

**MINUTES OF THE REGULAR MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON AUGUST 8, 2017**

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

Absent: Chuck Geraldi, Councilmember

Recording Secretary: Tistrya Houghtling, Town Clerk

Others Present: Ben Wheeler, LVPA
JJ Smith, NL Rep to CC Office for the Aging
Bobby Waters, LVPA
Robert Smith, Planning Board Member
Ted Salem, ZBA Member & ZRC Chair
Peg Munves, CAC & ZRC Member
Cynthia Creech, Deputy Supervisor, Court Clerk,
Rec. Commission, CAC & ZRC Member
Jeff Winestock, Highway Superintendent
Paul McCreary, Town Engineer
Gregg Gilliland, LVPA
Bruce Shenker, NL Rep to CC Environ Mgt Council
Biffy Cahill, TRACS
Amanda Despart, TRACS
Annie Cass, TRACS
Thaddeus Flint, *The Eastwick Press*
Several members of the Public

CALL TO ORDER:

The meeting was called to order at 7:02 p.m. by Supervisor Teal. A moment of silence was followed by the flag salute.

MINUTES:

The minutes of the **July 11, 2017 Regular Monthly Meeting** were reviewed. Town Clerk Houghtling requested an edit to the minutes to change the last name of the person approved as a volunteer for the Town from Fields to Field. A motion was made by Supervisor Teal, seconded by Councilmember Evans and approved unanimously (Councilmember Geraldi absent) to accept the above noted minutes as amended.

FINANCIAL:

Supervisor's Report:

Supervisor Teal provided the public and TB members with a copy of the Supervisor's Report as of July 31, 2017. A motion was made by Councilmember Smith, seconded by

Councilmember Baumli and approved unanimously (Councilmember Geraldini absent) to accept the Supervisor's report.

TRACS PRESENTATION:

Biffy Cahill, the President of TRACS (Together Reducing Alcohol & Drugs in Our Communities), **Amanda Despart**, the co-president of Youth to Youth, and **Annie Cass**, the treasurer of Youth to Youth did a presentation explaining their program. They talked about Youth to Youth trainings that the members attend each year and then the members bring the information back to share with their community and they educate their peers and try to reduce the use of alcohol and drugs amongst their peers. At the conferences and trainings they attend they learn about mental health issues and how to support peers who may be suffering with mental health issues; they share their struggles with their peers as well as positive ways they can face their struggles; they listen to motivational speakers; they learn about prescription drug abuse and how it can lead to harder drug use; and they learn so much more. When they return from conferences and trainings, they hold drug free fun events for their peers as well as do their own trainings and presentations in their community. They learn peer leadership, confidence and many skills that will get them through their entire lives. Each year they contract with Towns to provide their services in the Towns and they ask Towns to sponsor 2 students to attend conferences each year. They provide a lot of community service for the Towns in return for the sponsorship. They would love to bring their services to the Town of New Lebanon.

PRIVILEGE OF THE FLOOR:

Ted Salem stated that they had a visit today from tree service contractors on West Street. He asked if it is reasonable to expect that they won't chip down the trunks. Supervisor Teal stated that they will leave the trunks however they should leave them in a fairly neat order and they are not supposed to be any larger than 18-24" in length.

Cynthia Creech stated that Cemetery Road was blocked off by a utility truck but there was no signage telling people to turn around or that the road was closed to through traffic. Supervisor Teal stated that other roads were also blocked off without proper signage. She spoke with Highway Superintendent Winestock about it and the utility companies do not have the authority to close the road but they could put a sign up that there is roadwork blocking the road. Highway Superintendent Winestock stated that we need to have patience as we have been after them for a long time to trim around the wires and fix the issues as we do not like the power going out so now that they are here fixing the issues we need to be patient with them.

Bruce Shenker stated that there is a running race on the rail trail on August 20th as a part of a Stephentown celebration with part of the race going through New Lebanon. They will start the race on the Knapp Road entrance at 10am. Sign up will be at the rail trail entrance on Knapp Road right before the race starts.

OLD BUSINESS:

Proposed Local Law #3 of 2017: Recreation Commission:

Supervisor Teal stated that we are going to adjourn this until the September meeting after the Public Hearing is closed.

Basketball Court Bids:

Town Clerk Houghtling read the following Bid Notice aloud:

**NOTICE TO BIDDERS
RECONSTRUCTION OF BASKETBALL COURTS
TOWN OF NEW LEBANON
COUNTY OF COLUMBIA**

NOTICE IS HEREBY GIVEN that the Town of New Lebanon, NY is seeking bids for the REPLACEMENT OF THE BASKETBALL COURT AT SHATFORD PARK. The Town of New Lebanon invites sealed proposals for the removal of the existing basketball court asphalt surfaces, a partial removal of the subbase of the existing basketball court, the removal of the existing basketball poles, hoops and fencing surrounding the existing basketball court, the furnishing of all materials, labor and related equipment necessary for the installation of a new basketball court, basketball poles and hoops and new chain link fencing.

This contract has been designated Contract 2017-001 as set forth in the contract documents, including drawings and specifications.

Bids will be received by the Town Clerk of the Town of New Lebanon, NY, Town Hall, 14755 Route 22 North, New Lebanon, NY 12125 until 1:00 PM on or before Wednesday, August 2, 2017 at which time and place they will be publicly opened and read aloud, with the contract being awarded, if acceptable, as soon as practicable thereafter.

All bid and contract documents, including specifications governing the contract, may be examined free of charge at the Town Clerk's office during the Clerk's business hours of Monday, Wednesday, Thursday, and Friday from 9:00 am to 5:00 pm. Copies of the Bid Documents may be obtained at the Town of New Lebanon Town Hall on or after July 14, 2017.

No bid will be accepted unless a signed Certificate of Non-Collusion is submitted with the bid.

The Town of New Lebanon Town Board expressly reserves the right to waive any irregularities in or to accept any bid or to reject any and all bids or to award on any or all items.

No bidder may withdraw his/her bid within twenty-five (25) days after the actual date of the bid opening.

By order of the Town Board, Town of New Lebanon, New York.

Town Clerk Houghtling stated that we received one bid from HMA Contracting in the amount of \$75,400. Councilmember Smith stated that we did not ask the Town Engineer how much he thought it would cost to re-do the basketball court. Town Engineer Paul McCreary stated that before the bids were received he had done an independent estimate and had come up

with a cost of \$70,000 for the work that needed to be done so the bid that we did receive was a little higher than he had hoped but still within the realm of reason.

Councilmember Smith stated that he would like to move forward with the basketball courts as it is in bad shape, it is for the kids, and it gets a lot of use. He spoke to Supervisor Teal and we can pull out of surplus to fund the project. He doesn't think waiting until next year and getting more prices is going to get us any better prices. Councilmember Evans stated that going out to bid again in the Spring did bring the price down significantly on the tennis courts. Maybe companies are booked up for the rest of this season and would give us a better price in early Spring when they aren't as booked. Councilmember Baumli stated that he would agree that companies are looking for work in early Spring and possibly willing to do work for less than in late Summer when their calendar is booked up. He suggested looking into some possible grant money to cover some of the costs as well. Supervisor Teal stated that they rate physical activities when it comes to grant funding and under Parks and Historic Preservations, basketball courts in Columbia County are very highly rated so there is the potential for grant funding.

Councilmember Smith made a motion to accept the bid from HMA Contracting in the amount of \$75,400 using \$25,000 from A-7140.4 and using \$50,400 from the Unallocated Fund Balance. Supervisor Teal seconded that motion.

Roll Call Vote:

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

The motion failed.

Councilmember Evans made a motion to go out to bid again on the basketball courts to be advertised in late January with bids due in February or March with the Town Board to address the funding at the 2018 budget process. Supervisor Teal seconded that motion.

Roll Call Vote:

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

ZBA Vacancy:

Supervisor Teal stated that we have had no interest in this position. She asked all of the Town Board members and members of the public to find people interested in serving on the Zoning Board of Appeals.

Cupola:

Councilmember Smith stated that the cupola has been moved to behind the Town Highway Garage from the school. The work probably won't start until the spring. He is doing some research on renovation options. Councilmember Baumli stated that the Town is doing a good thing by taking the cupola from the school however there is perception by some people that it is the Town's responsibility to take care of the cupola. The school ripped the cupola off the old building and told the Town that they were going to fix it and it sat there on the ground since the building came down. The Town saved the cupola from being destroyed. If people have a problem with the cupola and how it was treated, they should be thanking the Town Board and especially Councilmember Smith for saving the cupola.

Pavilion:

Councilmember Smith stated that the pavilion work will be put off until 2018 however if we can get some volunteers together to have the roof taken down over the BBQ pit or rebuild it before it starts falling down. Supervisor Teal stated that she would like to get a plan together for the work that needs to be done on the pavilion so we can properly budget for it.

NEW BUSINESS:

Music in the Park:

Supervisor Teal stated that Doug Banker who has been integral in the organization of these events has requested that the Town reimburse the food and drink vendors for the \$50 fee they pay for their food permit and the \$36 fee they pay for their drink permit just for this first year of events. We have the money in the music in the park budget line. She feels that since this is the first year we have held the event, the vendors are taking a risk in coming to the events as we don't know how many people are going to come and purchase food and beverages from them. We asked local businesses in our community to take a risk on being involved in this new event. Moving forward into future years, we would not reimburse these fees as we see now that we are going to have a successful music in the park program.

Supervisor Teal made a motion to approve the reimbursement to vendors for their temporary food operation permit fee for the day of the event and their temporary beer, wine and cider permit application fee for the day of the event for each music in the park event in 2017. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Absent

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Evans – Aye

Councilmember Baumli – Aye

NL 200: Showboat Dinner Dance: Appearance Agreement – The Twangbusters:

Attorney Tuczinski stated that in the proposed contract they have it governed in the laws of Massachusetts on page 2 which would need to be changed and we are going to want to change the insurance provisions as it is requiring us to insure the band for any injuries unaccountable of what they do. We have standard language that we will need to include. Typically a vendor will indemnify the Town. Since the event is happening at the school we

will need to also need to talk to the school regarding their requirements but that would be separate from this agreement.

Supervisor Teal made a motion authorizing her to execute the agreement and pay the deposit subject to the Twangbusters acceptance of our amendments to the contract per our legal counsel. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Absent

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Evans – Aye

Councilmember Baumli – Aye

Highway Garage Overhead Door:

Supervisor Teal stated that we need to replace the overhead door at the highway garage. Supervisor Teal asked Highway Superintendent Winestock if he had any idea of a ballpark price. Highway Superintendent Winestock guessed it would be somewhere in the \$10,000 range to replace it. Supervisor Teal stated that would require an RFP and written quotes from 3 vendors. Councilmember Smith asked Highway Superintendent Winestock if he would like to obtain the 3 quotes and he answered yes.

Councilmember Smith made a motion authorizing the Highway Superintendent to get 3 written quotes for replacing the overhead door at the highway garage and to present them to the Town Board for consideration. Councilmember Evans seconded that motion. The motion passed unanimously (Councilmember Geraldini absent).

Cemetery of the Evergreens (printing request):

Town Clerk Houghtling stated that the Town Board previously approved allowing any non-profit organization based in New Lebanon to utilize the Town's printer with the actual cost to the Town being reimbursed by the organization. The Cemetery of the Evergreens would like to print the handbills for their fundraising event for a total printing cost of \$9.60. Town Clerk Houghtling stated that because they are an entity that is funded by taxpayer dollars she thought it might be treated differently and so she brought it to the Town Board to consider waiving the fee.

A motion was made by Supervisor Teal, seconded by Councilmember Smith and passed unanimously (Councilmember Geraldini absent) to waive the fee for the printing of the handbills for the Cemetery of the Evergreens fundraiser.

American Flags Project:

Supervisor Teal asked J.J. Smith if she would like to present where she is at with the flag project. J.J. Smith stated that she started a go fund me page to raise money for flags to be hung along the main roads in New Lebanon. She has raised enough money for 12 flags. Councilmember Smith stated that he would like the Town to match the funds J.J. has raised so that we can purchase 24 flags to cover the main 20/22 corridor. Then he was hoping to match her again next year for more flags to go into West Lebanon and along 22

towards Canaan. Supervisor Teal asked J.J. if all the flags could belong to the Town of New Lebanon, including the ones paid for through the go fund me page. J.J. Smith stated that all the flags purchased would belong to the Town of New Lebanon. The goal is to get the flags up before Labor Day if at all possible. Attorney Tuczinski stated that we should declare it a Town of New Lebanon flag project and stipulate that all the flags become property of the Town.

Councilmember Smith made a motion to contribute \$500 for the acquisition of flags for the Town of New Lebanon flag project to be paid for on an interim voucher with all of the flags purchased to be owned by the Town of New Lebanon. Supervisor Teal seconded that motion.

Roll Call Vote:

Councilmember Geraldi – Absent
Councilmember Smith – Aye
Supervisor Teal – Aye
Councilmember Evans – Aye
Councilmember Baumli – Aye

Charging Stations:

Supervisor Teal stated that we had an inquiry from one of our residents about obtaining grant money to install EV charging stations in New Lebanon, similar to the grant Chatham just obtained. Councilmember Smith stated that he doesn't know anybody that has a plug in car. He asked if anybody knows of someone in Town with a plug in car. Two people in the audience raised their hand and stated that they own one.

Supervisor Teal asked where we would put a charging station. She asked if we would need to install it on Town property or if we could put it downtown where people could walk around and go to businesses while their cars are charging. Town Clerk Houghtling stated that she will reach out to Robyn Reynolds and ask if they would have to be on Town property.

NL Representative to CC OFA:

Supervisor Teal stated that we are looking for a new representative from New Lebanon to the Columbia County Office for the Aging. One of our representatives, J.J. Smith, is needing to step down from the position but will stay on until we find someone to take her place. If anybody is interested in serving in this position, please contact the Town Clerk or Town Supervisor.

Noise Ordinance:

Supervisor Teal stated that last month we had somebody inquire about the Town possibly considering adopting a noise ordinance. Attorney Tuczinski stated that noise ordinances are extremely difficult to enforce. A lot of municipalities have adopted noise ordinances but it comes down to the difficulty in measuring standards of noise beyond a property line. He recommends not going there unless you are in an urban setting and have a great need for a noise ordinance. There is a lot of litigation over the legality of noise ordinances.

Dunkin Donuts:

Supervisor Teal stated that part of DOT's request for Dunkin Donuts included the installation of sidewalks. She reached out to the regional director and had a conversation and asked if this requirement has to do with our sidewalk project that hasn't been finalized or closed yet and the answer was yes. DOT is agreeable to waiving this requirement with a letter from the Town stipulating that we are not moving forward with the sidewalk project and we are okay with a ten foot buffer to allow for possible future sidewalks. Both Dunkin Donuts and DOT are happy with this resolution. She needs Town Board authorization to move forward with the letter.

Supervisor Teal stated that the DOT representative also asked her to double check our Zoning and our Comprehensive Plan because you don't want to be requesting something that is conflicting with either of those. One of the struggles we have had with DOT over the last several years is that they have been restricting access points on the 20/22 corridor for every business down to one access point. She found that requirement in our Comprehensive Plan and she is going to check with DOT to see if they have been restricting these access points because of our Comprehensive Plan instead of their own requirements. If this is the case she would also like to include in the letter to DOT that the Town would like the one way in and one way out requirement removed.

Ted Salem asked if the requirements of entrances and exits should really be a DOT issue or if that should be addressed by our local Planning Board during the application process. Supervisor Teal stated that in 2010 or 2012 legislation was passed that required DOT to involve local officials when making significant changes. What she is seeing is the actual fall out of that has been when we adopt projects and Comprehensive Plans there are things in those projects and Comprehensive Plans that are being followed through with by DOT. The Planning Board is approving applications subject to all DOT's requirements and DOT is setting their requirements based on what is in the Town's Comprehensive Plan.

Supervisor Teal made a motion to allow her to execute a letter to DOT that a ten foot buffer is sufficient for the Dunkin Donuts project and to further include requesting the removal the one way in and one way out requirement, if applicable, all subject to the advice of legal counsel. Councilmember Smith seconded that motion. The motion passed unanimously (Councilmember Geraldini absent).

Budget Process:

Supervisor Teal stated that she will send budget memos out to department heads by next week with budget requests due to the Town Clerk by 9/1 and a Tentative Budget to be filed in the Town Clerk's Office by 9/15. She would like to set budget workshop dates at the 9/12 meeting.

Official Newspaper:

Councilmember Baumli made a motion to declare the Eastwick Press as the Town of New Lebanon's official newspaper for the remainder of the year. Councilmember Smith seconded that motion. The motion passed unanimously (Councilmember Geraldini absent).

COMMITTEE REPORTS:

Assessor (Councilmember Evans):

No report.

Councilmember Evans stated that a committee has been working on setting up a possible annual employee evaluation system. We have been researching roles and duties of every position within the Town. We have had some turnover lately in some of the clerical positions. The goal is to set up a system where we increase employee loyalty and keep people employed with the Town for longer through classifications in pay scale and possible benefits.

Broadband Committee (Supervisor Teal):

No report.

Building Department (Councilmember Geraldini & Councilmember Baumli):

No report.

Commerce & Tourism Committee (TBD):

Supervisor Teal stated that someone has reached out to her interested in serving on this committee. She just received an email from Max Gitter stating that because the Town is establishing this committee, the private Economic Development Committee is disbanding by December 31st. She is going to write back to him expressing our appreciation for what they have done and asking if any of their members would be interested in serving on the Town's Commerce & Tourism Committee.

CAC & Environmental Management (Deputy Supervisor Creech):

Cynthia Creech stated that the CAC is finalizing the Natural Resources Conservation Plan.

Fire, Law Enforcement & Emergency (Councilmember Smith):

Councilmember Smith told Ben Wheeler sorry that he didn't get back to him today. He was coming back from Hudson and lost service. He stated that Ben Wheeler gave him a call today so sometime in the near future they are going to sit down and go over what we need to. He stated they had 3 calls, 24 people, and 122 man hours and year to date they had 59 calls, 337 people and 1,147 man hours. Supervisor Teal asked that the call reports be split out into emergency calls, drills and training, and miscellaneous. Gregg Gilliland asked what she considers miscellaneous. Supervisor Teal responded "Eve of Destruction".

Councilmember Baumli stated that last month he asked for reports going back for the last couple years for what the LVPA spending was and he was told that Town Clerk Houghtling had that information. Town Clerk Houghtling forwarded on to him the information that she had filed in her office in a pdf file. He requested that Town Clerk Houghtling ask the LVPA for the same file in excel format because it is an excel form but being shared in pdf format. Town Clerk Houghtling told him that the LVPA doesn't keep that excel form. He finds that hard to believe because it is an excel document that is being shared in pdf format. He asked the LVPA if it is true that this document is not saved in an excel format. Bobby Waters, LVPA Treasurer stated that what they file with the Town Clerk's Office every month is the way that he saves it. Town Clerk Houghtling stated that she was asking for it to be shared

electronically so that the Town Board can play with the numbers for budget purposes. The request was for him to email the document to her instead of giving a paper copy of the document. Ben Wheeler asked for clarification on what "play with" means. Councilmember Baumli stated that in excel format you can move the columns around, you can get your totals, similar to what he ended up doing himself when he took the numbers and re-entered them into excel format. He took each year and put the actual and budget columns next to each other and totaled them. Now he can copy and paste the information from one spreadsheet to another so he can compare 2015 to 2016 to see where savings were, what year they were over, what year they were under, etc. Bobby Waters stated that Councilmember Baumli has just done what he was asking the LVPA to do. Councilmember Baumli stated that the document should be in excel format already that they can just share with him so he doesn't have to re-do it all. Bobby Waters stated that it is in excel format but he is not going to be emailing it to anybody and the Town Clerk's Office will get the copies in paper format. Councilmember Baumli asked why. Bobby Waters stated because that is the way they have been doing it for all these years. Councilmember Smith asked what the difference is if he is giving us the paper copy versus emailing us the excel format. Gregg Gilliland stated that because in an email, you can change the numbers at will. Councilmember Baumli stated that he is not going to change any of the numbers. Town Clerk Houghtling stated that they can still file a paper copy with her office which will be stamped received and a receipt given to the LVPA that they filed it with her and that will be the official copy, but the Town Board also wants an ease of use copy electronically for budget purposes. Councilmember Smith asked if they are concerned that someone will change the document and then distribute it. Bobby Waters answered yes because they are monthly financial papers of the LVPA which go to their CPA. Councilmember Baumli stated that they can still file the paper copy with the Town Clerk's Office and then also email the document in excel format. The LVPA will still own the original excel file so if someone got a hold of the excel file that was emailed and manipulated the data, the LVPA could easily say that is not the original file and the LVPA would always be the only one to have the original file.

Attorney Tuczinski stated that 20 years ago, respectfully, everything was done by paper. Nowadays data is provided routinely with electronic files. He thinks it makes it easier if it could be provided in electronic format because then you can take that document and create analysis of what happened over past years and where you are at today so he would recommend that it be provided because as part of the Town's overall audit function it makes it easier. He stated that the LVPA's safeguard is that nobody can take their original document. It is just a matter of convenience as far as looking at their numbers.

Supervisor Teal stated that if email is an issue we can provide the LVPA with a thumb drive to save the document to. Bobby Waters stated that as of right now the LVPA is dealing with the process the way the contract was brought up and they will continue that process. Councilmember Baumli stated that in next year's contract they will ask that all files be submitted in excel format. Supervisor Teal stated that is not true and we have an issue there. Bobby Waters stated that they are giving the Town the reports that they requested. Supervisor Teal stated that they are missing some things and there are also some things that are supposed to be worked on. Their reports are coming in in format A and their budget request in format B. They discussed this last year that all of this would be melded into one

format. Bobby Waters stated that this year is the first year they are using the new format. Councilmember Baumli stated that this year's budget request is not in the new format. They want it in the exact same format so it can all be compared. Councilmember Baumli stated that one financial document submitted has a lot more detail and information than another. It becomes very difficult to compare reports when they are submitted in different formats. Supervisor Teal stated that they discussed this at length last year and all agreed that all financial documents would be presented in the same format and they included it in the contract as a requirement.

Councilmember Smith asked if the LVPA is going to provide the excel format that Councilmember Baumli is requesting for the rest of the year or are we going to put it in the contract starting next year. Bobby Waters stated that the Town will need to put it in the contract for next year. Supervisor Teal stated that she wants the Town Attorney to read the current contract because it says that the LVPA is to provide the Town with anything that they reasonably request and she would like the Attorney to send a letter to the LVPA requesting the excel document according to the requirements in the contract. Attorney Tuczinski stated that he could just make a laundry list of things that we need because there are other things that we are missing that are in the contract then he can send a letter requesting everything that we need. Councilmember Smith asked if under the contract now the LVPA is required to provide what Councilmember Baumli is asking for. Attorney Tuczinski stated that he doesn't have a copy of the contract in front of him, but even if it is not in the contract, we have the right to make a reasonable request because we have the audit responsibility for this relationship. Supervisor Teal got a copy of the current contract. Town Attorney Tuczinski read from the contract paragraph 13 (i): "The association will provide the above (referencing financial information materials) and any other financial information which the Town Board may reasonably request to adequately document cash and property tax balance, incomes or cash flows, which may be used to support budget requests". Attorney Tuczinski stated that the request being made here is reasonable and it is appropriate and the position of the Town would be that we would appreciate your accommodation. He knows from experience that with electronic data it is not difficult to provide this request. He thinks the LVPA is obligated if the Town Board requests the excel format of the financial documents. There is another provision that talks about reasonable cooperation.

Gregg Gilliland stated that if the Town provides the LVPA with a thumb drive, the LVPA will provide the Town with what they are asking for on the thumb drive. Supervisor Teal stated that the other thing that we need is for everything to be in one format. Bobby Waters stated that the budget figures that he is giving the Town are twice as long as the budget figures that he has ever given the Town in the 25 years he has done this. Supervisor Teal stated that she needs it all in the same format, it doesn't matter which format, just pick a format and be consistent. Bobby Waters stated that the LVPA gives the Town the proposed budget that Ben Wheeler prepares. The Town wanted the numbers broken down even more as to what he does as Treasurer. What the Town is going to have to do is take the building repairs and maintenance and get the numbers off of the one that Councilmember Baumli has in front of him that includes New Lebanon, West Lebanon and the Legion. Supervisor Teal stated that in the Town's accounting, which is why the contract stipulates "generally acceptable accounting practices", what you would do is building maintenance would be here

and the others would be subcategories under it. We can absolutely add those up but Bobby Waters is handing the Town a report that has these and someone else from the LVPA is handing the Town a report that has this and the Town is supposed to decipher what the LVPA is assigning where and make assumptions. That is not going to do the LVPA well and it is not going to do the Town well. The Town doesn't want to make assumptions about what the LVPA's monetary needs are. The Town would like to do it with facts. Councilmember Baumli stated that one document has a line insurance budgeted at \$17,500 but another document has a line insurance with YTD so far and it has 8 different categories of insurances with 8 different totals there. He wants them to match up or if he has them both in excel format he can drag one next to the other to compare them. Gregg Gilliland stated that in 2015 and 2016 it was written one way and in 2017 they started reporting it a new way that is why it is not matching up. Councilmember Baumli stated that with all the documents in excel format, he can mesh them together. Gregg Gilliland stated that the LVPA will give them all the documents in excel format on the thumb drive and they will also file the paper copies with the Town Clerk's Office. Ben Wheeler stated that the information that the Town wants is all there and the LVPA has had the same problems trying to develop this year's budget. The proposed budget list that he gave the Town was the format that they attempted last year with a more open, more defined per line what categories fit in the budget and how much is divvied up within each of those master categories. Part of the confusion and frustration between the LVPA and the Town he thinks is trying to get that 3 year spread with 2017 being the first year they used the new format, is difficult to match them up. In order to go back you have to look at the old format and figure out where the old categories match up to the new categories. If the Town and LVPA can sit down sometime and go through it they can define where the numbers for each category come from because the Town is not going to know if it's lawn mowing in the master list of bills paid every year was from Mark Harmon to mow the lawn but that is how they came up with those figures that are in there.

Councilmember Smith, Councilmember Baumli, Gregg Gilliland and Ben Wheeler agreed to meet on Wednesday, August 16th at 7pm.

Highway (Councilmember Evans & Councilmember Smith):

Supervisor Teal stated that we have a PESH report coming and they are going to be requesting that we move our Diesel Tank outside. Highway Superintendent Winestock stated that he would like to see the report and he would like to see the reason. He doesn't feel like that is something that we need to do. Supervisor Teal stated that when the report arrives we can look into it further.

Historian & LVHS: (Councilmember Baumli):

No report.

Justice Court/Constable (Councilmember Gerald):

No report.

Parks & Recreation (Councilmember Smith):

Councilmember Smith stated that we have a problem with the Little League as they have nobody stepping up to be on their Board and he went to the fields with the ex-president of

the Board, Dan Corbett, to fix some of the issues we were having such as the netting not being taken down. They took care of most of the issues. They went into the snack shack and the fryers are still full of oil, they have no lids on them and they have rotten food in them. They have nobody taking responsibility for the little league so we as a Town Board need to make a decision as to whether we are going to do the work that needs to be done because it is a health and safety hazard. Councilmember Baumli asked how many teams there are. Councilmember Smith stated there were only 3 teams and there is talk about merging with Nassau but right now they have no parent involvement, they can't find anybody to sit on the Board and Dan Corbett has stepped down from his position as President of the League.

Councilmember Baumli stated that he will volunteer his services to go down and clean out the snack shack this weekend. Supervisor Teal and Councilmember Smith and Peg Munves stated that they would also volunteer to help clean out the snack shack. Councilmember Baumli stated that for next year, to prevent this from happening again, he thinks we need a contract and a deposit. We have asked them to paint the snack shack which hasn't been done. We have asked them to move the bleachers which hasn't been done. Now we have to clean up the mess left inside the snack shack. We mow it and maintain it with tax payer dollars, and there are people playing on the fields and using it that aren't taking care of it.

Supervisor Teal stated that we will need to send them a letter notifying them of the issues and giving them a heads up that next year before they start their season we will need to get a contract and deposit in place. Town Clerk Houghtling stated that if they do not have a functioning Board, you don't have anybody to send the letter to. Attorney Tuczinski stated that is an issue. Councilmember Baumli stated that at this point they would not continue with no Board. If they come forward with a Board before next season, we can do the contract and deposit with the Board at that time. Supervisor Teal stated that we should still reach out to Dan Corbett as the outgoing President and let him know that moving forward we will be needing a contract and deposit. Councilmember Smith stated that he will have that conversation with Dan Corbett.

Attorney Tuczinski asked who owns the building. Supervisor Teal stated that the Little League owns the building but it is on the Town's property. Attorney Tuczinski asked what type of agreement was entered into to allow their building on our property. Supervisor Teal stated that she is not sure there is any agreement. Attorney Tuczinski stated that he will look into it further.

Seniors (Councilmember Baumli):

No report.

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

No report.

County Updates:

Supervisor Teal stated that she sent the proposed County wide shared services to the Town Board. She asked if anybody had any questions. Supervisor Teal stated that there will be public hearings next week and then in front of the whole Board of Supervisors. She stated

that this is the County establishing the opportunity for shared services. It does not obligate any municipality to participate. The one place where there would be potential significant savings is health insurance but NYS law prohibits it. The Board of Supervisors decided to include this item in their proposal and ask that they look at enacting the proper legislation to allow us to share health insurance services. Councilmember Baumli stated that the Towns could write letters to their State representatives asking them to push for this legislation as this could save the Towns a lot of money.

ANNOUNCEMENTS:

Sunday, August 20th ~ Music in the Park @ Shatford Park from 1:30 – 4:30 pm

Tuesday, August 22nd ~ Special Meeting of the Town Board @ Town Hall @ 6:00 pm

Tuesday, September 12th ~ Public Hearing Continued on Proposed LL#3 of 2017 –
Recreation Commission @ Town Hall @ 6:55 pm

Tuesday, September 12th ~ Regular Meeting of the Town Board @ Town Hall @ 7:00 pm

Sunday, September 17th ~ Music in the Park Festival @ Shatford Park from 1:30 – 6 pm

BUDGET AMENDMENT:

Budget Amendment #8 of 2017:

General Fund:

\$25,000 from Unallocated Fund Balance

\$4,000 from A-8664.41 (Code/Zoning Enforce.: Contract. Exp.)

\$25,000 to A-1420.4 (Attorney)

\$4,000 to A-8664.12 (Personal Services: Deputy CEO/ZEO)

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

Roll Call Vote:

Councilmember Geraldini – Absent

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Evans – Aye

Councilmember Baumli – Aye

AUDIT OF BILLS:

General No. 254, in the amount of \$358.21;

As listed on Abstract No. 7A of 2017 dated August 8, 2017; and

General Nos. 255 through 296, in the amount of \$27,281.57;

Highway Nos. 76 through 84, in the amount of \$11,036.56; and

Escrow No. E17-9, in the amount of \$625.00;

As listed on Abstract No. 8 of 2017 dated August 8, 2017.

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

Roll Call Vote:

Councilmember Geraldini – Absent

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Evans – Aye

Councilmember Baumli – Aye

PRIVILEGE OF THE FLOOR:

Nobody spoke.

ADJOURNMENT:

A motion was made by Councilmember Smith and seconded by Supervisor Teal to adjourn the meeting at 9:28 p.m.

Respectfully submitted,

Tistrya Houghtling
New Lebanon Town Clerk