

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON APRIL 10, 2018**

Present: Colleen Teal, Supervisor
Kevin Smith Sr., Councilmember
Norman Rasmussen, Councilmember
Jesse Newton, Councilmember
Mark Baumli, Councilmember
Jon Tingley, Town Attorney

Recording Secretary: Tistrya Houghtling, Town Clerk

Others Present: J.J. Smith, NL Rep to CC Office for the Aging
Bob Smith, Planning Board & Ethics Board Member
David Farren, CAC & ZRC Member
Jeff Winestock, Highway Superintendent
Ed Godfroy, LVPA
Bill Black, CC Emergency Management Director
Pete McCagg, Highway MEO.
Ted Salem, ZBA Member & ZRC Chair
Cynthia Creech, Court Clerk & CAC Member
Bruce Shenker, NL Rep to CC Enviro. Mgt.

Council

Paul McCreary, Town Engineer
Tammie Darcy, Tax Collector
Peg Munves, CAC & ZRC Member
Joe Ogilvie, Recreation Commission Member
Judy Zimmer, Cleaner
Benjamin Hayes, NYS Police Officer
William Vic, NYS Police Officer
Jason Christie, NYS Police Officer
Ian Boehme, CC Deputy Sheriff
Barry Chuck, Resident
Thaddeus Flint, *The Eastwick Press*
Many members of the Public

CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Supervisor Teal. A moment of silence was followed by the flag salute. Supervisor Teal pointed out the emergency exits.

MINUTES:

The minutes of the **March 13, 2018 Regular Monthly Meeting** were reviewed. Supervisor Teal requested two edits, one on page 11 changing the word “there” to “their” and one on page 27 changing the word “train” to “training”. A motion was made by Supervisor Teal, seconded by Councilmember Smith and approved unanimously to accept the above noted minutes as edited.

FINANCIAL:

Supervisor's Report:

Supervisor Teal provided the public and TB members with a copy of the Supervisor's Report as of March 31, 2018. A motion was made by Councilmember Smith, seconded by Councilmember Rasmussen and approved unanimously to accept the Supervisor's report as typed. Supervisor Teal stated that the Annual Updated Document for 2017 is on file in the Town Clerk's office.

CERTIFICATES OF APPRECIATION: State Troopers & CC Sheriff:

Supervisor Teal stated:

"On Friday, February 9th, New Lebanon resident Barry Chuck suffered a heart attack while at home. Three state police officers and one CC deputy sheriff responded to his home where they performed CPR and defibrillated Mr. Chuck until Chatham Rescue Service arrived. Mr. Chuck was transported to Albany Medical Center and in less than a month he was back home. He is here with us tonight as we express our appreciation to NY State Troopers Benjamin Hayes, William Vick, and Jason Christie and Columbia County Deputy Sheriff Ian Boehme because of the actions of these four men. It is with great honor that I present these Certificates of Appreciation for Dedicated and Distinguished Service that saved the life of one of our residents to NY State Trooper Benjamin Hayes, NY State Trooper William Vick, NY Trooper Jason Christie and Columbia County Deputy Sheriff Ian Boehme."

Supervisor Teal handed each officer with a certificate of appreciation. Barry Chuck thanked each officer for saving his life.

PRIVILEGE OF THE FLOOR:

Councilmember Baumli stated that he missed last month's town board meeting due to the fact that he was in an automobile accident. He listened to the recording of the meeting and in the almost 40 years of him attending and being involved in town board meetings, that was probably one of the most unorganized, unprofessional meetings he has ever been to or listened to. It opened in the beginning with privilege of the floor to discuss the rail trail and 16 Lover's Lane. That went on for quite some time while people spoke multiple times, they commented on other people's comments, and then it came back to the board for discussion. At that point he thinks there was more public comments made than board comments made. He thinks that was very unprofessional and that meeting should have been called to order. Some people that he has spoken to about that meeting thought the same thing. He asked that going forward we control our town board meetings a little bit more professionally than the way that meeting was held.

Erminia Rasmussen asked Councilmember Baumli if he thinks the meeting would have been handled differently had he been there. Councilmember Baumli stated yes because he would have put a stop to that. When the board is discussing, when that floor comes back to the board. If you have been to any ZBA meeting where Mr. Murad is the chairman, he will control that meeting. The audience does not speak at that point. The board has the opportunity to discuss the issue at hand. Erminia Rasmussen stated that if it was privilege of the floor, why would you not allow the

public to speak. Councilmember Baumli stated that privilege of the floor was open. It came back to the board for discussion at that point. As the board was discussing it, the audience continued to interrupt the board discussion. That should not happen.

Bruce Shenker stated that he thought that it was handled very well and that people got a chance to speak. It was a public issue, it was discussed by the people of the town, everyone on the board had a chance to talk as much as they wanted or as little as they wanted, and he thinks it was handled properly.

Councilmember Smith stated that he agrees with Councilmember Baumli. It was a totally unprofessional meeting. There was no order to it. It was terrible the way that was handled. All we can do is change it moving forward.

Supervisor Teal asked that the board make a decision. In the past we have allowed input throughout the meeting. It has not been restricted to privilege of the floor. She stated that it has been her request that the public be allowed to speak throughout the meeting, it has been done very professionally, and she would like to not prohibit the residents from speaking. They waited until they were called on and they did not interrupt. Under her terms we have been allowing more input on topics during the topic discussion and we can address that under some of the goals and objectives as we are going forward.

BIDS:

Basketball Court Bids:

Town Clerk Houghtling read the following bid notice aloud:

NOTICE TO BIDDERS

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 basket ball 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 2018-001 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 4:00 PM on or before Friday, April 6, 2018. 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 February 14, 2018. 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.

Town Clerk Houghtling stated that we received 4 bids, one from L. Browe Asphalt Services, Inc. in the amount of \$61,000, one from Del Signore Blacktop Paving, Inc. in the amount of \$68,210.81, one from Shaker Flats Landscaping in the amount of \$74,400, and one from HMA Contracting Corp. in the amount of \$84,750.

Supervisor Teal asked Paul McCreary, Town Engineer if he saw any concerns in any of the bids. Paul McCreary stated no, none at all. He stated that the bids were submitted properly, they were submitted in a timely fashion, and he had the opportunity to speak with Loren Browe of the lowest bidder and he asked him if he was confident in this bid and is this the bid he wants to keep in place and he said yes he had been over it 3 times. He stated that he has done some research into the firm itself as he does not have a lot of knowledge of the firm. They do a lot of private contracting, some municipal work, and one of the things they do is outdoor basketball and tennis courts. Given what they do and some of the comments he has received with regard to how they do it, he is comfortable in letting the board know that they can reward this bid if they feel that it is the right price and the right time to do it. Supervisor Teal stated that she has heard of the company and has heard very positive comments about them but it was only on residential paving. Councilmember Smith stated that, unlike with the tennis courts, we will have the Town Engineer here inspecting the project throughout the process. Councilmember Baumli stated that he has used them for personal driveway services and was satisfied with their work. Councilmember Newton asked if we have already allotted the money for the max project. Town Clerk Houghtling stated that \$76,000 is budgeted. Councilmember Newton asked if the overage would go back into the park's budget. Supervisor Teal stated yes.

Supervisor Teal made a motion to accept the L Browe Asphalt Services, Inc. bid in the amount of \$61,000 for the replacement of the basketball courts at Shatford Park. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Aye
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember Baumli – Aye

Supervisor Teal asked Town Engineer Paul McCreary if he wants to work with the Town Attorney to draft a contract for L. Browe Asphalt Services, Inc. Paul McCreary stated yes.

Security Camera Bids (JCAP Grant):

Town Clerk Houghtling read the following bid notice aloud:

NOTICE TO BIDDERS
TOWN HALL CAMERA SECURITY SYSTEM
TOWN OF NEW LEBANON

NOTICE IS HEREBY GIVEN that the New Lebanon Town Board is seeking sealed bids for a CAMERA SECURITY SYSTEM AT THE TOWN HALL at 14755 State Route 22. The security camera system must have the following specifications or equivalent equipment:

- One 16 IP Camera System
- One monitor and 6TB 16 Channel NVR
- 8 cameras outdoors for perimeter coverage of the facility (4 mega pixel cameras at 1080p resolution minimum)
- 8 Mini Dome 3 Mega Pixel cameras at 1080p resolution minimum to cover indoor areas

Please include in your bid all parts and labor costs for full installation of the system as well as any optional service plans for free service calls and/or parts. Please use prevailing wage labor for all bids.

Bids MUST be in a SEALED, PLAIN WHITE ENVELOPE (no logo); marked "SECURITY CAMERA BID;" include a NON-COLLUSIVE BIDDING CERTIFICATION and received in the Office of the Town Clerk at the New Lebanon Town Hall, 14755 Route 22, New Lebanon, New York, no later than 4:00 P.M. ON FRIDAY, APRIL 6, 2018. The bids will be opened at the Office of the Town Clerk at 4:00 p.m. on Friday, April 6th. The Town Board reserves the right to accept or reject any or all bids.

Town Clerk Houghtling stated that we received two bids, one from Doyle Security in the amount of \$9,774.38 plus an optional service plan of \$67.00 per month and one from ADT Security in the amount of \$12,745.33 plus an optional extended service plan of \$59.05 per month.

Councilmember Smith made a motion to accept Doyle's bid in the amount of \$9,774.38 for the camera security system with the optional service plan in the amount of \$67.00 per month. Councilmember Rasmussen seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Aye
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember Baumli – Aye

TOWN BOARD – Goals & Objectives:

Supervisor Teal stated that she would like to talk about how we would like to handle

the meetings. She likes getting input from the residents. That is something that she has stressed since she became Supervisor and she feels that the residents have been very respectful in keeping things short and to the point when we allow them to comment throughout the meeting. She is not willing to differentiate between when we hear something we like and when we hear something we don't like. If we are going to allow them to speak, it needs to be the same for everyone.

Councilmember Smith stated that maybe an option is limiting time. Councilmember Baumli stated that we should not allow the public to speak while the Town Board is conducting business. He agrees that a minor amount of input is fine, but when the Town Board is trying to discuss items, the public should not be able to interrupt their conversations. He stated that there is a privilege of the floor at the beginning and end of the meetings and the public should not speak when the board is discussing items. He stated that for smaller items you can allow more conversation but when an item is larger and there are a lot of people wanting to speak you have to limit the time. Councilmember Smith stated that he agrees with Councilmember Baumli.

Councilmember Rasmussen stated that he agrees with orderly meetings however he feels that the larger the topic, the more obligated the Town Board should be to listen. He thinks that we spend a lot of time on minutia and then when an important topic came up that obviously interested a lot people, to say that we aren't going to listen as much isn't the way we should go about it. He feels our priorities are better spent spending more time listening to the people we represent and less time discussing minutia.

Councilmember Newton stated that he likes to have privilege of the floor at the beginning and the end of the meeting and as topics come up it is fine to allow the public to speak to the topics as long as we keep it to a minimum.

Supervisor Teal stated that moving forward she is getting the feeling that we still want to have the flexibility but on a large public hearing we have more structure, more limited time for each person and only allow each person to speak once.

Councilmember Baumli stated there should be minimal discussion once the board takes it back from privilege of the floor, anything on the agenda, at that point public comment should be minimal. A couple comments if it involves somebody directly and they weren't aware what the board was going to discuss they should be allowed to comment but if it's just the general public who already spoke at privilege of the floor should not be able to comment again.

Supervisor Teal stated that what is happening in between meetings is stuff coming in from board members to different departments and to herself that is overloading so if we can get a clearer idea of what it is that the board as a whole wants to be working on and we stay focused on those, that would be helpful to herself, to the attorney and to the other departments. She heard back from one councilmember interested in talking about overall town board duties, what topics are appropriate for the town board to invest it's time in and what topics should be left to the

supervisor, clerk or other town officials to handle without input from the board; how are we spending the money budgeted for the town attorney and how should these expenditures be controlled; and what are the responsibilities of the board members named as a liason with a person or group in town and how should the other board members act with regard to areas where he or she is not the liason.

Councilmember Baumli stated that it is always a work in progress. As people in the public come up to board members and ask questions and bring up new concerns or topics the board members then bring up these topics. It is always in motion so you can't say that we are going to focus only on certain topics for the next 6 months.

Supervisor Teal stated that if each of the town board members is doing that and then coming into the town hall in between meetings with each thing that comes to them, in between meetings, to the different departments, that's not productive.

Councilmember Baumli stated that the board member could go to the liason of whose department it is about the issue and the liason could address it with the department and then the liason can discuss it at the next board meeting.

Councilmember Smith stated that at times all the board members are going to have things they are going to want to reach out on. The liason does interact with their department, but it doesn't stop a board member if they had something that they wanted to reach out to the department directly on, but for the most part he thinks Councilmember Baumli is right. Supervisor Teal stated that we just want to make sure that we aren't derailing the offices and making them ineffective.

Councilmember Baumli stated that if all 5 board members have the same question for the building department and all 5 go to Cissy with the same question, so productivity wise it would be best if we funneled it through one person.

Councilmember Smith stated that for the Town Attorney Supervisor Teal needs to give the board a directive on exactly what she has going with these tri board meetings and how much we can put into the different violations we have that have been sitting out there. He would like to see us dealing with a little bit out of each pile for the 3 piles we have instead of concentrating all of it on just training and then we are not doing enforcement or whatever other issues we have. It would be nice to come up with main piles, categorized and hit a little bit of each one. Supervisor Teal stated daily operations she would consider all of our policies, procedures and local laws, that would be one pot. She stated that violations and enforcement would be the second pot.

Councilmember Smith stated that he would like to know what the Attorney is currently working on. Supervisor Teal stated that she can give those updates anytime. She sent out a list via email to all board members of what is currently being worked on by the Attorney. A lot of the list has just been completed or will be completed within a month or two.

Councilmember Rasmussen stated that there is a budget for legal fees and as the Chief Financial Officer for the Town, Supervisor Teal is responsible for making sure we don't exceed that. He reads that to say that she is also responsible for allocating to the various pots. It seems to him we can't expect her to be responsible to the board for how much we spend on legal fees if she doesn't control the lawyers time

and access to the lawyer, so when somebody says we need to talk to the lawyer about something either she speaks to the lawyer because then she controls it or she sets the amount of time that the lawyer can spend on that topic. She needs to be able to be responsible week by week or month by month for what money we are spending. If she is not controlling it then it's not going to be able to be controlled.

Councilmember Smith stated that the board is going to have to figure out the direction of it and what things should be worked on. It is not up to the Supervisor to decide what the Attorney works on. He stated that if he reaches out to the attorney, it is a very short phone call and the board knows if he is going to reach out.

Supervisor Teal stated that it has been authorized by the board. She stated that historically that is what we have always done, if the attorney is going to be working on something it's with the board directive. Councilmember Rasmussen asked Supervisor Teal if she feels that she has it under control. Supervisor Teal stated that if the board is all in agreement that it is a board decision and when the board gives the directive, that's what is allowed and it doesn't go beyond that, then yes.

Councilmember Smith stated that there are going to be things that come up on occasion. There are things that we won't see coming that will need to be dealt with. Supervisor Teal asked how we should deal with those situations. Should it come to the board for approval? Should it come to the supervisor for approval? She doesn't mind being responsible for it but she needs to know that she is in control of it if she is responsible for it and if she is not, if it's the board as a whole then that's okay too. Councilmember Rasmussen stated that those are the only two options, it's either the supervisor or the whole board because individual board members don't have any authority to do anything. He stated that he can't decide to call the Town Attorney because he wants to talk to him about something, he is spending town money without authorization. The supervisor has to control access to the lawyers.

Town Clerk Houghtling stated that she is guilty of this and Councilmember Smith stated that when he calls the attorney he keeps it short, the conversation may be short but then the after work takes a long time. The bid for the highway equipment that she called on and Councilmember Smith called on was a bill for over \$1,000 for them researching and looking into that without the Town Board or Town Supervisor first saying yes we need the Town Attorney to weigh in on this. Councilmember Smith stated that it was closer to \$3,000 or \$4,000. Supervisor Teal stated that she is going to suggest that if it is not something that can go to the whole board for approval, that it comes to her for approval before calling the Town Attorney. Councilmember Smith stated that there will be things if he is working on a contract and he needs to talk to the attorney, he is not going to come to the supervisor every time he needs to have a short conversation. Supervisor Teal stated that if the board has already approved something, such as Councilmember Smith working with the Town Attorney to draft a contract, then it's already been approved. She is talking about the part that the board is expecting her to control, the parts that have not been approved already by the full board.

Councilmember Smith stated that he doesn't feel that anybody is abusing calling the attorney and that he does not feel that we are driving up attorney's costs and he does not feel comfortable that you have to reach out to the supervisor to get

permission. Councilmember Rasmussen stated that the board discussed how our legal fees were out of control last November or December. Councilmember Smith asked if he looked what they were out of control being spent on. Councilmember Rasmussen stated that he is not talking about what they are being spent on, he is talking about the fact that the board and supervisor have to control a very significant town expense and that 5 people can't control one thing and ultimately someone has to be responsible.

Councilmember Baumli stated that this last month's bill from the attorney was over \$7,000 and as he looked through that, a majority of it was dealing with zoning issues, the quad board meeting conversations Supervisor Teal was having with him setting that up, so there was some what he would call fluff in there. Some people think that they can get on the phone with the attorney and just talk and the attorney is going to talk to you and they are charging by the 10th of the hour and they will talk to you about fishing or whatever you want to talk about. He thinks that we need to minimize the conversations that we are having with our attorney. He stated that if we have zoning issues and Cissy or the board is not sure how to proceed with a permit because of a gray area, she needs to take that, instead of calling the attorney to get his opinion on the grayness, take it and refer it to your ZBA or Planning Board. That board will make that decision. If they feel that they need the town attorney to get involved, they will call the town attorney. He doesn't know why Cissy would call our town attorney to discuss this stuff. She has two other boards that are appointed to help her with these decisions. If those boards don't make the proper decision then the person can file an Article 78. We need to stop spending that kind of money.

Supervisor Teal stated that if we are saying our CEO can't call for legal advice... Councilmember Baumli stated that he isn't saying she can't call but he thinks that the dollar amount that we are spending on that is astronomical when you have a Planning Board and a Zoning Board that can deal with those issues. If the CEO is not comfortable with giving that permit or making that call, she refers it to our other boards. That is what happened in the past. We have never seen attorney's fees like this in past years. He agrees that we have cleaned up a lot of things. We spent a lot of time on signs and things like that. Supervisor Teal stated that we haven't enacted it. We have done a lot of work and we have gotten nowhere. We have done nothing. We have sat and gone through it and gone through it and we haven't enacted anything so we have left the CEO sitting there with this legislation that we know doesn't work and it still doesn't work. That's what the calls to the attorney are for. We need to step up and finally enact some of this stuff to fix some of it. We are at fault, not the CEO.

Attorney Tingley stated that the board has the authority when it is doing the budgeting to allocate attorney's fees for zoning matters, planning matters, litigation, general town board business. During the budget season that is an appropriate time to create those pots into which you put appropriations. In terms of the Building Inspector referring matters to the ZBA and the Planning Boards, that is not really the role of those boards to assist the Building Inspector. The Building Inspector is the administrative officer charged with interpreting the zoning in the first instance.

She must make a determination. If that determination is wrong then any aggrieved party can appeal that to the ZBA at which point the Zoning Board of Appeals gets involved. In the absence of a Building Inspector determination there is no jurisdiction for the Zoning Board to get involved in that. The Planning Board also has very limited jurisdiction. It can provide advisory opinions to various boards but it really is focused on subdivisions, site plan, special use permit, those types of review processes. The Building Inspector is the administrative official under NYS law who is charged with interpreting the zoning ordinance and making the initial determination. If there is a question that arises in the context of doing that, his recommendation would be that she not refer that to the ZBA before an appeal is made. He thinks that poisons the process. She either needs to make a determination or if she needs legal advice, she needs to seek it. If the Town Board wants to impose some controls on how often a department head seeks legal advice, they can do that but he would not recommend referring Building Inspector matters to various boards to determine.

Councilmember Smith stated that each time someone calls the attorney with something like that, now you are talking hours looking into it and figuring it out. Attorney Tingley stated that is correct and he does want to clarify one thing. On the mower purchase, the issue was presented in front of them, they could not ignore it, they would not be discharging their obligations to the town board when the issue was put in front of them whether that was a legal purchase or not they had to determine whether it was or not. There was a special meeting four or five days later that was going to be held to authorize the financing for the purchase of that mower, they had to figure out whether it was a legal purchase or not. Once that issue is presented to them from the town, they had an obligation to determine whether or not it was a legal purchase. Unfortunately that determination involved looking at out of state contract that exceeded hundreds of pages, a state contract that exceeded hundreds of pages, and that analysis does take time. So that one phone call presenting the issue did result in legal time expended, ultimately a conclusion was drawn, they believe it was the correct conclusion, it wasn't wasted money, but at the same time it was money that was spent.

Councilmember Smith stated that after he had called the attorney, Town Clerk Houghtling called up with questions so that is what he is saying. Not that the attorney was charging too much for their research but if it was left to the attorney to figure it out without all the in between stuff it would have been a lot cheaper is what he is saying. Town Clerk Houghtling apologized for calling and asked the Town Attorney if she had not called at all, wouldn't he still have spent all that time digging through those extensive contracts from Councilmember Smith's phone call asking if it was a legal purchase. Attorney Tingley stated that there was a determination by the department head that it was a legal purchase, they were not involved in that aspect at all until the issue was raised with them. Once the issue was raised, they had to determine whether or not it was a legal purchase.

Supervisor Teal stated that she is looking for direction. As the Chief Fiscal Officer she is responsible for overseeing the budget. It is up to the board. Do they want

that authority when it comes to the legal expenses or do they want things to come through the supervisor? Councilmember Newton stated that it almost seems like we need to assign a monetary value on certain projects which is going to be relatively hard to do. He stated that we do belong to the Association of Towns and they have legal counsel available to us at no extra cost. Supervisor Teal stated that is another good resource.

Supervisor Teal stated that she is not saying that any of the contact with the attorney was inappropriate. She is just saying that she does not want to be held accountable if she doesn't have control. Councilmember Smith stated that the major thing is the zoning and stuff. We are talking about stuff that is minute whether he is reaching out or Councilmember Baumli or Councilmember Newton. You are not talking about the major costs which is this training, the zoning, ordinances. Supervisor Teal stated that those are all a full board vote, it is not her decision. Councilmember Smith stated that he agrees that we need to have a plan but he is not for having to clear it if he has to give the attorney a call for something. Supervisor Teal stated that is okay as long as the board is not going to hold her accountable for where those bills go.

Councilmember Rasmussen stated that what he is understanding then is that we are saying that at the end of the year if we are over we are not going to hold Supervisor Teal responsible. We are going to say it is all of us because any expense like this is made up of, over the course of a year, a few hundred individual, relatively small expenses. So we are saying that we don't feel that we can hold Supervisor Teal responsible for the legal expenses at the end of the year. Is that accurate?

Councilmember Smith stated yes. He stated that we as a board should be, when it comes to the zoning, these are the particulars. Councilmember Baumli stated that when you sign that voucher it means that you agree with the bill. Councilmember Rasmussen stated that is what it means but it is after the fact. Councilmember Baumli stated that you wouldn't sign it and you would address it at the board meeting if you didn't agree with the bill.

OLD BUSINESS:

Enactment of Proposed Local Law amending the procurement policy:

TOWN OF NEW LEBANON

RESOLUTION #13, 2018 – ENACTMENT OF LL #1, 2018 – AMENDING CHAPTER §40 OF THE TOWN CODE OF THE TOWN OF NEW LEBANON ENTITLED “PROCUREMENT POLICY”

APRIL 10, 2018

At the Regular Monthly Meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall at 14755 Route 22, New Lebanon, New York, duly called and held on the 10th day of April 2018, the following Resolution was put forth for enactment:

PROPOSED BY SUPERVISOR TEAL

SECONDED BY COUNCILMEMBER RASMUSSEN

**RESOLUTION ADOPTING LOCAL LAW NO. 1 OF 2018 OF THE TOWN OF
NEW LEBANON**

WHEREAS, Chapter 40 of the Code of the Town of New Lebanon provides for the Town of New Lebanon Procurement Policy; and

WHEREAS, the Town Board of the Town of New Lebanon seeks to amend the Town Procurement Policy by Local Law; and

WHEREAS, the Town Board, as the only involved agency pursuant to the State Environmental Quality Review Act (hereinafter “SEQRA”) with respect to Local Law No. 1 of 2018 of the Town of New Lebanon, has declared itself SEQRA lead agency for that action; and

WHEREAS, the Town Board having duly noticed the consideration of this Local Law for a public hearing, which was duly conducted and closed on this date;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of New Lebanon in regular session duly convened as follows:

1. Introductory Local Law No.1 of 2018 is classified as a Type II action under SEQRA, and pursuant to 6 NYCRR 617.6(a)(1)(i), no further agency action under SEQRA is required.
2. Introductory Local Law No. 1 of 2018 of the Town of New Lebanon be and hereby is adopted as Local Law No. 1 of 2018 of the Town of New Lebanon.
3. Local Law No. 1 of 2018 of the Town of New Lebanon shall be filed in the office of the New York State Department of State in compliance with all applicable legal requirements, and the Town Clerk is hereby directed to cause such filing to be completed.

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

Roll Call Vote:

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

TOWN OF NEW LEBANON
LOCAL LAW NO. 1 OF THE YEAR 2018

**A LOCAL LAW TO AMEND CHAPTER 40 OF THE CODE OF THE TOWN OF NEW LEBANON IN
RELATION TO THE TOWN OF NEW LEBANON PROCUREMENT POLICY.**

SECTION 1

This local law shall be referred to as “A Local Law to Amend Chapter 40 of the Code of the Town of New Lebanon in Relation to the Town of New Lebanon Procurement Policy”.

SECTION 2

Chapter 40, § 40-2 of the Code of the Town of New Lebanon is hereby amended to read in its entirety as follows:

§ 40-2. Purchases governed by General Municipal Law § 103.

All contracts for public work and all purchase contracts governed by General Municipal Law § 103 shall comply therewith.

SECTION 3

Chapter 40, § 40-3 of the Code of the Town of New Lebanon is hereby amended to read in its entirety as follows:

§ 40-3. Purchases not governed by General Municipal Law § 103.

Goods and services which are not governed by General Municipal Law § 103 must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interests of the taxpayers of the Town, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud, and corruption. To further these objectives, all procurements of goods and services which are not governed by General Municipal Law § 103 shall comply with the applicable portions of this section.

- A. Purchase contracts not governed by General Municipal Law § 103 shall be secured as follows:

- (1) Contracts not governed by General Municipal Law § 103 involving expenditures greater than \$5,000 shall require a written request for proposals (RFP) and written/fax quotes from at least three vendors.
 - (2) Contracts not governed by General Municipal Law § 103 involving expenditures of \$5,000 or less, but greater than \$1,000 shall require an oral request for proposals and oral/fax quotes from at least two vendors.
 - (3) Contracts not governed by General Municipal Law § 103 involving expenditures of \$1,000 or less are left to the discretion of the purchaser.
- B. Public works contracts not governed by General Municipal Law § 103 shall be secured as follows:
- (1) Contracts not governed by General Municipal Law § 103 involving expenditures greater than \$10,000 shall require a written request for proposals (RFP) and written/fax quotes from at least three contractors.
 - (2) Contracts not governed by General Municipal Law § 103 involving expenditures of \$10,000 or less, but greater than \$1,000 shall require a written request for proposals (RFP) and written/fax quotes from at least two contractors.
 - (3) Contracts not governed by General Municipal Law § 103 involving expenditures of \$1,000 or less are left to the discretion of the purchaser.
- C. Any written RFP required under this section shall describe, as applicable, the desired goods and/or services to be provided, the quantity thereof, and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered. All information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

SECTION 4

Chapter 40, § 40-6 of the Code of the Town of New Lebanon is hereby amended to read in its entirety as follows:

§ 40-6. Circumstances not requiring solicitation of proposals.

Except as otherwise directed by the Town Board, no solicitation of written proposals or quotations under § 40-3 shall be required under the following circumstances:

- A. Emergencies.
- B. Sole source situations.
- C. Goods purchased from agencies for the blind or severely handicapped.
- D. Goods purchased from correctional facilities.
- E. Goods purchased from another governmental agency, including but not limited to state or county bid.
- F. Goods purchased at an auction.
- G. Goods purchased for \$1,000 or less.
- H. Public works contracts for \$1,000 or less.

SECTION 5

Chapter 40, § 40-7 of the Code of the Town of New Lebanon is hereby amended to read in its entirety as follows:

§ 40-7. Option to pursue competitive bids.

No portion of this chapter shall be construed as preventing the competitive bidding for purchase contracts or public works contracts in accordance with the terms and procedures set forth therefor in General Municipal Law § 103 where such contracts are otherwise exempt or not subject to such competitive bidding requirements, if so desired by the Town Board.

SECTION 6

Chapter 40, § 40-8 of the Code of the Town of New Lebanon is hereby amended to read in its entirety as follows:

§ 40-8. Exceptions.

The solicitation of alternative proposals or quotations will not be required in the best interest of the municipality in the following circumstances, where proper qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures:

- A. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth.

- (1) In determining whether a service shall fit into this category, the Town Board shall take into consideration the following guidelines:
 - (a) Whether the services are subject to state licensing or testing requirements.
 - (b) Whether substantial formal education or training is a necessary prerequisite to the performance of the services.
 - (c) Whether the services require a personal relationship between the individual and municipal officials.
- (2) Professional and technical services shall include but not be limited to the following:
 - (a) Service of an attorney.
 - (b) Services of a physician.
 - (c) Technical services of an engineer or architect engaged to prepare plans, maps and estimates.
 - (d) Securing insurance coverage and/or service of an insurance broker.
 - (e) Services of a certified public accountant.
 - (f) Investment management services.
 - (g) Printing services involving extensive writing, editing or artwork.
 - (h) Management of municipally owned property.
 - (i) Computer software or programming services for customized programs or services involved in substantial modification and customizing of prepackaged software.
- B. Emergency purchases pursuant to § 103, Subdivision 4, of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately, and delay in order to seek alternate proposals may threaten life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- C. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Town is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually contained. It is also difficult to try to compare prices of used goods, and a lower price may indicate an older product.

- D. Public works contracts and purchase contracts involving expenditures of \$1,000 or less. The time and documentation required to purchase through this policy may be more costly than the item itself and therefore not be in the best interest of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

SECTION 7

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 8

This Law shall become effective upon filing with the New York State Secretary of State.

SECTION 9

This Local Law is enacted pursuant to the New York Municipal Home Rule Law and Article 5-A of the General Municipal Law.

Department Head purchasing threshold determination:

Supervisor Teal stated that we approved on here that the minimum needing quotes or bids under \$1,000 is at the discretion of the department head. That does not mean that anything under \$1,000 department heads can just go out and purchase. At the same time she doesn't think the board wants to hear every time somebody needs to purchase a stapler. Replacement items, to her, would not need board approval unless there is something significant. If it's under \$100 she doesn't think they need to come to the board. Generally the process that we have worked under before is all budget requests are itemized. If it's an itemized item in the budget request that was approved at budget time, when it's time to make the purchase, they don't need to come back to the board as it has already been approved. If there is something that comes up that is not on that itemized list, that is what requires board authorization. She stated that anything under \$100 the board doesn't even want to hear about. She asked if the board is comfortable with that. The board was all in agreement that we continue with these guidelines.

Cell Phone Policy:

Supervisor Teal stated that we need to make a final determination on our cell phone policy and give the attorney the directive so that they can draft that policy. At the last meeting we determined that we were going to do no payroll withholding, it was all going to be only voucher reimbursement. We were going to reduce it to \$20, which is what we are currently paying for a standard highway phone, and that the new legislation will clearly state that it will be whatever rate we are currently getting those standard highway phones at will be the reimbursement rate.

Supervisor Teal stated that we had Highway Superintendent, all highway full time staff, Supervisor, CEO/ZEO, and Animal Control Officer were all approved for cell phones. Councilmember Smith stated that he thought that we were debating the Animal Control Officer. Supervisor Teal stated that ACO was approved, she believes Councilmember Smith voted not but it was approved. Councilmember Smith stated that he thought that we tabled it all to re-visit it.

Councilmember Smith made a motion to approve a cell phone reimbursement for the Supervisor, Highway Superintendent, full time highway staff, CEO and Deputy CEO. Councilmember Rasmussen seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Aye
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember Baumli – Aye

Councilmember Smith stated that he feels that the Animal Control Officer covers 5 towns and he doesn't think it is our duty to pay for all 5 towns. He would be in favor of giving him 20% of the bill. Supervisor Teal stated that she feels that, regardless of how many towns, we need a service from him and he is always responsive and she would find it very hard for him to do that job without a cell phone. Councilmember Rasmussen stated that he feels we are penny wise and pound foolish for \$20 a month to cut ourselves off from access to somebody. Councilmember Newton stated that he is fine with him having a phone. He has had to call it before so he is fine with it.

Supervisor Teal made a motion to approve a cell phone reimbursement for the Animal Control Officer. Councilmember Rasmussen seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Nay
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember Baumli – Nay

Supervisor Teal made a motion to approve a cell phone reimbursement for the Assessor. Councilmember Rasmussen seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Nay
Supervisor Teal - Aye
Councilmember Newton - Nay
Councilmember Baumli – Nay

Attorney Tingley asked if the Town already has a written policy on cell phones. Supervisor Teal stated no. Attorney Tingley stated that the motions in the minutes set the policy. The attorney can draft a policy if the board wants them to but otherwise you would set it in the minutes and it's documented. Town Clerk Houghtling asked for clarification on the motions because the motions were just to approve certain people getting a cell phone reimbursement.

Supervisor Teal made a motion to add in the following terms to each of the 3 motions above: to do no payroll withholdin;, to reduce the reimbursement amount to \$20, which is what we are currently paying for a standard highway phone; and that moving forward whatever rate we are currently getting those standard highway phones at will be the reimbursement rate. Councilmember Smith seconded that motion. The motion passed unanimously.

Credit Card Policy:

**TOWN OF NEW LEBANON
RESOLUTION #14, 2018
ADOPTION OF TOWN OF NEW LEBANON CREDIT CARD USE POLICY
APRIL 10, 2018**

At a regular 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 10th day of April, 2018, the following Resolution was proposed and seconded:

Resolution by Supervisor Teal
Seconded by Councilmember Newton

ADOPTION OF CREDIT CARD USE POLICY

WHEREAS, the Town Board of the Town of New Lebanon deems it to be in the public interest to set forth rules governing the use of town credit cards by employees and officials and to implement internal controls to protect against intentional or inadvertent misuse of such credit cards;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of New Lebanon hereby approves and adopts the Town of New Lebanon Credit Card Use Policy, a copy of which is annexed hereto; and

BE IT FURTHER RESOLVED, that the Town of New Lebanon Credit Card Use Policy adopted herein shall govern the issuance, renewal, cancellation, monitoring, audit and approval of purchases, safeguarding, and use of town credit cards.

BE IT FURTHER RESOLVED, that the Town of New Lebanon asks the Town Clerk to lower the Staples credit card limit to \$2,500.

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

Roll Call Vote:

Councilmember Mark Baumli	Aye
Councilmember Norman Rasmussen	Aye
Councilmember Jesse Newton	Aye
Councilmember Kevin Smith	Aye
Supervisor Colleen Teal	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.

Town of New Lebanon Credit Card Use Policy

The Town of New Lebanon hereby adopts the following as its Credit Card Use Policy. The purpose of this Policy is to ensure that general use and store-issued credit cards (hereinafter, collectively, “credit cards”) issued in the Town’s name are only used for appropriate Town purposes and for approved and necessary Town expenses.

The purpose of authorizing use of town credit cards is to facilitate purchases in cases of emergency, crisis, when the purchase is such that payment by check in the ordinary course is not acceptable, and under similar circumstances. It is preferred that purchases be made using the Town’s standard procedure for payment of claims and by issuance of a check, rather than by Town credit card. All persons using town credit cards for any purchases or payment of expenses shall only use such Town credit cards in furtherance of such purpose.

Master List of Town Credit Cards

The Town Board shall maintain a current Master List of Town Credit Cards, identifying each credit card, the per purchase credit limit (if applicable), the total credit limit, the expiration date, and the authorized user(s).

As of the effective date of this Policy, the Master List of Town Credit Cards is as follows:

<u>Card (Issuer, Last 4 digits)</u>	<u>Per Purchase Credit Limit</u>	<u>Total Credit Limit</u>	<u>Exp. Date</u>	<u>Authorized User(s)</u>
1. Staples, 5975	None	\$5,000	N/A	Town Clerk & Deputy Town Clerk
2. Home Depot, 4359	None	\$750	N/A	Tistrya Houghtling, Herb Jones & Donnie Sears

3. Exxon Mobil, 3583	None	\$400	10/2018	Town Highway Department
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4.

The Town Board shall update this Policy and Master List anytime a new credit card is issued, anytime an existing credit card is renewed or replaced, anytime an existing credit card is canceled, anytime an Authorized User is added, changed or removed, and anytime a credit limit is changed.

Rules Governing Credit Card Issuance, Renewal, and Cancellation

No additional credit cards shall be issued except upon specific authorization by the Town Board. Except as otherwise provided herein, all credit cards shall be delivered to the Town Clerk's office for safeguarding in accordance with this Policy.

The Town Clerk shall report to the Town Board anytime an existing credit card is up for renewal or anytime a replacement card is received.

No credit card shall be issued that allows for cash advances.

The credit limit on any given credit card shall not exceed \$2,500. The aggregate limit on all credit cards shall not exceed \$7,500.

The Town Board shall by resolution designate the employees or officials entitled to use the Town's credit card.

Monitoring Credit Card Usage and Audit and Approval of Purchases

The Town Board shall review and monitor credit card usage on a monthly basis.

In addition to authorizing payment of the credit card invoices, the Town Board shall audit and approve or disapprove each purchase made on Town credit cards in the same manner as any other expenditure. A voucher with itemized receipt and proof of delivery shall be submitted for Town Board audit and approval for each purchase made or expense paid on each credit card.

Safeguarding Credit Cards

Except as otherwise provided herein, Town credit cards shall be kept in a secure, locked location in the Town Clerk's office. Notwithstanding the foregoing, credit card # 3, above, is a "gas card" issued for use by the Authorized User listed above for purchase of fuel for highway department vehicles, including without limitation, snowplow trucks and equipment. Given the emergent nature of the need for fuel for highway department purposes, along with the lack of twenty-four access to the Town Clerk's office for sign-out of the gas card, such gas card may remain in the possession of the Authorized User. Despite this exception, all other provisions of this policy shall apply to such gas card.

No person not a duly designated Authorized User of a credit card may have possession of or access to such credit card.

The Town Clerk shall require all persons accessing any credit card to sign the credit card out and to sign it back in upon return. The Town Clerk shall maintain a Credit Card Log showing the name of the person signing out the credit card, the date and time on which it was signed out, the purpose for which the credit card was signed out, and

the date and time on which the credit card was returned to the Town Clerk. An Authorized User in possession of a gas card shall be deemed to have signed out such card, and the Town Clerk shall so indicate on the Credit Card Log.

Any person who signs out a credit card shall be responsible for its safekeeping while the credit card is signed out. If a credit card is lost or stolen, the person shall report that fact immediately to the Town Clerk and to the Town Supervisor. The Town Clerk shall thereupon immediately report the credit card as lost or stolen.

Any person who signs out a credit card shall not permit any other person to use or possess the credit card while it is signed out.

Any person who signs out a credit card shall be responsible for all purchases made thereon until the purchases are authorized and approved by the Town Board.

Except as otherwise provided herein, any person who signs out a credit card shall return it immediately to the Town Clerk's office after making the purchase for which he or she signed out such credit card.

Rules Governing Use of Credit Cards

Use of a town credit card for personal reasons is strictly prohibited, without exception. Town credit cards shall only be used for legitimate Town business expenditures. Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature or violate the intent of this Policy may result in revocation of authority to use the credit card and discipline, up to and including termination, as well as potential criminal prosecution. Any person making a purchase using a Town credit card that is contrary to this Policy shall be liable to the Town for such purchase.

All purchases using a town credit card shall comply with the Town's Procurement Policy.

Any person using a town credit card shall submit detailed documentation, including a voucher, itemized receipts, and proof of delivery, for each purchase made or expense paid. Such user shall submit such documentation for audit and approval by the Town Board at the next regular Town Board meeting. Failure to submit documentation substantiating the charges made will result in the user being held personally liable for such undocumented charges.

Acceptance of this Policy by Authorized Users

All authorized users shall be provided with a copy of this Policy, along with any periodic updates as they are adopted by the Town Board.

All authorized users shall execute the acknowledgment form attached hereto, and shall not be authorized to use a Town credit card until such acknowledgment form has been executed. The Town Clerk shall maintain all executed acknowledgment forms in accordance with standard municipal document retention practices.

**ACKNOWLEDGMENT OF RECEIPT OF
 TOWN OF NEW LEBANON CREDIT CARD USE POLICY**

Employee Name: _____

Position: _____

I have been duly designated by the Town Board as an authorized user of the following town credit card(s):

<u>Card (Issuer, Last 4 digits)</u>	<u>Per Purchase Credit Limit</u>	<u>Total Credit Limit</u>	<u>Exp. Date</u>	<u>Authorized User(s)</u>
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I received, read, and understand the Town of New Lebanon Credit Card Use Policy. I understand and agree to strictly comply with the Town of New Lebanon Credit Card Use Policy. I understand and agree that:

1. A voucher, along with itemized receipt and, where applicable, proof of delivery, must be submitted for Town Board approval for each purchase made or expense paid using the town credit card.
2. I am solely responsible for safekeeping of the credit card while it is signed out by me. I am prohibited from permitting any other person to use or possess the credit card while it is signed out under my name.
3. If the credit card is lost or stolen, I shall immediately report that fact to the Town Clerk and the Town Supervisor.
4. I am responsible for all purchases made or expenses paid using the credit card until the purchases or expenses are audited and approved by the Town Board.
5. Use of the town credit card for personal reasons is strictly prohibited, without exception. The credit card will be used only for legitimate Town business expenditures. Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature or violate the intent to the Town of New Lebanon Credit Card Use Policy will result in revocation of authority to use the credit card, discipline, and potential criminal prosecution. I will also be liable to the Town for any purchases or expenditures I make on a town credit card that are contrary to the Town of New Lebanon Credit Card Use Policy.
6. All purchases made or expenditures made using the town credit card shall comply with the Town of New Lebanon Procurement Policy.

Signature of Employee

Date

County Waste Update:

Supervisor Teal stated that we have been working with County Waste. At this point we have stepped back. They have unrestricted use of the roads. They need to figure out their own internal issues because they have nothing to do with the town roads and have to do more with their own business practices. It doesn't mean that she won't respond if anyone is having issues.

NL 200:

Supervisor Teal stated that we couldn't get the GOBO we wanted for the town seal but there was a custom monogram, it was on the bills that everyone approved. She stated that the town board members each got the funding and expenses review documentation. She asked if anybody had any questions on that.

Supervisor/Assessor Office switch:

Supervisor Teal stated that she was asked to put this back on the agenda. Councilmember Smith stated that he understands what Supervisor Teal is saying about some seniors with the Assessor but to him it's the wrong move. Supervisor Teal being downstairs, she is here for people. Also changing it, now all the employees are going to have to walk up and down stairs. He thinks it's a bad move. He thinks people come in and they expect to see the Supervisor. We are talking 4 or 5 months out of the year for the Assessor.

Supervisor Teal asked if the board wants to vote on this. She stated that this isn't something the board would usually vote on but if the board wants to vote on it, she is happy to take a vote. Councilmember Baumli stated that he doesn't think it is a wise decision. He thinks that people come to the Town Hall to see the Supervisor more than they come here to see the Assessor. Supervisor Teal stated that it is the Veterans and the seniors who have asked her for access to the Assessor. She stated that those requests came to her directly from those people and her feeling is that it will negatively affect her potential for re-election because people will see less of her but she feels her first obligation is to make sure that the residents have the access to those offices that they need to do business with. She has had very few people, if any, in her office that can't come up the stairs. We have talked a lot about putting a sign up for people to know that she is here and come on up or go into the Town Clerk's office and she can call up for her to come down.

Councilmember Rasmussen stated that it doesn't even matter if he has an opinion as to where their offices should be. He thinks we have a Supervisor and an Assessor who are perfectly capable of determining which office is most convenient for the public they serve and he thinks that we should not diminish their positions by saying we even need to tell you where to sit. He thinks this is not a fit topic even for the board. He thinks that the two of them should be able to work it out and we should respect their decision.

Councilmember Smith made a motion to not allow the Town Supervisor and Town Assessor to switch offices. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Nay
Councilmember Smith - Aye

Supervisor Teal - Nay
Councilmember Newton - Nay
Councilmember Baumli – Aye

Park Mower - storage:

Supervisor Teal stated that we have the new mower but we don't have the new shed yet so we are looking for authorization to store the old mower at Country Squire Supply temporarily until the new park shed is built. Councilmember Rasmussen asked if the insurance is all covered there. Supervisor Teal asked if the Town Clerk checked on that. Town Clerk Houghtling stated no. Councilmember Newton stated that it is town property. Just because it is not necessarily at the town, just like if they were mowing with it at the West Lebanon cemetery. Councilmember Rasmussen stated that this is going to be for storage so he just wants to make sure that it is not different. Attorney Tingley stated that it wouldn't hurt to let the insurer know that it's being stored there and make sure it's covered. Councilmember Newton asked if Councilmember Smith already spoke to the town's insurance company. Councilmember Smith stated no but he talked to his insurance company.

Supervisor Teal made a motion to store the old mower at Country Squire Supply temporarily until the new park shed is built contingent upon approval by the town's insurance carrier. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Aye
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember Baumli – Aye

Performance Contract, adoption of form:

Supervisor Teal stated that we have a resolution to adopt the performance contract form which is the generic form contract.

TOWN OF NEW LEBANON

RESOLUTION #15, 2018

ADOPTION OF TOWN OF NEW LEBANON FORM OF PERFORMANCE CONTRACT

APRIL 10, 2018

At a regular 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 10th day of April, 2018, the following Resolution was proposed and seconded:

Resolution by Supervisor Teal
Seconded by Councilmember Smith

ADOPTION OF FORM OF PERFORMANCE CONTRACT

WHEREAS, the Town Board of the Town of New Lebanon periodically provides for theatrical, musical, and other artistic performances for the purposes of promoting cultural development

of the residents of the community; and

WHEREAS, such performances require the Town Board to enter into performance agreements with a performer or group of performers;

WHEREAS, the Town Board of the Town of New Lebanon deems it to be in the public interest to adopt standard terms and conditions for such performance agreements;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of New Lebanon hereby adopts the form of Performance Contract annexed hereto; and

BE IT FURTHER RESOLVED, for any particular proposed Town-sponsored performance, a completed, proposed Performance Contract using the form adopted herein shall be presented to the Town Board for consideration, which shall not be executed on behalf of the Town until the Town Board approves the specific terms thereof by majority vote.

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

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Aye
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember 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.

Theater in the Park - ADITI:

Supervisor Teal stated that we have 2 contracts for the different performances for Theater in the Park. Supervisor Teal stated that ADITI Players is looking to charge \$5 per ticket for Distance Back and \$15 per ticket for Lopsided.

Councilmember Newton made a motion authorizing Supervisor Teal to execute the two contracts before the board with the ADITI Players. Councilmember Rasmussen seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Aye
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember Baumli – Aye

Shatford Youth Baseball Agreement:

Councilmember Rasmussen made a motion authorizing Supervisor Teal to execute the contract before the board with the Shatford Youth Baseball Association. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Aye
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember Baumli – Aye

Emergency Lighting at Town Hall – wiring quotes:

Supervisor Teal tabled this until next month's meeting.

PESH – Highway Garage:

Supervisor Teal stated that at this point she is looking for a meeting with Department of State. It appears from everything she can determine that they are the ones that can grant relief on the PESH requirements so she wants to start there and see if she can get that solidified and then Superintendent Winestock and herself have talked about meeting with PESH again.

Flag Project:

Town Clerk Houghtling stated that the poles are owned by NYSEG and Consolidated combined. We got a permit to put the flags up and they put all the flags up for us. There are at least 3 flags that either the clip has come undone or something has happened where the flag is hanging. She contacted them requesting them to fix the broken flags and they said it is their busy time. She asked if we can have our maintenance guys fix them and they wrote back and said no. Town Clerk Houghtling read the following email from Consolidated Communicatoins: "We are not allowed to let your town maintenance guy do the repairs just because of liability issues. We'll have to figure out maintenance issues because right now we are into our busy season. We'll have to figure something out. Maybe NYSEG can help with this." Town Clerk Houghtling stated that the problem is it has already been a week, it's not a priority to them, we are talking American flags, we can't just leave them hanging. She is not sure what the solution is but that is the answer from them is that we cannot fix them and they are too busy as of now to fix them.

Councilmember Smith asked when the next round of flags will be purchased as the Town is going to match the donations again. JJ Smith stated that the second round of fundraisers is up and running. It is posted on the Town's website if anybody would like to donate for the next 24 flags.

Councilmember Newton stated that he has been hearing some stuff about the flags and the whole town board got an email. There has been complaints about the flag issue that they are not lighted at night and proper flag etiquette demands that they are lighted at night and that they are all weather flags. He just wanted to bring it up because he has heard it a number of times already and he guarantees that we are going to hear about it again. JJ Smith stated that it is no longer a law to have flags lighted at night. Supervisor Teal stated that they are etiquettes and guidelines but it is not mandated. Councilmember Newton stated that is the answer he will use for the person that dropped off the petition at the hardware store.

EV Charging Station grant application approval:

Supervisor Teal stated that the board has the draft grant application. She asked if anybody has any questions or concerns.

Councilmember Rasmussen made a motion approving the submission of the grant application for the EV Charging Station and authorizing Supervisor Teal to execute any necessary documents for that application. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye

Councilmember Smith - Aye

Supervisor Teal - Aye

Councilmember Newton - Aye

Councilmember Baumli – Aye

Code Publishers Editorial & Legal Analysis - continued:

Supervisor Teal stated that Councilmember Smith had recommended, and she thinks it's a good idea, to have a special meeting just to deal with the Code Publishers Editorial & Legal Analysis. The Town Board scheduled a special meeting for Thursday, April 19th at 6:00pm.

16 Lovers Lane:

Supervisor Teal stated that Councilmember Baumli didn't get to speak so she would like to let him speak and if there is anyone in the public that did not get to speak last time, but she does not want to re-hash the entire thing so if you've already spoken and haven't changed your opinion she is going to ask that you not speak again but if you did not speak the first time you are welcome to speak.

Councilmember Baumli stated that he was unfortunately unable to make last month's meeting. He contacted the Supervisor and said that he was going to try to make the meeting but there is not a guarantee as he was just in an automobile accident. At that point he believes that all the letters of recommendations must have been with the Supervisor at that point because they weren't presented at that meeting. Supervisor Teal stated that a lot of them came in during the meeting. He stated that there was a motion made on the floor by Councilmember Rasmussen, who had every right to make that motion but at 6:04 he received a text message from Supervisor Teal indicating to him that they would go ahead with the meeting, take input from the meeting but would make no decision at that point. That then made the decision for him, based off the recommendation of the paramedics that he should go to seek medical treatment, so he did at that point. He could have come to the meeting in pain and then seek medical attention but he truly believed that Supervisor Teal was going to hold off on that. He stated that Councilmember Rasmussen had every right to make that motion and anybody could have seconded that motion, but what bothers him the most is that Supervisor Teal seconded that motion. He wants the public to be aware that one of the reasons he wasn't here was that he believed nothing was going to happen that night. He was hoping that they would hold a special meeting as the text message stated to him. And now here we are today. It has now gone, as far as he knows, to the Columbia County committee of government. They have now recommended, based off all of the favorable input, to the CC Board of Supervisors to sell the property to the rail trail. What his concern was with this is of all the parcels from one end

of this trail to the other end of this trail through the entire Town of New Lebanon, they have zero easements. They have to obtain these easements from all of these property owners. He finds that is going to be very difficult. He sent Joe Ogilvie, President of the Corkscrew Rail Trail, an email the other day asking how many parcels there are on this land in New Lebanon and of that how many do you currently have easements on. He replied back and did not provide a number of parcels but did reply that this would be the very first one. Bruce Shenker stated that there are 2 easements currently. Councilmember Baumli stated that he looks at this as an investment and his concern is if somebody said to him we want to run it through New Lebanon his next question would be what are the chances that you are going to get this to go through New Lebanon, and they say that we haven't gotten any easements yet. He truly believes that it is going to be difficult for people to let other people walk through their property. It is his understanding now that it is sitting with the CC Board of Supervisors to act on tomorrow night.

Supervisor Teal stated that she did second that motion and there is no question that she supports this. But she did talk to each of the town board members before the meeting and said that she wanted to hold a special meeting and not take action that night. Councilmember Baumli stated that all she had to do was not second that motion and it would have stopped right there. Supervisor Teal stated that she had 50 residents who came out on a snowy night and said "we are asking you to honor our input are you making us come back" and at that point her decision was that what went to the County Board was that this board did not support the transfer and that would not have been any different.

Councilmember Baumli made a motion authorizing the Town Attorney to send a letter to the Columbia County Board of Supervisors asking them to hold off on their decision on the property at 16 Lover's Lane until their July meeting so the New Lebanon Town Board can hold a public hearing to get additional input. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Nay
Councilmember Smith - Aye
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember Baumli – Aye

Supervisor Teal asked the Town Board when we should set the Public Hearing. A Public Hearing was set for Thursday, May 17th at 6:30pm to gather public input on the private sale of 16 Lover's Lane from Columbia County to the Corkscrew Rail Trail with a location to be determined with the NL firehouse being the first choice of venue, the Immaculate Conception church being the second choice of venue and the NL High School being the third choice of venue.

Bruce Shenker asked for clarification on the purpose of this meeting. Will there be another vote of the Town Board to make a recommendation or is it for the people of the Town to give their opinions? It seemed like a lot of opinions were given last month and we don't want to hear them all over again. Do people have to come back and register their opinions again after they did it last month in the snow? Town Clerk Houghtling stated that the motion

was for a public hearing which would mean you are gathering public comment. Bruce Shenker asked if previous comments will be included in any report. Supervisor Teal stated yes. Councilmember Baumli stated that the County already has those so yes.

Councilmember Baumli asked Supervisor Teal if she is going to support the Town Board here and this decision that they made tonight when the vote comes up on 16 Lover's Lane at the County meeting tomorrow night. Supervisor Teal stated yes.

Erminia Rasmussen asked what the next step at the public hearing will be. She asked if the Town Board will take another vote on this property. Councilmember Baumli stated that is possible if a board member makes a motion. Attorney Tingley stated that if you are going to hold a public hearing and there is a possibility of taking action to send something to the County or not, you should schedule a public hearing and a special meeting for the same time. That way you can take action. You cannot take action at a public hearing. He stated that the board cannot predict whether or not it is going to do anything following the receipt of that public input. If the board wants to hold a special meeting, wants to take action, then the board can consider action at that time. Supervisor Teal asked the board members if at the public hearing the majority of the public is saying they support this, is this board willing to then support that action. Councilmember Smith stated that he wouldn't commit to anything until after the public hearing. Councilmember Baumli agreed.

Councilmember Rasmussen asked if we are just holding a public hearing on May 17th. Supervisor Teal stated that it will be a public hearing followed by a special meeting. Councilmember Rasmussen stated that he cannot be there on the 17th and if it is just a public hearing he is okay with that but if it is also a special meeting for the board to possibly take action he would request it be held on a different date. The board agreed to just hold the public hearing on May 17th and then re-assess whether they need to set a special meeting or not after that.

NEW BUSINESS:

Investment Policy update:

Supervisor Teal stated that in reviewing the investment policy we had our old banks listed there. What we have been doing for years is at the organizational meeting we set the financial institutions. According to our own policy we need to be stipulating the name of the bank and the maximum amount for each officer. We are going to adjust that for the organizational meeting going forward but we need to amend what we currently have on file for this year.

RESOLUTION #16, 2018

DESIGNATION OF DEPOSITORIES

APRIL 10, 2018

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 10th day of April 2018, the following Resolution was proposed and seconded:

Resolution by Supervisor Teal

Seconded by Councilmember Smith

An amendment to Chapter 23 of the Code of the Town of New Lebanon entitled Investment Policy to amend § 23-7. Designation of depositories.

Whereas, First Niagara has been acquired by KeyBank and Bank of America no longer has a branch in New Lebanon; and

Whereas, the Town Board has designated the Bank of Greene County as the depository for the Town of New Lebanon for all Town Officers to deposit all monies coping into their hands by virtue of their offices for the years 2016, 2017, and 2018;

Therefore, be it hereby resolved that Section 23-7 of Chapter 23 of the Code of the Town of New Lebanon is amended to read as follows:

§ 23-7. Designation of depositories.

The banks and trust companies that are authorized for the deposit of moneys, and the maximum amount which may be kept on deposit at any time, are:

Depository Name	Maximum Amount	Officer
Bank of Greene County	\$5,000,000	Supervisor
Bank of Greene County	\$5,000,000	Tax Collector
Bank of Greene County	\$100,000	Town Clerk
Bank of Greene County	\$100,000	Town Justices

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

Roll Call Vote:

- Councilmember Rasmussen – Aye
- Councilmember Smith - Aye
- Supervisor Teal - Aye
- Councilmember Newton - Aye
- Councilmember 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.

Summer Youth Program – Lifeguard compensation adjustment:

Supervisor Teal stated that we authorized at budget time the different compensation rates for the summer youth staff. Camp Director Michelle Bienes has been unable to acquire a lifeguard at \$10 an hour. We approved 2 lifeguards at \$10 per hour each. She has found one that will do it at \$15 an hour and she will make due with one. It will be within her budget but we need to authorize that change to \$15 an hour for one lifeguard for the summer youth program.

Supervisor Teal made a motion to approve one lifeguard for the 2018 summer youth

program at the rate of \$15 per hour with the overall budget to remain the same. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye

Councilmember Smith - Aye

Supervisor Teal - Aye

Councilmember Newton - Aye

Councilmember Baumli – Aye

Behold! New Lebanon – historic driving app:

Councilmember Baumli stated that the NL 200 committee discussed an app for historical places in town. The historical society was looking at doing one and then they found out that Behold! was looking at possibly doing one. They decided to wait to see what Behold! comes up with so they are not competing against each other. As they go through these for NL 200 they ask people for the content because they wanted to make sure that the content was reviewed by the historical society and the historian to see if it was factual or not and to see if it was something that they wanted to endorse. They asked for it a couple of times. He found out at the last meeting that Behold! New Lebanon now has 5 locations available of 15 that they are doing. They had a meeting that the historian and president of the historical society were at. He met with the town historian a month or so ago and he was concerned with some of the content of this app from Behold! New Lebanon. Councilmember Baumli brought this to the NL 200 committee meeting and they said that they were having one of their driving apps on Easter weekend. He said that he would like to have a print out document of these locations to present to the board and to give to our historian. To date he has not gotten this document he requested. He doesn't think that we need to endorse this. He thinks the rest of the town board would need to listen to the content or speak to our historian about the concerns with the content. It doesn't sound like the right kind of thing for us to endorse.

Supervisor Teal stated that she wants to make it very clear that we are not endorsing this. This is not a town project and it is a private entity. We have no legal authority over what they do or do not present but it is not with the town's blessing at all.

Route 22 Paving Update:

Supervisor Teal stated that several weeks ago she met with DOT and she was advised that Route 22 is not being paved. It is a level 6 which means it is the worst condition it can be in and we aren't in a highly enough populated area. She has reached out to Senator Marchione's office and she is working with NYS DOT to try and get some changes in the allocation of their funding. She met with someone from Senator Gillibrand's office and they are willing to look at if there is some federal funding available and if there is a way that they can possibly provide some federal funding and push the state to provide the other part of it. She drafted a letter to Governor Cuomo's office. Last year the decision for them to pave it was made because of the number of complaints that went into the Governor's office. He sent some of his staff out to meet DOT and do a run on that road. Her fax over there requesting either a telephone conference with the Governor or a conversation with one of his aides is based on the safety hazard of that road to the residents but also to the County Highway Department

as they try to plow and to our local highway crew as they try to gain access to our town roads off of that road. As much as she can recognize the limits of funding, she doesn't think the safety of our residents can be put a dollar value. Highway Superintendent Winestock stated that she might want to throw in Route 20 going over the mountain as well because it is a mess.

Tammie Darcy asked if there is anything we, as the residents who use that road, can do. Supervisor Teal stated that people can call Governor Cuomo's office. She said if you go onto his website there is a form that you can email as well. She said people could also start a petition and gather signatures to submit to DOT, the Governor, etc. She said you can also call 1-800-POTHOLES. Jagat Pandey suggested calling Channel 6 and Channel 10 and inform them of the situation.

Tazmutt Mobile Home Park:

Supervisor Teal stated that Tazmutt Mobile Home Park will be coming back before us. This goes back to what we were talking about with zoning and the sign laws that we haven't enacted. There was a zoning change that was done in 2010 and that has put this particular mobile home park in a non-conforming because it was zoned to commercial instead of residential and mobile home parks are not allowed there. That really restricts what they can do there. She believes, from what she has heard from the board, that low income and affordable housing is something that we are aware that we need more of not that we want to be restricting and backing it off and she thinks this is something that we need to rectify sooner rather than later.

Highway 284 Agreement:

Supervisor Teal stated that the Highway Superintendent has not given her the final version but they are working on it. He is getting pricing on some things.

Appointment to the Columbia County Office for the Aging:

Supervisor Teal made a motion to appoint David Russell as the New Lebanon Representative to the Columbia County Office for the Aging Advisory Council. Councilmember Newton seconded that motion.

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Aye
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember Baumli – Aye

Library Program:

Supervisor Teal stated that Moriah Sears from the New Lebanon Library called her today. They are starting a new program, Turning Outward. They want to bring together key individuals and members of the community for round table discussions. They will be fairly informal but there will be a facilitator. The goal is to gather data on what people see as the needs of the community. It is being undertaken to assess ways that the Library can get more involved with the community but she thinks it is a great idea for us.

She has had two board members express interest in finding ways to bring in more information. If either of them are interested in participating with her, because she will not relinquish her seat on this, she is very excited, she is more than happy. We can only do two so one of them can join. Councilmember Rasmussen stated that he would like to. Supervisor Teal asked Councilmember Newton if he is okay with that and he said sure.

COMMITTEE/LIAISON REPORTS:

Assessor (Councilmember Rasmussen):

Councilmember Rasmussen stated that the Assessor is going to be out in the field for the next 2+ months verifying data for the re-assessment, taking pictures and such. She won't be in the office much at all. If anybody needs to reach her, call the office phone and leave a voicemail or send an email and she will get back to you. We should respect the fact that we decided that we don't want access to her cell phone, so please don't call her cell number. She is out in the field and busy. The tentative roll will be published on May 1st with a grievance day on May 23rd.

Building Department (Councilmember Baumli):

Supervisor Teal stated that Stewart's has submitted an application to expand. They are looking across the street at the current EZ Mart location. It looks like the new Stewart's down in Nassau.

Business & Economic Development (Councilmembers Rasmussen & Baumli):

No report.

CAC & Environmental Management (Councilmember Rasmussen & Bruce Shenker):

David Farren stated that he just sent the Town Clerk the Annual Report for 2017 so it will be posted on the website. Supervisor Teal stated that she finally got the thank you letters out to all the landowners who participated in the NRCP.

Compensation & Benefits Committee (Supervisor Teal & Councilmember Rasmussen):

Supervisor Teal stated that they have been meeting. They are progressing right along. They are looking to have something to the board for June.

Fire, Law Enforcement & Emergency (Councilmembers Smith & Baumli):

No report.

Highway (Superintendent Winestock & Councilmembers Smith & Newton):

Supervisor Teal stated that we did have the closing on the bond for the mower so those funds have been transferred in.

Historian & LVHS: (Councilmembers Baumli & Rasmussen):

No report.

Justice Court/Constable (Councilmember Newton):

No report.

Parks & Recreation (Councilmembers Smith & Newton):

Councilmember Smith stated that the weather sidetracked things. Hopefully by next month's meeting they will have the layout for the concrete work. They met with the Shatford Youth Baseball Association last night and everything is on track there. Councilmember Newton stated that he reached out to the plumber and he has volunteered to take care of the floor drain and hot water heater. Councilmember Newton stated that he got a donation from Valspar for cans of paint for the snack shack. Councilmember Baumli asked if they need volunteers to paint it. Councilmember Newton stated that because there are going to be kids there, volunteers need to be vetted to be with the kids but because they are town board members it may be different. Ashley Saviano is looking into that.

Councilmember Smith stated that the mower came in for the park.

Seniors (Councilmember Baumli & Judy Zimmer):

Councilmember Baumli stated that he met with Judy Zimmer and David Russell, our reps to the CC Office for the Aging, last week. He commends Judy for all of her work. You have to go to Hudson to meet with people. They are trying to think of more ways to reach out to people. We have the town website and grow the valley. They are thinking of more ways to reach the seniors in our community. Sometimes it is hard to get people to accept help. If anybody knows any elderly people who need help, feel free to reach out to Councilmember Baumli, Judy Zimmer or David Russell. They can check in on them regularly and set up whatever support system they need.

Judy Zimmer thanked JJ Smith for her time serving with her as a rep for the CC Office for the Aging. She stated that they are going to meet with Moriah at the Library to see how they can help reach out for the programs available.

Supervisor Teal stated that on Friday, April 20th NY Connects will be here at the Town Hall from 12 -3 for anyone that needs to sign up for services. Instead of going to Hudson, they can sign up here. It is the third Friday of each month from 12-3. It is for anybody in need of any type of services.

Town Assets, Buildings & Property (Councilmembers Smith & Newton):

No report.

County Updates (Supervisor Teal):

Summer Youth Employment - Supervisor Teal stated that we are looking for a college student that is interested in doing a paid internship with the County for the summer. If anybody knows of anyone to recommend, get in touch with her.

Broadband – Supervisor Teal stated that things are moving forward. With what she is learning, she is guessing that we are looking at around 90 days out from here. She reached out to Spectrum to try and get services at the Town Hall and it was a 60 day build out for construction. She has figured out that part of the problem with Consolidated is that they have us listed under the zip code 12062 which is Rensselaer County so they are struggling trying to find us which is why we are being told there are no services available. It does look

like both of them are going to be launching around the same time. She is hoping that around August we will be seeing services available from both of them. If anybody calls to inquire about services and is told they are not available or that it will be a long time before they are available, please let Supervisor Teal know as she is forwarding those emails to the regional director.

Councilmember Smith asked if they are doing phone, internet and cable TV. Supervisor Teal stated that Spectrum will be just internet and cable TV, but no phone services.

County Highway - Supervisor Teal stated that they are looking to re-do the allocation of the funding. They know they have to do something with West Street and County Route 9 North. Both came completely undone during this winter. They are looking to re-pave those this summer.

ANNOUNCEMENTS:

GENERAL:

Tax Collector – hours for April & May are M 5-7 and Sat. 10-12

ZBA meeting time change from 7:30 pm to 7:00 pm going forward

Habitat for Humanity Women Build:

- ***Recipient: Jennifer McKeon***
- ***Saturdays in April, painting & priming***
- ***Special Women Build Week (w/ Lowe's) – May 5th through May 12th culminating with an event at LV Speedway on Saturday, May 12th***

APRIL:

Monday, April 16th ~ 5:00 PM - Deadline for submissions for May 1st Newsletter

Wednesday, April 18th ~ NYS Senate – Proclamation ~ Senator Kathy Marchione

Thursday, April 19th ~ Special Meeting of the Town Board at 6:00pm – Code Publishers Editorial & Legal Analysis

Saturday, April 21st ~ NL 200 Events:

- ***Commemorative Bicentennial Postal Cancellation Stamp @ New Lebanon Post Office, Valley Plaza and @ Immaculate Conception Church Meeting Hall from 9:00 AM to Noon, specially designed postcards will be available (free)***
- ***Charter Commemoration @ Immaculate Conception Church Meeting Hall from 10:00 AM to Noon***
- ***Program of Period Songs @ Lebanon Valley Heritage Center, Valley Plaza from Noon to 2:00 PM***
- ***Sup & Swing @ Jr/Sr High School from 5:00 PM to 8:00 PM – dinner and music are free - you must RSVP to this event by either emailing gtvnl200@gmail.com or getting a free ticket from the Town Clerk's office***

Saturday, April 28th ~ NL 200 Events:

- ***Auditions for New Lebanon's Got Talent at Immaculate Conception Meeting Hall from 10:00 AM to 2:00 PM, singers, dancers, musicians, comedians of all ages that are current or former New Lebanon residents are invited to audition***

Saturday, April 28th ~ Columbia County Household Hazardous Waste Collection Day @ CC Highway Garage, 178 Route 23B, Greenport from 8:00 AM to 12:00 NOON

MAY:

Saturday, May 5th ~ Town Clean Up Day from 8:00 AM to 2:00 PM – rain or shine – get your punch card in advance of the event from any Town Hall office

Tuesday, May 8th ~ Town Board Meeting @ 7:00 PM @ Town Hall

Thursday, May 17th ~ Public Hearing @ 6:30 PM w/ location TBD to gather public input on the private sale of 16 Lover's Lane to the Corkscrew Rail Trail from Columbia County

AUDIT OF BILLS:

**General Nos. 101 through 135, in the amount of \$50,641.87;
Highway Nos. 27 through 40, in the amount of \$47,937.37;
Capital Project Nos. 1 through 2, in the amount of \$132.96; and
Escrow No. E:18-4, in the amount of \$1,525.00;
As listed on Abstract No. 4 of 2018 dated April 10, 2018.**

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

Roll Call Vote:

Councilmember Rasmussen – Aye
Councilmember Smith - Aye
Supervisor Teal - Aye
Councilmember Newton - Aye
Councilmember Baumli - Aye

PRIVILEGE OF THE FLOOR:

JJ Smith stated that last week Thaddeus did a great article for her on the flags and the flower boxes in the Eastwick Press. She wants to remind people that we are going to be doing the flower boxes on 3 more bridges this year. She has donated lumber from Mr. Newton to build the boxes, she has someone who is going to build the boxes, she has someone who is donating the soil so we are going to need some donations of flowers and some caretakers to adopt the boxes. Supervisor Teal stated that she may be able to get some donations of flowers. Town Clerk Houghtling suggested Berkshire Farm with their flower sale.

Jagat Pandey stated that he does not think that the board should shut off public comment, he thinks that the board should keep control of the negative discussion about the town board and what they are doing, and he wants the town board to keep control of the crowd at the meetings.

ADJOURNMENT:

A motion was made by Councilmember Smith and seconded by Councilmember Rasmussen to adjourn the meeting at 9:50 pm.

Respectfully submitted,

Tistrya Houghtling
New Lebanon Town Clerk