

**MINUTES OF THE REGULAR MEETING OF  
THE TOWN BOARD OF THE TOWN OF NEW LEBANON  
HELD ON FEBRUARY 14, 2017**

**Present:** Colleen Teal, Supervisor  
Chuck Geraldi, Councilmember  
Kevin Smith Sr., Councilmember  
Dan Evans, Councilmember  
Mark Baumli, Councilmember  
Dan Tuczinski, Town Attorney

**Recording Secretary:** Tistrya Houghtling, Town Clerk

**Others Present:** Robert Smith, Planning Board Member  
JJ Smith, NL Rep to CC Office for the Aging  
Cynthia Creech, Deputy Supervisor, Court Clerk,  
Rec. Commission, CAC & ZRC Member  
Cissy Hernandez, CEO/ZEO & Building  
Department Administrator  
Gregg Gilliland, LVPA  
Ted Salem, Planning Board & ZRC Member  
Judy Zimmer, Cleaner  
Peg Munves, CAC Member  
David Farren, CAC Member  
John Trainor, Assistant Historian  
Jeff Winestock, Highway Superintendent  
Bruce Shenker, NL Rep to CC Environmental  
Management Council  
Robin Reynolds, Senior Planner CDRPC  
Thaddeus Flint, *The Eastwick Press*  
Several members of the Public

**CALL TO ORDER:**

The meeting was called to order at 7:20 p.m. by Supervisor Teal. A moment of silence was followed by the flag salute.

**MINUTES:**

The minutes of the **January 2, 2017 Organizational Meeting, January 10, 2017 Public Hearing on LVPA Contract, January 10, 2017 Regular Monthly Meeting and January 19, 2017 Year End Audits** were reviewed. A motion was made by Councilmember Evans, seconded by Supervisor Teal and approved unanimously to accept the above noted minutes as typed.

**FINANCIAL:**

***Supervisor's Report:***

Supervisor Teal provided the public and TB members with a copy of the Supervisor's Report as of January 31, 2017. A motion was made by Councilmember Smith, seconded by Councilmember Baumli and approved unanimously to accept the Supervisor's report.

**MEETING ITEMS:**

Supervisor Teal stated that we are trying to keep everything as open as possible but are also trying to keep packets available for the public at Town Board meetings to a minimal size in an effort to not waste paper. At last month's meeting they were discussing zoning amendments in great depth. Any time there is an in depth discussion on something like that and you would like a paper copy of the items being discussed, please let Supervisor Teal know and we will pause the meeting to make copies.

Supervisor Teal stated that she feels very strongly that the Town Board has an obligation to listen to our community members and invited speakers, even when their opinions may oppose ours. Any meeting that she is running will be run that way. Please listen with courtesy and respect when someone is addressing the Town Board and know that you will be given the same opportunity to express your opinion on topics that come before us in a professional and courteous environment.

**CAPITAL REGION CLEAN ENERGY COMMUNITIES PROGRAM:**

Robin Reynolds, Senior Planner from the Capital District Regional Planning Commission presented to the Town Board on the Capital Region Clean Energy Communities Program. She handed out an informational sheet to the Town Board and left a stack for members of the public. She stated that the Capital District Regional Planning Commission is a quasi-governmental agency that is helping to assist communities understand their options for energy efficiency and clean energy. They have been contracted by the NYS Research and Development Authority to help communities access funding and technical assistance for clean energy related projects and policies.

She stated that how the Capital Region Clean Energy Communities Program works is that there is a list of 10 high impact actions. The Town can choose 4 which are a good fit. Once the Town chooses 4 to implement or move forward with, if they choose to do so as this is a completely voluntary program, then the Town has access to up to \$100,000 of core share free funding. The funding would have to go towards projects that increase energy efficiency or make use of renewable energy but the scope is pretty broad so it could be something like an infrastructure project such as putting solar panels on the Town Hall or it could go towards something that is more planning or program oriented.

She stated that her role is as a facilitator to assist the Town. They are here at the Town's leisure to assist with this program. Outside of that, if the Town is more interested in figuring out if something on the list is particularly of interest, they could assist the Town to understand what financing or funding options are available for those types of projects and then move forward from there as appropriate as the Town decides. It doesn't have to be a leap with the Town agreeing to go the whole mile, but it could just be the Town interested in knowing more about their energy use and they could assist the Town with benchmarking. There is no commitment. The Town Board doesn't have to pass a Resolution. The Town can get involved in the program as it makes sense for us. She stated that other communities in Columbia County are quite interested in this program and there has been some efforts in Chatham, Ghent, Village of Kinderhook, Ancram, and Hillsdale. Some communities are working collaboratively with each other on this program. This program is open enrollment, it is on a first come first serve basis.

Supervisor Teal asked if the Town completed 3 of the 4 high impact actions, could we use the funding available to complete the 4<sup>th</sup>. Robin Reynolds stated that you would need to complete 4 but you could get through the easier actions and then choose a more difficult action and apply for funding for that. Supervisor Teal asked if we could choose the 4 we want to complete and then use the funding to accomplish those 4 actions. Robin Reynolds answered that we can do that.

Councilmember Geraldini asked if this is an ongoing program. Robin Reynolds stated that it is ongoing and the deadline is September 30, 2019 so there is plenty of time but it is first come, first serve. It is open enrollment until the funds are used but they are hoping to secure more funds once the funds are used.

Robin Reynolds stated that some of the high impact actions do require a resolution by the Town Board to enact them but no action is required by the Town Board until they decide to complete one or more of the high impact actions that require a resolution.

Councilmember Baumli asked if the Town were to take part in this program, would it help individual homeowners at all in addition to helping the Town. Robin Reynolds stated that depending on which high impact actions were chosen, there could be direct benefit to homeowners. She stated that the high impact action Solarize describes a campaign where people get together and aggregate a bulk purchase of solar panels. That would be something that the Town could engage in and there is a program that is getting put together right now by a non-profit organization that could cover Columbia County. The Town could be supportive of that kind of action and as long as 10 residents signed up, that could be something that the Town could get credit for as one of their high impact actions. She stated that there are options on this list that are community oriented.

**HEARING: *Unsafe Buildings, Structures & Site located at 8.-1-25***

Supervisor Teal asked if Mr. Munch is in attendance for the hearing. Mr. Munch was not in attendance. The hearing on unsafe buildings, structures & site located at 8.-1-25 was tabled.

**PRIVILEGE OF THE FLOOR:**

**JJ Smith** stated that she came prepared to counterpoint tonight's presentation if it had been concerning the Climate Smart Community Program because there are a lot of things to consider with that program that are very dangerous and scary. However what the young lady presented tonight is entirely different and seems fairly innocuous so she doesn't need to counterpoint it. She asked that it be placed on the record that if there should come another opportunity for the Climate Smart Community Program to be considered by the Town Board, that we really need to move very slowly and look at everything.

**OLD BUSINESS:**

***Appraisal Authorization:***

Supervisor Teal stated that we have an assessment case and we need to authorize the attorney to have an appraisal done on that property.

**TOWN OF NEW LEBANON  
RESOLUTION # 8, 2017  
AUTHORIZATION TO RETAIN AN APPRAISER  
FEBRUARY 14, 2017**

At the regular monthly meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 NYS Route 22, New Lebanon, New York, duly called and held on the 14<sup>th</sup> day of February 2017, the following Resolution was proposed and seconded:

Resolution by Supervisor Colleen Teal  
Seconded by Councilmember Kevin Smith Sr.

***AUTHORIZATION TO RETAIN AN APPRAISER***

WHEREAS, The Town of New Lebanon currently has a pending tax certiorari litigation under Article 7 of the Real Property Tax Law on the Senger property located at 36 Old Route 20, New Lebanon, NY, 12125 and with tax map number 20.-1-5, and;

WHEREAS, the property owner has submitted an appraisal on the property and it is necessary for the Town of New Lebanon to obtain an independent appraisal to determine the appropriate value of the property;

NOW, THEREFORE, be it

RESOLVED, that the New Lebanon Town Board authorizes the retention of a qualified appraiser for a sum not to exceed \$7,500 to secure an appraisal for the Senger property.

Upon the question of the foregoing Resolution, the following Town Board Members voted “Aye” or “Nay” for said Resolution:

Roll Call Vote:

Councilmember Chuck Gerald	Aye
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Aye

The Resolution, having been approved by a majority vote of the Town Board, was declared duly adopted by the Supervisor of the Town of New Lebanon.

***Truck Financing:***

Supervisor Teal stated that the new highway truck has been delivered. We got proposals for 4 year and a 5 year financing options. She is looking at the 4 year option with a \$20,000 deposit with the balance financed at 2.59% interest rate with 4 annual payments due in February of 2018, 2019, 2020 and 2021. The \$20,000 deposit would come from the highway capital project fund, Account DA-9950.9. The balance includes the balance of the truck as well as the legal costs for the bond counsel. We are allowed to include those costs in the funding.

Councilmember Smith made a motion authorizing Supervisor Colleen Teal to execute the documents for a 4 year bond with the Bank of Greene County in the amount of \$82,195 broken into 4 payments with first payment to be due on 2/22/2018 in the amount of \$21,896.29 and

authorizing Supervisor Colleen Teal to take the \$20,000 deposit out of Account DA-9950.9 along with the funds from the closing and make the full payment to Marchese Ford in the amount of \$99,495 and to execute any documents needed to finalize the closing. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye  
Councilmember Smith – Aye  
Supervisor Teal – Aye  
Councilmember Evans – Aye  
Councilmember Baumli – Aye

***Amendments to Zoning Regulations:***

Supervisor Teal requested that the Town Board table these items and schedule a special Town Board meeting on February 28<sup>th</sup>, the 4<sup>th</sup> Tuesday, to look at these items on their own and not in the middle of a regular meeting. The Town Board scheduled a special meeting of the Town Board for Tuesday, February 28<sup>th</sup> 2017 at 6:00pm to discuss amendments to Zoning Regulations.

***Code Audit – General Code Publishers Proposal:***

Supervisor Teal stated that the proposal from General Code Publishers to do an editorial and legal analysis of our entire Town Code had no price increase from the previous proposal which came in at \$3,688. She stated that they will go in and find any potential conflicts that exist within our own law and potential conflicts that exist with current NYS law. They will then present us with a binder of all the places where conflicts may exist and the Town Board can then look at each of them individually and decide what to do from there.

Councilmember Smith made a motion to hire General Code Publishers to do an editorial and legal analysis of our entire Town Code for a total cost of \$3,688 and authorizing Supervisor Teal to enter into a contract with General Code Publishers for these services in this amount. Councilmember Evans seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye  
Councilmember Smith – Aye  
Supervisor Teal – Aye  
Councilmember Evans – Aye  
Councilmember Baumli – Aye

***CT Male Associates Engineering, Surveying, Architecture & Landscape Architecture, DPC Proposals:***

Supervisor Teal stated that the Town Board has the master agreement which would cover our relationship with them however no project could be entered into without us getting a quote from them and getting Town Board authorization to proceed. The hourly rate would apply upon our authorization to allow CEO Hazel “Cissy” Hernandez to use them for CEO consulting. Supervisor Teal would also like them to provide us an estimate to review the documentation we have on the Town Hall addition and see what type of inspection they would be capable of doing based on that documentation.

Councilmember Smith asked if we should have them give us a quote to inspect both the addition and the old part of the building. Supervisor Teal stated that the old part of the building might fall under existing building code. Her request would be to proceed with the new addition first since some of the work we had done on the furnace was possibly temporary. Supervisor Teal stated that she would inquire with them about inspecting the old part of the building and provide their response to the Town Board at the next meeting.

Councilmember Baumli asked what we are trying to achieve by having the new addition inspected. Supervisor Teal stated that we are trying to fix the problems. She stated that as we were trying to deal with having no heat, there were numerous potential code violations that were brought to her attention and she would like to have those rectified. Councilmember Baumli asked if we needed to hire a firm like this to inspect the potential issues or if we could just hire a Building Inspector or somebody at a lower rate to do it. He stated that he is open to getting a free estimate but he doesn't want to spend a lot of money doing the inspection if we have no recourse to re-coup the money back since the building has already passed its warranty time. Supervisor Teal stated that is a good point to discuss because when we first thought of this idea it was to determine how the errors may have occurred and who is accountable. Now that we have more information this may be a non-issue and we might just want a basic inspection to show us what we need to fix to be safe and compliant with code.

Councilmember Smith made a motion authorizing Supervisor Teal to sign the master agreement with CT Male Associates Engineering, Surveying, Architecture & Landscape Architecture, DPC Proposals and authorizing Hazel "Cissy" Hernandez to use them as needed and authorizing Supervisor Teal to obtain a free estimate from them to do a complete inspection of the new addition to the Town Hall. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye  
Councilmember Smith – Aye  
Supervisor Teal – Aye  
Councilmember Evans – Aye  
Councilmember Baumli – Aye

***Deputy CEOs authorized - resolution:***

Supervisor Teal tabled this agenda item.

***Building Department Furniture (Desks):***

Town Clerk Houghtling stated that she obtained 3 quotes for 2 desks (one large L shaped desk and one regular 1 piece desk), one from Staples and two from WB Mason. The quote from Staples for \$1,058.98 and the lower priced quote from WB Mason for \$1,157.96 are for pressed particle board desks. The second quote from WB Mason is for HON brand solid wood desks for \$1,968.98.

Deputy Supervisor Creech stated that the HON furniture is what they used in the Federal Courts and they are good quality and will last forever. Councilmember Smith stated that if we are going to invest in new desks we should get the good quality ones that will last instead of ones that will break. Supervisor Teal stated that she has used both the HON desks and

the particle board desks and the HON are far superior quality and last much longer.

Councilmember Smith made a motion to purchase 2 HON brand desks for the Building Department from WB Mason in the amount of \$1,968.98. Supervisor Teal seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye  
Councilmember Smith – Aye  
Supervisor Teal – Aye  
Councilmember Evans – Aye  
Councilmember Baumli – Aye

***Berkshire Taconic Grant – Fund for Columbia County Applications:***

***Letter of Support for NL200 Application -***

Supervisor Teal stated that we have a request for a letter of support for the NL200 Application by Grow the Valley who is our coordinator and collaborator for the Bicentennial Celebration of the Town of New Lebanon. She stated that the total grant application will be for \$4,500 and it is for promotion of and collaboration for the New Lebanon 200. The letter of support will be a joint letter from Town Supervisor, Colleen Teal and Grow the Valley President, Fiona Lally. She read the following proposed letter aloud:

*Dear Berkshire Taconic Community Foundation:*

*This letter is to express the town and Grow the Valley's (GTV) commitment to the success of the NL200 Project. In 2018, the community will be celebrating the 200<sup>th</sup> Anniversary of the incorporation of the Town of New Lebanon. The municipality sees this event as an opportunity to further our goals of revitalizing and enhancing the Town of the New Lebanon. The municipality selected GTV to coordinate this celebration for a number of reasons including their mission to incubate or support ideas for community as well as their understanding of the opportunities this celebration provides to build town cohesion, pride, and economic development and their proven ability to work collaboratively with organizations in our community to help facilitate events, programs, and projects. For its part, GTV board members are truly excited to play such a large role in helping the town celebrate the bicentennial of its incorporation. Since its transformation from a business association to a community development organization, GTV exists to collaborate with other organizations to make things happen in the Lebanon Valley.*

*The celebratory events for the NL200 will be held over three seasons and are collaborative efforts between the municipality, non-profits, businesses, and individuals. We feel the most significant impact will be realized by full-participation of as many community individuals, businesses and organizations as possible. Through the development of a NL200 steering committee, GTV has successfully reached out to many of the businesses and organizations in our community to begin the process of developing and coordinating activities and events. With a more long-term vision, we are also looking at ways to capture the momentum started by this celebration and sustain it long term.*

*The respective boards of the Town of New Lebanon and Grow the Valley, Inc. fully embrace the NL200 Project and are confident it will be an invaluable asset to our town. If there is any additional information either of us can provide, please let us know. Thank you.*

Supervisor Teal made a motion to send the above letter of support for the NL200 Application by Grow the Valley for the Berkshire Taconic Grant, Fund for Columbia County. Councilmember Smith seconded that motion. The motion passed unanimously.

***Co-application – Town & Phoenix Project –***

Supervisor Teal stated that The Phoenix Project of Eastern New York is requesting that the Town of New Lebanon be a co-applicant on a grant application for the Berkshire Taconic Grant, Fund for Columbia County. The Phoenix Project of Eastern New York is a non-profit organization here in New Lebanon that has taken on the task of revitalizing dilapidated structures that are high profile, of historic value, and extremely dilapidated (beyond the point that the private sector is going to come in and revitalize it). The grant money would be used to develop a website for The Phoenix Project of Eastern New York to help get the word out about these projects. There is no financial obligation on the part of the Town. The Town would be the co-applicant. There would be a minimal amount of time the Town Clerk and Town Board would spend approving the vouchers that would pass through us. The grant funding would come to the Town and pass through us but other than that there is no financial obligation on the part of the Town.

Deb Gordon of The Phoenix Project of Eastern New York stated that the work that they do is rescuing historic buildings as a tool of economic revitalization in a town. They take a building that is unusable and make it attractive, up to date and usable. Her organization is a fairly new organization and in applying for a grant does not have longevity or a proven track record. The Town as a co-applicant provides longevity and a proven track record.

Councilmember Smith made a motion authorizing Supervisor Teal, on behalf of the Town of New Lebanon, to co-apply for the Berkshire Taconic Grant, Fund for Columbia County with The Phoenix Project of Eastern New York in the amount of \$1,700 for the purpose of website development for The Phoenix Project of Eastern New York. Councilmember Evans seconded that motion.

Roll Call Vote:

- Councilmember Geraldini – Aye
- Councilmember Smith – Aye
- Supervisor Teal – Aye
- Councilmember Evans – Aye
- Councilmember Baumli – Aye

***Co-application – Town (SYP) & Theater Barn –***

Supervisor Teal stated that she is looking for authorization to do a co-application for the Berkshire Taconic Grant, Fund for Columbia County with the Town of New Lebanon and the Theater Barn for our Summer Youth Program. We are developing a theater program where the actors and staff from the Theater Barn will come up a couple of days a week during the Summer Youth Program and work with the children on theater. They will develop a production where the children will be able to participate in whatever way they want whether

as actors and actresses, behind the scenes with prop development, lighting, etc. The grant would be for \$2,000 and would provide some pay for the actors and actresses that would be working with the children.

Councilmember Smith made a motion authorizing Supervisor Teal, on behalf of the Town of New Lebanon, to co-apply for the Berkshire Taconic Grant, Fund for Columbia County with The Theater Barn in the amount of \$2,000 for the purpose of running a theater program at our Summer Youth Program. Supervisor Teal seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye  
Councilmember Smith – Aye  
Supervisor Teal – Aye  
Councilmember Evans – Aye  
Councilmember Baumli – Aye (disclosed that he is the treasurer for The Theater Barn and he also sits on their Board of Directors)

***Vacancies – Recreation Commission & Planning Board:***

Supervisor Teal stated that we still have vacancies on the Recreation Commission and Planning Board. She received a response from Ann Smith and she is willing to sit on the Recreation Commission.

Supervisor Teal made a motion to appoint Ann Smith to fill out the remainder of the vacant 5 year term on the Recreation Commission to expire 12/31/21. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye  
Councilmember Smith – Aye  
Supervisor Teal – Aye  
Councilmember Evans – Aye  
Councilmember Baumli – Aye

Supervisor Teal stated that we published again for the Planning Board vacancy and we received no additional letters of interest however we did receive an email from Monte Wasch who submitted a letter of interest last month requesting that the Town Board revisit his candidacy to the Planning Board with a full board present.

Supervisor Teal made a motion to appoint Monte Wasch to the vacant position on the Planning Board. Councilmember Evans seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Nay  
Councilmember Smith – Nay  
Supervisor Teal – Nay  
Councilmember Evans – Aye  
Councilmember Baumli – Nay

Supervisor Teal stated that she doesn't want to advertise the vacancy again as we are not getting any response but she would task every Town Board member and herself with rallying some support and finding a candidate for the Planning Board vacancy.

***Sidewalk Project – response from DOT:***

Supervisor Teal stated that she was working with Martin Evans from DOT in Poughkeepsie and the last they had left it was that he was looking for guidance. Some of the funding we had received on the Sidewalk Project was federal so we were looking for specific direction on how we proceed with the no build option. She received an email from Martin Evans at DOT which she read aloud:

*Dear Supervisor Teal,*

*I have received updated guidance. Instead of completing the report and selecting the no-build alternative, we should apply for a waiver of funds due to public controversy.*

*Termination of a project due to significant public controversy may warrant not having to repay PE funds expended. Evidence of the controversy must be thoroughly documented in the project record. NYSDOT must coordinate with the FHWA Division and provide a technical memorandum summarizing the project development along with documentation demonstrating the significant public controversy encountered (written public comments/letters, newspaper articles, meeting minutes, public hearing transcripts, etc.). FHWA will then make a determination based on the information submitted whether PE payment is required.*

Supervisor Teal stated that we have a lot of documentation on the public opposition to the Sidewalk Project and she would like authorization from the Town Board to proceed with compiling all of this information with the help of Creighton Manning and the Town Attorney to get this to the finalized state.

Councilmember Smith made a motion authorizing Supervisor Teal to proceed with compiling all of the documentation on the public opposition to the Sidewalk Project needed to submit to DOT and to work with Creighton Manning and the Town Attorney as needed to compile the necessary documentation. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye  
Councilmember Smith – Aye  
Supervisor Teal – Aye  
Councilmember Evans – Nay  
Councilmember Baumli – Aye

***Procurement Policy (Value Added Legislation):***

Supervisor Teal stated that she has reviewed our Procurement Policy and sees nothing that needs to be amended with one exception. She asked if any other Town Board members have any concerns on the Town's Procurement Policy as it stands. There were no concerns voiced.

Supervisor Teal stated that she had spoken with Town Attorney Stephanie Ferradino about her concern that the Procurement Policy specifically states that goods will be purchased at the lowest price and last year we enacted legislation that allows us to consider value added. She asked Town Attorney Dan Tuczinski if the wording of our Procurement Policy needs to be edited at all to reflect this legislation. Dan Tuczinski stated that he looked into it and we do not need to make any edits to the Procurement Policy.

**NEW BUSINESS:**

***Congratulations to NLCSD Future Cities Team:***

Supervisor Teal read the following letter written by Mr. Klafehn, Principal of the New Lebanon Jr/Sr High School:

*New Lebanon's Future Cities Team (comprised of one sixth grader, ten seventh graders and two eighth grade students) is returning to the nation's capital, where they are set to represent the Capital Region in competition for the third time in five years.*

*Future Cities participants are tasked with using their Science, Technology, Engineering and Math Skills (STEM) to design a city of the future that aims to tackle a real world issue. This year's problem required the team to "address the power of public space through the design of innovative, multi-use public spaces that serve a city's diverse population." Teams researched approaches to effectively utilize open space in a chosen community. They then designed a virtual city using SimCity software and used math skills to create a scaled 3D model using recycled materials. In addition to winning first place, the team received special awards for "Best Computer Design City," "Best Model Design" and "Best Public Transportation System." Awarded prize money will be used to help offset costs for the national competition.*

Supervisor Teal said congratulations to our high school students.

***Cell Phone Charges – Assessor & Animal Control:***

Supervisor Teal stated that we have two staff members that use their cell phones for work and are not getting reimbursed, the Assessor and the Animal Control Officer. She would like them to get the \$30 per month reimbursement from the Town as both use their personal cell phones regularly for Town business.

Supervisor Teal made a motion to pay a \$30 per month cell phone reimbursement to the Assessor and the Animal Control Officer. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Evans – Aye

Councilmember Baumli – Aye

***Music in the Park Program:***

Supervisor Teal stated that she would like to ask the Town Board for authorization to put aside \$5,000 from what's in our contingency for Music in the Park. We would like to see 3 events over the summer, one each month, culminating in a final festival type event in September. We are looking at paying \$50 per musician, so if a band had 2 members they would receive \$100 and if a band had 3 members they would receive \$150.

Councilmember Baumli stated that the New Lebanon Library has bands perform and that comes out of the Library's budget. He asked if we could possibly collaborate with them to help with the expenses so we wouldn't have to put \$5,000 aside for this program.

Supervisor Teal stated that they are already funding their music programs and one thing she wanted to make sure of was that we are not conflicting as she doesn't want to take away from their programming. Councilmember Baumli stated that instead of conflicting we could work together and collaborate.

Supervisor Teal made a motion to pull \$5,000 from contingency for our 2017 Music in the Park program to hold 3 events throughout the summer to culminate with a large event at the end of the summer and authorization to start contracting with bands to perform at a rate of \$50 per musician per event and with Supervisor Teal looking into collaboration with the New Lebanon Library for the Music in the Park program. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Evans – Aye

Councilmember Baumli – Aye

***Mobile Home Park License Renewals:***

Supervisor Teal stated that there was one originally that was on hold and asked CEO Hazel "Cissy" Hernandez if the issues have been rectified. CEO Hazel "Cissy" Hernandez stated that the imminent danger has been remedied. The power has not been transferred yet although they began that process and a pipe was run by Webster Electric that interfered with the phone company hooking their power back up. This week Webster Electric came back and moved their pipe so that the phone company wouldn't have the interference. That should be finalized on Friday and mid next week NYSEG should be able to run the power to the new lines.

Supervisor Teal asked CEO Hazel "Cissy" Hernandez what her thoughts are on issuing the license to this park. CEO Hazel "Cissy" Hernandez stated that having spoken to Mr. McBride who is from the Planning Department at NYSEG and is keeping a watchful eye on all of this and is keeping the lines of communication open, she would say on that issue that it will be remedied by the end of next week. She stated that she has not done the mobile home park inspection herself and can only speak to the issue of the power lines.

Councilmember Smith asked if we should table it so that CEO Hazel "Cissy" Hernandez can go through the entire park and do an inspection. Supervisor Teal stated that wasn't

the plan and that we are basing the approvals off of the reports that we have from the former CEO. On those reports this one was being withheld due to the power line issue which is all Cissy was addressing. She was able to resolve that particular issue that was preventing it from getting approval.

Councilmember Geraldini suggested doing the motion with the approval contingent upon the work being completed. Supervisor Teal stated that we could approve the others to be renewed and that one contingent on that work being completed.

Councilmember Baumli stated that there is a building on one of these mobile home parks where the back of the building is collapsing. He asked if this was ever addressed in the prior reports prepared by the former CEO and if the owner has been served any violations for the building being unsafe and about to collapse. He would request that we table the renewal for this park until that building has been torn down or repaired. He stated that he is talking about the mobile home park across from County 9 down by the racetrack. Supervisor Teal stated that there is no reference to that building in the report prepared by the former CEO and that park was recommended for approval on that report.

CEO Hazel "Cissy" Hernandez stated that this is the first she is hearing of any unsafe structures on that property. Supervisor Teal stated that we should pull Tazmutt mobile home park renewal and table it and request that CEO Hazel "Cissy" Hernandez gather more information on the possible unsafe structure. The Town Board requested that CEO Hazel "Cissy" Hernandez perform a new evaluation of the Tazmutt mobile home park. CEO Hazel "Cissy" Hernandez asked if in the mean time she would ticket them for being an unlicensed mobile home park. Supervisor Teal stated no. She stated that we have a report that in her opinion is insufficient and that the Town Board is not saying that they are not going to license them, but they are just tabling their licensing to allow time to get a sufficient report.

Supervisor Teal made a motion to approve the 2017 Mobile Home Park License Renewal to expire 12/31/2017 for Sherman's, Cornerstone, Hanson's, and Adams Crossing and to approve the 2017 Mobile Home Park License Renewal to expire 12/31/2017 for Ski Lodge contingent upon the electrical hazard being fully repaired within 30 days and to table the 2017 Mobile Home Park License Renewal for Tazmutt to gather more information on the condition of the possible unsafe structure and how that relates to the Mobile Home Park License Renewal. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye  
Councilmember Smith – Aye  
Supervisor Teal – Aye  
Councilmember Evans – Aye  
Councilmember Baumli – Aye

***Tilden Monument Restoration Project:***

Supervisor Teal stated that the Town Board received a letter from Steve Oberon. She read the following letter aloud:

*I am writing to you to urge you to support the efforts by the Lebanon Valley Historical Society and the Cemetery of the Evergreens to repair and restore the Samuel J. Tilden monument. The two non-profit organizations are hoping to have this much-needed work completed as part of the 2018 Bicentennial celebration.*

*As you know, Samuel J. Tilden ranks as probably the most famous son of the Lebanon Valley. The LVHS and the Cemetery of the Evergreens are determined to prevent further deterioration of the monument erected in his honor. In collaboration with the Town Historians, we will also be making it easier for visitors to locate his resting place and appreciate the contributions he made by erecting appropriate signage at the grave site and elsewhere. We have requested input and proposals from several qualified restoration specialists and would like to begin work this spring.*

*We believe this should be a community effort and will be reaching out to the larger community to encourage their participation. We would welcome the involvement of the Town Board in this project and hope you will honor us with a resolution of support.*

Supervisor Teal stated that this is not a request for financial assistance but rather a Resolution of support of the project as a whole and endorsement of the project so she can then send or sign letters when they are looking for letters of support.

**TOWN OF NEW LEBANON  
RESOLUTION # 9, 2017  
SAMUEL J. TILDEN MONUMENT RESTORATION ENDORSEMENT  
FEBRUARY 14, 2017**

At the regular monthly meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 NYS Route 22, New Lebanon, New York, duly called and held on the 14<sup>th</sup> day of February 2017, the following Resolution was proposed and seconded:

Resolution by Councilmember Kevin Smith Sr.  
Seconded by Councilmember Dan Evans

***ENDORSEMENT OF SAMUEL J. TILDEN MONUMENT***

WHEREAS, **The Samuel J. Tilden Monument** is in need of restoration and repair to prevent further deterioration of the monument erected in Samuel J. Tilden's honor and Samuel J. Tilden ranks as probably the most famous son of the Lebanon Valley; and

WHEREAS, the Lebanon Valley Historical Society and the Cemetery of the Evergreens, both non-profit organizations in New Lebanon, are hoping to have the restoration completed as part of the 2018 Bicentennial celebration and in collaboration with the Town Historians, they will also be making it easier for visitors to locate his resting place and appreciate the contributions he made by erecting appropriate signage at the grave site and elsewhere and they have requested that the New Lebanon Town Board become involved in this project and honor them with a resolution of support;

NOW, THEREFORE, be it

RESOLVED, that the New Lebanon Town Board endorses and supports the **Samuel J. Tilden**

**Monument Restoration** project of the Lebanon Valley Historical Society and the Cemetery of the Evergreens.

Upon the question of the foregoing Resolution, the following Town Board Members voted “Aye” or “Nay” for said Resolution:

Roll Call Vote:

Councilmember Chuck Gerald	Aye
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Aye

The Resolution, having been approved by a majority vote of the Town Board, was declared duly adopted by the Supervisor of the Town of New Lebanon.

***Amazon Account:***

Town Clerk Houghtling stated that at the last Town Board meeting there was a motion approved for her to apply for a credit card in the Town of New Lebanon’s name with a \$500 limit to purchase office supplies. There are two things she has come across that are still being worked on, one is that most places would require the credit card to go under the name and social security number of the Town Clerk even though the Town’s name would be on the credit card and second is that most places run a 30 day billing cycle starting on the 1<sup>st</sup> of the month and the way our vouchering works we would incur late fees on this type of billing cycle. She is working on setting up a longer billing cycle or having the 30 day billing cycle start on the 15<sup>th</sup> of the month. She will continue to work on obtaining the credit card. In the meantime she has set up an Amazon account in the Town’s name with a credit line similar to our account with Staples and she has begun ordering through them.

***Town Park – Snowmobiles and Quads:***

Supervisor Teal stated that since putting a write up in the newsletter about the issue with the snowmobiles and ATVs tearing up the new playground, the ballfield and the new tennis courts in the park, she has not seen any new activity. She thought about possibly closing the park in the winter however there is a lot of acceptable activity in the park in the winter such as cross country skiing, snowshoeing, and walking their dogs. Then she thought of prohibiting motorized vehicles from October 15<sup>th</sup> to April 15<sup>th</sup>. We could cable off the entries and we do not plow the roads in the park anyway. People could park at the Town Hall parking lot if they wanted to gain access by foot into the park. She would also like to re-install a cable across the tennis courts that runs fence to fence like we used to have that would prevent snowmobiles and ATVs from being able to drive on the tennis courts. She also looked at trail cameras. She doesn’t know the best way to deal with it and she is open to suggestions from the Town Board.

There was some general discussion about the people driving these motorized vehicles and damaging the park probably not following the rules even if you make it against the rules to ride them in the park. It was stated that if you have the rule and people break it you can at least prosecute them in court. It was stated that you can only have them ticketed if

you can catch them and they usually take off when people are around. It was stated that maybe the trail cameras combined with making it against the rules to ride them in the park would work as the cameras could get a picture of them before they take off that you could use to ticket them. It was stated that with helmets and unregistered snowmobiles and ATVs you probably can't identify the riders from the trail camera pictures. It was suggested to put up snow fencing or real fencing to keep them off the tennis courts. It was stated that there are some snowmobiles and ATVs that simply travel through the park without doing any damage.

Supervisor Teal stated that at this point we could be aware that it has occurred, it seems to have tapered off and if it becomes an issue again we will revisit it. Councilmember Evans recommended looking into fencing off the entire courts by putting in chest high fencing with an entry gate where there is no fencing now. Councilmember Smith advised we wait until we do the basketball courts as we will have the fencing company out to put the fence back up on the basketball courts and it will be cheaper to do them both at once. Highway Superintendent Winestock offered to put up snow fencing around the tennis courts as a temporary fix.

#### **COMMITTEE REPORTS:**

##### ***Assessor (Councilmember Evans):***

Councilmember Evans stated that the Town website is a great resource to stay up on any of the changes in dates and deadlines for the Assessor's office. Currently the deadline for filing STAR and other exemptions is March 1<sup>st</sup>. There is a pdf attachment on the website for Grievance Forms and instructions. Grievance day is the Wednesday following the 4<sup>th</sup> Tuesday in May.

##### ***Broadband Committee (Supervisor Teal):***

No report.

##### ***Building Department (Councilmember Gerald & Councilmember Baumli):***

No report.

##### ***Business & Economic Development (TBD):***

No report.

##### ***CAC & Environmental Management (Deputy Supervisor Creech):***

David Farren stated that the next meeting of the CAC is March 8<sup>th</sup> and they are looking forward to responding at that time to the first draft of the Natural Resources Conservation Plan from Hudsonia. The 2016 Annual Report is posted on the Town's website with a lot of detail on what the CAC did in 2016.

##### ***Fire, Law Enforcement & Emergency (Councilmember Smith):***

Councilmember Smith stated that in January there were 5 calls, 31 people and 43.3 hours.

##### ***Highway (Councilmember Evans & Councilmember Smith):***

Highway Superintendent Winestock stated that it is illegal to push snow into the road.

***Historian & LVHS: (Councilmember Baumli):***

No report.

***Justice Court/Constable (Councilmember Gerald):***

No report.

***Parks & Recreation (Councilmember Smith):***

No report.

***Seniors (Councilmember Baumli):***

No report.

***Town Assets, Buildings & Property (Supervisor Teal & Councilmember Gerald):***

No report.

***County Updates:***

No report.

**ANNOUNCEMENTS:**

Tuesday, February 28<sup>th</sup> – Special Meeting of the Town Board to discuss proposed Zoning Amendments @ 6:00pm @ Town Hall

Tuesday, March 14<sup>th</sup> – Regular Monthly Meeting @ 7:00pm @ Town Hall

**BUDGET AMENDMENT:**

**Budget Amendment #2 of 2017:**

**General Fund:**

\$442 from A-1990.4 (Contingent)

\$442 to A-1910.4 (Unallocated Insurance)

**Highway Fund:**

\$9,438 from DA-914 (Assigned Appropriated Fund Balance)

\$9,438 to DA-5130.4 (Machinery)

A motion was made by Councilmember Smith and seconded by Councilmember Evans to approve the above noted budget amendment.

Roll Call Vote:

Councilmember Gerald – Aye

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Evans – Aye

Councilmember Baumli – Aye

**AUDIT OF BILLS:**

**General Nos. 24, in the amount of \$358.45;**

**As listed on Abstract No. 1A of 2017 dated February 14, 2017.**

**General Nos. 25 through 59, in the amount of \$25,740.93;**

**Highway Nos. 5 through 19, in the amount of \$37,923.20; and  
Fire Protection Nos. 1, in the amount of \$108,160.00;  
As listed on Abstract No. 2 of 2017 dated February 14, 2017.**

A motion was made by Councilmember Evans and seconded by Councilmember Baumli to pay the above noted claims from their respective accounts.

Roll Call Vote:

Councilmember Geraldini – Aye  
Councilmember Smith – Aye  
Supervisor Teal – Aye  
Councilmember Evans – Aye  
Councilmember Baumli – Aye

**PRIVILEGE OF THE FLOOR:**

**Timothy Laraway** asked how the code violations on the Town Hall addition happened in the building that houses the actual Code Enforcement Department. Supervisor Teal stated that she cannot discuss that publicly. She stated that some of the violations she was aware of initially and worked with maintenance to get them resolved to a point where they were safe for the public and others we weren't aware of until we started having issues with our heating system. Councilmember Baumli stated that all the problems occurred under a prior Town Supervisor and Town Board and we are now trying to fix the issues. Timothy Laraway asked if we have lost Mr. Pratt as a Building Inspector. Supervisor Teal stated yes, he has retired. She stated that Hazel "Cissy" Hernandez was appointed as CEO as of 1/2/2017 and she has started her training and will be fully certified in July and the State allows us to appoint a CEO and gives us up to 12 months to get them certified.

**ADJOURNMENT:**

A motion was made by Councilmember Baumli and seconded by Supervisor Teal to adjourn the meeting at 9:06 p.m.

Respectfully submitted,

Tistrya Houghtling  
New Lebanon Town Clerk