



Town of New Lebanon

Planning Board regular meeting minutes – unapproved
May 20, 2015

Present: Ray Herrmann, Planning Board Chairman
Michael Blatt, Planning Board Member
Greg Hanna, Planning Board Member
Bob Smith, Planning Board Member

Absent: Jerry Grant, Planning Board
Josh Schuster, Planning Board Member

Others Present: Abigail Allard, Anthony Paulo, Fred Haley, Ruth Abram, Kent Pratt, J.J. Johnson-Smith, Joanne Amlaw, Ermenia Rasmussen, Francis Amlaw, Monte Wasch

Chairman Herrmann called the regular meeting of the Town of New Lebanon Planning Board to order at 7:30.

Minutes Review:

Upon review of the April 15, 2015 minutes Michael Blatt moved to accept them as submitted. The motion was seconded by Greg Hanna and carried unanimously.

Regular Meeting:

Case No.: PB-2015-001: Amlaw, Joanne (TM# 201.-1-8 & 10.3-1-72)

Request two lot subdivision and lot merger. The applicant would like to subdivide the gravel bed property from her resident property using the creek as the dividing line. She would further like to take a very small lot; less than 1 acre (10.3-1-72) and merge it with the gravel bed.

Joanne Amlaw was present and informed the Board that they are in the process of acquiring abutting land in order to resolve the issue of lack of 60 ft. of road frontage.

Case No: PB-2015-003: Lapp Insulator Company- 'Ceramtech'(18.-1-9.11)

Request for a minor two lot subdivision located on Route 20
Original Survey date: 03.31.15; revision date: 05.15.15.

Everett Quackenbush, Surveyor, agent for the property owners submitted the revised maps depicting the modifications that the Planning Board had requested at the last meeting.

Upon Short SEQR review Bob Smith moved to issue a negative declaration. The motion was seconded by Michael Blatt and carried on the vote:

Chairman Herrmann	Aye
Michael Blatt	Aye
Jerry Grant	Absent
Greg Hanna	Aye
Josh Schuster	Absent
Bob Smith	Aye
Vacant	-

Upon review of the revised maps Bob Smith moved to approve the final plat as a two lot minor subdivision. The motion was seconded by Greg Hanna and carried on the following vote:

Chairman Herrmann	Aye
Michael Blatt	Aye
Jerry Grant	Absent
Greg Hanna	Aye

Josh Schuster	Absent
Bob Smith	Aye
Vacant	-

Case No: PB-2015-005: Behold! New Lebanon General Store (19.2-1-43)

Request for Site Plan Review for Behold! General Store located at the Victorian House on Meissner's Auction House property

Fred Haley, agent for the applicants, submitted the parking plan relating to the above noted request. He stated that there is ample parking with room for 20 more spaces. He also submitted a floor plan with the furniture layout and indicated that the structure and the property all have been used as retail/commercial for 100 years.

Bob Smith asked about the current flea market that is conducted on this site and wondered what their traffic and parking is like. He asked what if 100 people showed up for the new business that Behold! New Lebanon is proposing. Mr. Haley stated that he doesn't have an answer for that but that Mrs. Meissner is not selling to Behold! New Lebanon and she will still have complete control. Bob Smith said that he understood that but he was told that Behold! New Lebanon is proposing buses to come and go. Fred Haley said that they are proposing one bus.

Chairman Herrmann stated that it is a huge auction site and always has been. Mrs. Meissner can regulate the activities held on her property.

Greg Hanna stated that he doesn't think that the traffic will be any different than when they have an auction. Monte Wasch stated that Behold! New Lebanon's business will be conducted during the day and that Meissner's auctions are usually held in the evenings. Fred Haley stated that the property isn't going to be used any differently than it has for decades. Greg Hanna indicated that he doesn't see this as a substantial change from the existing use of the property. Erminia Rasmussen stated that is only an overlap of about 30 minutes. Behold! New Lebanon will conduct business from 9:30 – 4:30 pm and Meissner's auctions start at 4 pm.

Chairman Herrmann asked Kent Pratt if he had concerns. Kent Pratt stated that upon reviewing the applicant's narrative he determined that this would be a change of use since Ms. Meissner and Ms. Abrams both stated that the Victorian structure was primarily used for storage for the past several years. Fred Haley stated that neither Ms. Meissner nor Ms. Abrams are attorneys and that Kent Pratt used their terminology in its most literal terms. Bob Smith state that 'the structure is being changed from a house to retail. Fred Haley stated that that is incorrect. It is not a house it has always been used for retail space along with all of the other structures on this commercial property. Ruth Abrams stated that there is a sign on the Victorian structure that reads "Antique Store".

Ray Herrmann asked if the Board had any objections. Bob Smith said that he has no objections but he see this as a change of use. Greg Hanna stated that he feels that the request is pretty straight forward.

Greg Hanna moved to accept the plan as a preliminary, refer the application to Columbia County Planning Board for review and to schedule the public hearing for next month's regularly scheduled meeting. Bob Smith seconded the motion that carried on the following vote:

Chairman Herrmann	Aye
Michael Blatt	Aye
Jerry Grant	Absent
Greg Hanna	Aye
Josh Schuster	Absent
Bob Smith	Aye
Vacant	-

Case No: PB-2015-006: Behold! New Lebanon Off-Site Sign (19.2-1-58.2)

Request for Off-Site Sign/Banner to be located on the Route 20 side of the OTB/Gallup-Inn Building

Upon review of the request Chairman Herrmann indicated that a variance would be required because the requested sign exceeds the size requirements for off-site signs.

Bob Smith said that the size the amount of variance needed is way above anything that has ever been permitted before.

The Planning Board referred the applicants to the Zoning Board of Appeals. Bob Smith moved to recommend that the ZBA deny the request. The motion was seconded by Greg Hanna and carried unanimously.

Recommendations to the Town Board:

Telecommunications Amendments

The Planning Board reviewed the proposed amendments to the Telecommunications Ordinance (Chapter 189 of Town Code) and recommended that since the Planning Board has no expertise in Telecommunications that the Town Board consider consulting with the Town's Telecommunications Consultant, Dick Comi, from the Center of Municipal Solutions for review of any proposed changes.

Chairman Herrmann	Aye
Michael Blatt	Aye
Jerry Grant	Absent
Greg Hanna	Aye
Josh Schuster	Absent
Bob Smith	Aye
Vacant Seat	-

Boundary Line Adjustment/property mergers

The Planning Board reviewed the attached proposed amendments to Chapter 179-3; concerning boundary line adjustments and mergers and recommended approval.

Chairman Herrmann	Aye
Michael Blatt	Aye
Jerry Grant	Absent
Greg Hanna	Aye
Josh Schuster	Absent
Bob Smith	Aye
Vacant Seat	-

Adjournment:

The meeting adjourned at 8:14 pm.

Respectfully submitted,

Cissy Hernandez
Cissy Hernandez
Planning/Zoning Clerk



Town of New Lebanon
 Planning Board
DECISION

Application Number	PB-2015-003
Application Received	04.01.15
Date of Public Hearing	05.20.15
Date Notice Published	04.30.15
Date of Abutter Notification	04.29.15
Date of County Referral	na
Date of Approval	05.20.15
Decision Filed w/Town Clerk	05.20.15

At a meeting of the Planning Board on **May 20, 2015**, I certify that the Town of New Lebanon Planning Board voted to approve a two-lot minor subdivision on an application made by:

Lapp Insulator Company
 (Applicant name)

For property located at: Route 20 (vacant land)
 Tax map no.: 18.-1-9.11

Survey Map Project No.	na
Original Survey Date:	03.31.15
Revision Date(s)	05.15.15

Survey Map Name:
 "A PORTION OF THE LANDS OF LAPP
 INSULATOR COMPANY TO BE CONVEYED"

By: Cissy Hernandez Date: 05.20.15
 (Planning Board Secretary)

RECORD OF VOTE:

		Yes	No	Absent	
Chairman:	Ray Herrmann	x			
Member:	Michael Blatt	x			
Member:	Jerry Grant			x	
Member:	Greg Hanna	x			
Member:	Josh Schuster			x	
Member:	Bob Smith	x			
Member:	Vacant seat	-	-	-	-



TOWN OF NEW LEBANON
PLANNING BOARD

RECOMMENDATION TO THE TOWN BOARD

Recommendation: Boundary Line Adjustments/Mergers

I certify that at a duly called meeting of the Planning Board held on May 20, 2015 the Planning Board reviewed the attached proposed amendments to Chapter 179-3; concerning boundary line adjustments and mergers and recommended approval.

Chairman Herrmann	Aye
Michael Blatt	Aye
Jerry Grant	Absent
Greg Hanna	Aye
Josh Schuster	Absent
Bob Smith	Aye
Vacant Seat	-

Cissy Hernandez

Cissy Hernandez
Planning/Zoning Clerk

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of New Lebanon
~~Town~~
~~Village~~

Local Law No. _____ of the year 2015

A local law amending §179-3 of the Town of New Lebanon Subdivision Law concerning the boundary line adjustments and merger of parcels.

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of New Lebanon as follows:
~~Town~~
~~Village~~

(please see text of law annexed hereto)

(If additional space is needed, attach pages the same size as this sheet and number each.)

PURPOSE AND INTENT

The Town Board of the Town of New Lebanon finds it necessary to make a revision to the existing subdivision law. In enacting this revision it is the intent of the Town Board to clarify and improve the process involved when an applicant is seeking a boundary line adjustment or merger of parcels from the Town of New Lebanon Planning Board.

AUTHORIZATION

This local law is adopted pursuant to the Town Board of the Town of New Lebanon enacts this Local Law under the authority granted by:

1. Article IX of the New York State Constitution, Article 9 §2 (c)(6) and (10).
2. New York Municipal Home Rule Law §10.
3. New York Town Law, Article 16 (Zoning and Planning).

ENACTMENT

Be it enacted by the Town Board of the Town of New Lebanon that section 179-3 of the Subdivision Law be hereby amended as follows:

§179-3. Procedure for Boundary Line Adjustments and Mergers of Parcels.

An application for a boundary line adjustment and/or a merger of parcels shall include a plat conforming to the standards set forth in Subsection A herein, and shall identify or be accompanied by the information set forth in the other subsections herein:

- A. General drafting standards. An application for a boundary line adjustment or merger of parcels shall include the following:
- (1) The survey plat shall be drawn to the scale of one inch equals 50 feet or one inch equals 100 feet;
 - (2) Dimensions shall be in feet and decimal parts thereof (except that areas of lots shall be shown in acres and decimal parts thereof), and bearings in degrees, minutes and seconds;
 - (3) Plan or Plat shall be on sheets suitable for recording with the Columbia County Clerk's Office;

- (4) Existing and proposed lot lines shall be shown on a survey plat certified by a duly licensed NYS land surveyor;
- (5) Names and addresses of the owners of the lots involved in the proposed lot boundary line adjustment;
- (6) Zoning classification and requirements;
- (7) Date, North point and scale;
- (8) A location map for the purpose of locating the lots involved in the boundary line adjustment;
- (9) The location, names and width of all roads and ways adjacent to any of the lots and the location of classified streams and wetlands;
- (10) the survey plat shall depict the location of all lot lines and survey reference markers after the proposed adjustment;
- (11) Total area of each lot after the proposed adjustment;
- (12) Setback distances from property boundaries of any existing and/or proposed building, structure, accessory structure, well and septic field from any public or private street, road or way after the proposed adjustment;
- (13) any other information required by the Planning Board;

B. Review. Upon receipt of a duly certified survey map setting forth the information contained in Subsection A, the Planning Board may waive the requirement of a public hearing and may consider approval of a boundary line application or merger of parcels, provided:

- (1) the lots to be created by the boundary line adjustment or merger of parcels will conform to the Area and Bulk Regulations of the Town of New Lebanon for the zoning district in which the properties are located, as set forth in §205 Schedule 1, or;
- (2) where one or more prior non-conforming lots are involved, the boundary line adjustment or merger of parcels will not make any prior non-conforming lot more non-conforming;

EFFECTIVE DATE

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2015 of the Town of New Lebanon was duly passed by the Town Board on _____, in
(Name of Legislative Body)

accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer.*)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____, 20__, and was (approved)(not approved)(repassed after
(Name of Legislative Body)

disapproval) by the _____ and was deemed duly adopted on _____, 20__,
(Elective Chief Executive Officer*)

in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____, 20__, and was (approved)(not approved)(repassed after
(Name of Legislative Body)

disapproval) by the _____ on _____, 20__. Such local law was
(Elective Chief Executive Officer*)

submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 20__, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20__, and (approved)(not approved)(repassed after
(Name of Legislative Body)

disapproval) by the _____ on _____, 20__. Such local law was subject
(Elective Chief Executive Officer*)

to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20__, in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Colleen Teal, Town Clerk

(Seal)

Date:

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF COLUMBIA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature Andrew B. Howard

Title: Counsel

~~County~~
~~City~~ of New Lebanon
Town
~~Village~~

Date: _____, 2015



TOWN OF NEW LEBANON
PLANNING BOARD

RECOMMENDATION TO THE TOWN BOARD

Recommendation: Proposed amendments to the Telecommunications Ordinance

I certify that at a duly called meeting of the Planning Board held on May 20, 2015 the Planning Board reviewed the proposed amendments to the Telecommunications Ordinance (Chapter 189 of Town Code) and recommended that since the Planning Board has no expertise in Telecommunications that the Town Board consider consulting with the Town's Telecommunications Consultant, Dick Comi, from the Center of Municipal Solutions for review of any proposed changes.

Chairman Herrmann	Aye
Michael Blatt	Aye
Jerry Grant	Absent
Greg Hanna	Aye
Josh Schuster	Absent
Bob Smith	Aye
Vacant Seat	-

Cissy Hernandez

Cissy Hernandez
Planning/Zoning Clerk

PURPOSE AND INTENT

The Town Board of the Town of Lebanon hereby adopts this amendment to Chapter 189 of the Town of New Lebanon Town Code.

AUTHORIZATION

This local law is adopted pursuant to the Town Board of the Town of New Lebanon enacts this Local Law under the authority granted by:

1. Article IX of the New York State Constitution, Article 9 §2 (c)(6) and (10).
2. New York Municipal Home Rule Law §10.
3. New York Town Law, Article 16 (Zoning and Planning).

ENACTMENT

Be it enacted by the Town Board for the Town of New Lebanon that Chapter 189 of the New Lebanon Town Code be hereby amended as follows:

§189-3 Definitions is hereby amended to provide the following additional and/or amended definitions:

MODIFICATON OR MODIFY: The co-location, addition, removal or change of any of the physical and visually discernable components or aspects of a wireless facility, such as antennas, cabling, equipment shelters, landscaping, fencing, utility feeds, changing the color or materials of any visually discernable components, vehicular access, parking and/or an upgrade or changeout of equipment for better or more modern equipment that substantially changes the physical dimensions of such tower or base station as set forth in the Middle Class Tax Relief and Job Creation Act of 2012. A modification shall not include the replacement of any components of a wireless facility where the replacement is identical to the component being replaced or for any matters that involve the normal repair and maintenance of a wireless facility without adding, removing or changing anything.

§**189-9** SHARED USE OF WIRELESS TELECOMMUNICATIONS FACILITIES is hereby amended as follows:

- A. The Town, as opposed to the construction of a new tower, shall prefer locating on existing towers or others structures without increasing the height. The applicant shall submit a comprehensive report inventorying existing towers and other suitable structures within four miles of the location of any proposed new tower, unless the applicant can show that some other distance is more reasonable and demonstrate conclusively why an existing tower or other suitable structure cannot be used.
- B. An applicant intending to locate, co-locate and/or modify an existing tower or other suitable structure shall be required to document the intent of the existing owner to permit its use by the applicant.
- C. Such shared use shall consist only of the minimum antenna array technologically required to provide service primarily and essentially within the Town, to the extent practicable, unless good cause is shown.

§189-18. EXTENT AND PARAMETERS OF SPECIAL USE PERMIT is hereby amended as follows:

The extent and parameters of a special use permit for wireless telecommunications facilities shall be as follows:

- A. Such special use permit shall not be assigned, transferred or conveyed without the express prior written notification to the Town, said notice shall be provided to the attention of the Town Clerk, P.O. Box 328, New Lebanon, NY 12125.
- B. Such special use permit may, following a hearing upon due prior notice to the applicant, be revoked, canceled, or terminated for a violation of the conditions and provisions of the special use permit, or for a material violation of this chapter after prior written notice to the holder of the special use permit.

§205 Zoning Attachment 2 - Use Table is hereby amended to provide as follows:

Under the *General Uses* to the Town of New Lebanon Zoning Law Use Table for Cellular Tower shall provide for “TSP/TSPR” in the Residential-Agricultural/Conservation (RA-5), Residential-Agricultural 2 (RA-2), Residential-Agricultural 1 (RA-1), General Commercial (C), Commercial-Recreational (C-Rec), Commercial Industrial (C-I) and Commercial-Residential (C-R) Zoning District columns.

“TSP” shall be listed in the Key to §205 Zoning Attachment 2 as TSP = Town Board Special Permit and “TSPR” shall be listed as TSPR = Town Board Site Plan Review.

SEVERABILITY

In the event that any word, phrase or part of this local law shall be declared unconstitutional, the same shall be severed and separated from the remainder of this local law and shall not effect the remainder of said local law which shall remain in full force and effect.

EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of New Lebanon
Town
Village

Local Law No. _____ of the year 2015

A local law amending specified sections of Chapter 189 of the Town of New Lebanon Code

Be it enacted by the Town Board of the
(Name of Legislative Body)

County
City of New Lebanon as follows:
Town
Village

PURPOSE AND INTENT

The Town Board of the Town of Lebanon hereby adopts this amendment to Chapter 189 of the Town of New Lebanon Town Code.

AUTHORIZATION

This local law is adopted pursuant to the Town Board of the Town of New Lebanon enacts this Local Law under the authority granted by:

1. Article IX of the New York State Constitution, Article 9 §2 (c)(6) and (10).
2. New York Municipal Home Rule Law §10.
3. New York Town Law, Article 16 (Zoning and Planning).

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§189-3 Definitions is hereby amended to provide the following additional and/or amended definitions:

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§189-9 SHARED USE OF WIRELESS TELECOMMUNICATIONS FACILITIES is hereby amended as follows:

- A. The Town, as opposed to the construction of a new tower, shall prefer locating on existing towers or others structures without increasing the height. The applicant shall submit a comprehensive report inventorying existing towers and other suitable structures within four miles of the location of any proposed new tower, unless the applicant can show that some other distance is more reasonable and demonstrate conclusively why an existing tower or other suitable structure cannot be used.
- B. An applicant intending to locate, co-locate and/or modify an existing tower or other suitable structure shall be required to document the intent of the existing owner to permit its use by the applicant.
- C. Such shared use shall consist only of the minimum antenna array technologically required to provide service primarily and essentially within the Town, to the extent practicable, unless good cause is shown.

§189-18. EXTENT AND PARAMETERS OF SPECIAL USE PERMIT is hereby amended as follows:

The extent and parameters of a special use permit for wireless telecommunications facilities shall be as follows:

- A. Such special use permit shall not be assigned, transferred or conveyed without the express prior written notification to the Town, said notice shall be provided to the attention of the Town Clerk, P.O. Box 328, New Lebanon, NY 12125.
- B. Such special use permit may, following a hearing upon due prior notice to the applicant, be revoked, canceled, or terminated for a violation of the conditions and provisions of the special use permit, or for a material violation of this chapter after prior written notice to the holder of the special use permit.

§205 Zoning Attachment 2 - Use Table is hereby amended to provide as follows:

Under the *General Uses* to the Town of New Lebanon Zoning Law Use Table for Cellular Tower shall provide for “TSP/TSPR” in the Residential-Agricultural/Conservation (RA-5), Residential-Agricultural 2 (RA-2), Residential-Agricultural 1 (RA-1), General Commercial (C), Commercial-Recreational (C-Rec), Commercial Industrial (C-I) and Commercial-Residential (C-R) Zoning District columns.

“TSP” shall be listed in the Key to §205 Zoning Attachment 2 as TSP = Town Board Special Permit and “TSPR” shall be listed as TSPR = Town Board Site Plan Review.

SEVERABILITY

In the event that any word, phrase or part of this local law shall be declared unconstitutional, the same shall be severed and separated from the remainder of this local law and shall not effect the remainder of said local law which shall remain in full force and effect.

EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2015 of the Town of New Lebanon was duly passed by the Town Board on _____ 2015, in
(Name of Legislative Body) accordance with the applicable provisions of law.

2. (~~Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer.*~~)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____, 20____, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____, 20____, (Elective Chief Executive Officer*) in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____, 20____, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the _____ on _____, 20____. Such local law was (Elective Chief Executive Officer*) submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 20____, in accordance with the applicable provisions of law.

4. (~~Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.~~)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20____, and (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the _____ on _____, 20____. Such local law was subject (Elective Chief Executive Officer*) to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20____, in accordance with the applicable provisions of law.~~

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

Hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, _____, became operative.

6. (County local law concerning adoption of Charter.)

Hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Colleen Teal, Town Clerk

(Seal)

Date: _____, 2015

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF COLUMBIA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature Andrew B. Howard

Title: Counsel

County _____
City of New Lebanon
Town _____
Village _____

Date: _____