of the Millerton Methodist Church on Saturdays from 10am to 2pm. Weekly from November 4-December 30, then the 2nd and 4th Saturdays of January – April.

Attendance Policy: The Millerton Farmers Market operates rain or shine. Vendors are expected to attend all dates for which they have committed unless the market has been officially canceled due to extreme weather conditions. Vendors should contact the market manager by telephone or email to check on a potential cancellation. The Market Manager will send a group email and text by 9 am on the market day in question if a cancellation is necessary. In the event that a vendor cannot attend a market day, the vendor should contact the market manager as soon as possible and no later than 9 am.

Full-time vendors are making a full-season commitment and are expected to be at the market on each day of operation. The success of our Market depends in part on the dependability of our vendors. After two or more absences, the North East Community Council reserves the right to terminate the vendor from market participation. If a vendor has paid upfront for the season, they might not be reimbursed for the remaining markets.

Note Regarding Vendor Illness: *Farmers and vendors who are ill or showing signs of illness, are obliged to not participate. They should notify the Market Manager via text and email as soon a determination of illness is made if an alternate vendor representative is unavailable.*

Vehicle and Parking Policy: All farm and vendor vehicles must be moved away from Dutchess Avenue and on to Century Blvd. prior to the start of the market. Please see the Market Manager with any parking questions/concerns. Businesses in town are impacted by the traffic at the market. The market manager has the discretion to designate alternative parking under certain circumstances. To ease the congestion of street parking around closing time, the Market Manager will have cones available for vendors to reserve available parking spots 15 minutes before closing.

WINTER MARKET NOTE: During the Winter Market, all vendors are allowed to park in the church's rear parking lot. They can also park on Century Boulevard but should not park on Dutchess Avenue.

Vendor participation: Vendors participate in the Millerton Farmers Market at the invitation of the sponsor only. The Millerton Farmers Market is privately operated and is under no obligation to extend participation privileges to any vendor. Vendor selection is limited by product category to ensure a diverse mix of products. All interested applicants need to submit a completed application and all applications must be approved by the North East Community Center prior to participation by the vendor. Vendors are responsible for the actions of their representatives, employees, or agents.

Product Guidelines: The following products are permitted for sale at the Millerton Farmers Market: locally grown or produced vegetables, fruit, grains, cheese, dairy products, meats, fish, eggs, jams and jellies, poultry and game, mushrooms, maple

products, honey, herbs, plants and flowers. The sale or use of intoxicating beverages or substances is prohibited.

Vendors wishing to sell fruit juice, non-alcoholic cider, jams and all other processed and prepared foods such as sauces and entrees will be considered only when those items are prepared using **predominantly locally grown ingredients**.

Hand-crafted items including soaps and candles, lotions and salves, wool, fabric/fiber, jewelry, woodcrafts and other items will be considered on a case-by-case basis and should contain locally grown or sourced materials.

Vendors may only bring and sell those items that have been approved on the application form. Application forms are attached to this document, available on our website, <http://neccmillerton.org/farmers-market> , and from the Market Manager. Applications must be submitted annually; revisions are permitted during the season but pre-approval is required for any changes or new items.

Agricultural Products: All agricultural products displayed and presented for sale should be grown by the vendor on land owned or operated by the vendor. Produce offered for sale should be grown, harvested and cared for post-harvest so as to assure customers receive fresh, high-quality fruits and vegetables. Agricultural products should meet standards for quality, freshness, size and grade. They should be washed in potable water and protected from contamination by rodents, vermin, and chemicals. During transport, produce should be covered in new or disposable containers that are re-used with liners or cleaned before next use. While at the market, all produce should be kept off the ground. Produce should be displayed so as to prevent consumer handling.

Food Products: All prepared and processed food products displayed and presented for sale should be produced by the vendor from scratch in an approved local production facility and should contain predominantly ingredients that are either self-grown or purchased from local farmers. **Vendors are required to post signage detailing where the farm fresh ingredients are coming from including the farm name and location.** Non-local or commercial fresh, canned or frozen fruit or vegetable ingredients are prohibited. All products should be packaged and labeled in accordance with NY State regulations. This includes identifying the food, the name of the maker, packer, or distributor, the address of the business, the ingredients, and the net quantity.

Meat, Chicken and Fish Products: shall be slaughtered, processed and packaged in a USDA approved facility.

Baked Goods: All baked goods displayed and presented for sale should be freshly baked and prepared from scratch by the vendor and should contain predominantly ingredients that are either self-grown or purchased from local farmers. **Vendors are required to post signage detailing where the farm fresh ingredients are coming from including the farm name and location.** *An exception will be made for bread:* bread vendors may purchase ingredients non-locally only when those ingredients are not available for sale from a local farmer, but the bread must be freshly baked and

made locally. Wrapped baked goods should be packaged and labeled in accordance with NY State regulations. Commercially prepared mixes, crusts, shells or fillings are strictly prohibited.

Flower products and plants must be produced by the vendor on land owned or operated by the vendor. Vendors should be registered, licensed or listed with Cooperative Extension and, if applicable, have appropriate nursery license on display.

Note on Sampling: Sampling, if allowed, must be accomplished in a safe and sanitary manner and should be supervised by the vendor at all times. Foods should be protected with covers or barriers to prevent contamination by customers and or the environment. An appropriate handwashing station must be nearby the sampling area. Any applicable Department of Health Permits must also be acquired and maintained. Sampling of alcoholic products is prohibited.

Products must be priced clearly and must be of the highest quality. The Market Manager reserves the right to ask the vendor to withdraw from displaying any item that is inferior in quality.

Signage: All vendors are required to display an attractive sign with the name and location of the farm or business in a clearly visible location. Vendors are encouraged to have business cards or brochures available for customers.

Farm Visits: A representative of NECC may make farm/business inspections with 24-hour notice to confirm that products brought to market conform to these rules. During inspection, the vendor should assist the market representative in thoroughly documenting the vendor's products as seen at the market and as indicated on the approved product agreement.

New York State laws: Vendors are individually responsible for conforming to all applicable local, state and federal laws and regulations including but not limited to:

- Vendors selling taxable items should display a valid NYS Certificate of Authority.
- Vendors selling nursery and greenhouse crops should display a valid NYS Nursery license.
- Vendors selling processed foods, prepared foods and other perishable items should do so in compliance with the requirements of the NYS Department of Health and/or the Department of Agriculture and Markets.
- Vendors selling by weight should have scales approved by the Dutchess County Sealer of Weights and Measures.
- Vendors selling by volume should use standard size containers such as pint, qt, etc.

Booth size and fee policy: Spaces will be assigned each year by the Market Manager. Location may be based on factors such as time of arrival, seniority, booth size, regular attendance, use of electricity and high sales.

Booth size is based on a standard 10x10 ft pop-up tent. Every effort will be made to honor requests for a specific location as well as to establish a consistent location for vendors each week. Vendors should bring their own equipment.

Full time vendors for the summer market have 2 payment choices: pay weekly or pay in advance for the entire season. Each 10' x 10' booth space costs \$20 per market day.

Vendors who pay in advance for the entire summer season may take a **25% discount** off the booth space rental . The full season rate, based on a 24-week season, with the saving reflected is:

- Single booth: \$360 (total savings of \$120, or \$5 per market)
- Double booth: \$720 (total savings of \$240, or \$10 per market)

Weekly fees must be paid on the day of the Market. Entire season fees must be paid by the first summer market day, May 20th, in order to earn the 25% discount.

WINTER MARKET NOTE: Regular Winter Market vendors pay an application fee of \$25.00 plus \$15.00 per market day for each stand space. Stand space is approximately 60% of the size of summer spots. If a vendor pays in advance by the first Winter Market Day, then the application fee is waived.

Drop-in vendors: Drop-in vendors are accepted on a case-by-case basis. They are defined as a vendor who has not signed up for the entire market season but who participates occasionally. There is no guarantee that a drop-in vendor will be accepted. The vendor must submit an application (application fee is waived) at least 2 weeks in advance to the date they would like to attend. The drop in vendor will be required to pay a fee on the date they attend: \$25 for the summer market or \$20 for the Winter Market.

Tent and Display Requirements: All display tables should be covered with a tablecloth. All facilities should be in good working order, pose no safety hazard and allow ease of access for customers. Vendors should keep spaces clean and neat and bring their own trash disposal container.

Appropriate weights are required. All vendors are responsible for weighing down their tents so that they do not move or are blown over. This is extremely important in ensuring the safety of customers and vendors.

NECC Equipment Usage: If a vendor needs to borrow equipment from the North East Community Center, the request must be made to the market manager at least a day in advance. We cannot guarantee availability, however the earlier the request is made, the more likely it is that we can reserve the equipment. Fees must be paid on the day the equipment is borrowed. The fees are as follows:

- Table: \$10; Tent: \$25; Chair: \$5

Miscellaneous Policies

- Dogs: The Market is dog friendly and requires all dogs to be on leashes and under the control of the owner. Any dog owner failing to control their animal will be required to leave the market. Any dog owner that fails to control their animal at more than one market day may be prohibited from returning to the market with animals in the future.
- Smoking/Vaping is not allowed on the Market premises. This includes set-up and break-down time as well as when the Market is in progress.
- Speech and Advocacy: We will allow non-profit organizations to have tables at no cost and on a space available basis to raise awareness and solicit donations for their programs. The preference is for local organizations but others may be allowed if there is space available. Political candidates may walk through the Market wearing buttons and handing out brochures, but not set up a table with literature. Groups advocating for a cause will be evaluated on a case-by-case basis, with a bias towards freedom of speech. The Market Manager will maintain the schedule of rotating community groups.

There is no hawking, proselytizing, or amplified music (beyond that provided by the market) permitted at the market.

Non-compliance Penalties: A vendor shall receive a first time warning for any violation of the rules and policies specified in this application. Further violations can result in a fine of \$25.00. Failure to pay fines or repeated violations will be grounds for suspension or termination.

Complaints: Complaints should be directed to the Market Manager on site or later via email, paul@neccmillerton.org.

Grievance Procedures: In the event that a concern or dispute is not resolved to the vendor or visitor's satisfaction by the Market Manager, grievances should be submitted in writing (email is acceptable) to NECC, PO Box 35, Millerton, NY 12546 or info@neccmillerton.org. The Executive Director will review the concern and render a decision, which can be appealed to NECC's full Board of Directors. The Board's decision is final.

NOTE: The above rules and policies are subject to change over the course of a season to fit the needs of NECC and the Millerton Farmers Market.

North East Community Center is an Equal Opportunity Employer and Program Provider



Insurance and Workers Comp Requirements 2023-24 Seasons

The NECC Millerton Farmers Market requires the following insurance for participation in the farmers' market.

Farmers Market Insurance

- Each vendor shall provide proof of general liability insurance coverage in the minimum sum of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate.
- Each vendor shall provide verification that the Northeast Community Council is listed as additionally insured on their liability policy:

Northeast Community Council
51 South Center Street
P.O. Box 35
Millerton, NY 12546

- Each vendor shall have indicated in the description portion of their insurance certificates, the following wording:

“The North East Community Council Inc. is listed as an additional insured providing coverage on a primary and non-contributory basis on the general liability and automobile liability as required by written contract or agreement and including a waiver of subrogation under the general liability, auto liability, and workers compensation in favor of the additional insured.”

- Each vendor shall provide verification that the Millerton Methodist Church is listed as additional insured on their liability policy:

Millerton Methodist Church
6 Dutchess Avenue
Millerton, NY 12546

Note: The Farmers Market Federation of New York offers vendor liability insurance. For more information - <http://www.nyfarmersmarket.com/membership/insurance/vendor.html>

Workers Compensation

Every vendor must either provide proof that you carry Worker's Comp or that you are exempt from it.

- To claim exemption to obtain the Workers Compensation Insurance Board form go to www.wcb.ny.gov. About halfway down the page on the left is a box that says: WC/DB Exemptions Form CE-200. Click on this. On the next page, click on "Request for WC/DB Exemption (Form 200)."
- On the next page click on "select to access web-based Exemption Application." You will have to create a PIN and enter some information, and then SIGN ON. Click continue through the next several windows, and then fill out the requested fields. (See answers below to some items people had questions on):
- Instructions for filling out form:
 - Nature of business: farm
 - Applying for farm related license
 - Issuing Agency: Dutchess County and NYS Office of Parks Rec and Historical Preservation
 - Reason for exemption: several choices may apply – Farm with less than \$1,200 of payroll could work for many but pick the one that is closest to your situation.
 - Disability coverage exemptions – again several options would work, but this one works for many: "the entity is a farm, and all employees are farm laborers."



Farmers Market Application – Summer 2023 & Winter 2023-24

**Summer Applicants please fill out and return to us no later than May 5, 2023.
Winter Applicants please fill out and return to us no later than October 30, 2023.**

Applications received after this date will be considered on a space-available basis.

Please send this application, a completed crop and/or product plan, proof of general liability insurance, worker's compensation (see insurance requirements document), copies of all necessary licenses and/or permits, and a check made out to the Northeast Community Council, Inc. for your application fee of \$25 to: **Paul Bengtson, North East Community Center, PO Box 35, Millerton, NY, 12546. Applications, permits and insurance documents may be emailed to paul@neccmillerton.org.**

- Market Application
- \$25 Application Fee: may be waived for full season vendors and for drop in vendors
- 2023 Crop Plan (if applicable)
- Copies of all licenses and/or permits necessary for the types of products you are planning to sell, i.e. Department of Health permits, NYS license, nursery license, etc.
- If you are approved to participate in the 2023 season, you are required to provide the Northeast Community Center (NECC) with a certificate from your insurer naming the Northeast Community Council Inc. and the Millerton Methodist Church as additionally insured.
- Every vendor must also either provide proof that you carry Worker's Compensation or that you are exempt from it. Please see our insurance requirement document for complete information.

Contact the Market Manager with any questions or concerns: paul@neccmillerton.org

Millerton Farmers Market Application – Summer and/or Winter 2023

Contact Person: _____

Name of Business: _____

Address: _____

City/State/Zip: _____

Website: _____

FB/IG name: _____

Email: _____

Home/main phone: _____ Cell phone: _____

Do you have an online ordering system? YES NO

Vendor/Product Description and Growing/Processing Practices: Please provide or attach a description of your farm and/or products. This will be included on our website and in promotional materials.

Dates: The Summer Market will run 10am - 2pm on Saturdays from May 20 thru October 28. (The Winter Market will run weekly from November 4th to December 30th and then resumes the 2nd and 4th Saturdays of Jan-Apr.)

Full Season Vendors: Please list below any of the dates that you know in advance you will **NOT** be able to attend the market. Otherwise you will be committed to all Saturdays.

Drop In Vendors: Please list all the dates you would like to attend the market:

Please indicate whether you are interested in the Winter Farmers Market:

- I am interested in participating in the Winter Market
- I am **not** interested in participating in the Winter Market

Please check any that apply regarding credit card payments:

- I will accept \$5.00 market token payments made by debit or credit card through the Market's central terminal. I understand that NECC will take out 25 cents/token for credit card processing when cashing in \$5.00 tokens for vendors.
- I will **not** accept \$5.00 token payments made by debit or credit card through the Market's central terminal.
- I will accept credit or debit card payments through(list all platforms/devices):_____

Please indicate if you will need to use electricity:

- I will need to use an electrical outlet during the market
- I will **not** need to use an outlet during the market

Summer applications are due by May 5th, 2023 and Winter applications are due by October 30th, 2023. Those received after that date will be considered on a space-available basis.

By signing this application, vendors agree to:

1. Adhere to the Rules and Regulations as included with this application.
2. Be present on time to sell on all Saturdays they committed to in this application.
3. Fruit and Vegetable vendors agree to:
 - A. Participate in the Farmers' Market Nutrition Program (FMNP) and be eligible to accept FMNP coupons for their produce. (FMNP coupons can be used only for fresh, locally-grown produce. To be eligible, at least 75% of the produce sold must be grown by the vendor).
 - B. Accept EBT/SNAP payment tokens and/or HealthBUCKS at the Market for their produce.

Vendor Signature

Date

List of Products – 2023

Farmer/Producer/Baker _____

Please fill this out with every variety of every product or crop or attach a separate list providing the information. We try hard not to have too many farmers bringing the same item so it's important that we know what everyone has. Use additional pages as needed.