

**MINUTES OF THE SPECIAL MEETING (BUDGET WORKSHOP) OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON OCTOBER 15, 2018**

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

Recording Secretary: Marcie Robertson, Deputy Town Clerk

Others Present: Mary Young, LVPA
Ed Godfroy, LVPA
Gregg Gilliland, LVPA
Eugenia Browning, LVPA
Kevin Darcy, LVPA
Bobbie Waters, LVPA
Bill Ryan, LVPA Attorney
Jeff Winestock, Highway Superintendent

CALL TO ORDER:

The meeting was called to order at 5:34 p.m. by Supervisor Teal.

JCAP RESOLUTION:

**TOWN OF NEW LEBANON
RESOLUTION #24, 2018 – JUSTICE COURT ASSISTANCE PROGRAM APPLICATION
OCTOBER 15, 2018**

At a Special Meeting of the New Lebanon Town Board, held at the Town Hall, 14755 NY SR 22, New Lebanon, New York, duly called and held on the 15th day of October 2018, the following Resolution was proposed and seconded:

**PROPOSED BY SUPERVISOR TEAL
SECONDED BY COUNCILMEMBER NEWTON**

AUTHORIZATION FOR APPLICATION TO THE JUSTICE COURT ASSISTANCE PROGRAM

WHEREAS, the Town Board of the Town of New Lebanon approves the active pursuit of grant funding;

AND WHEREAS, the Town Hall has weather related power outages that make the Court and Offices unusable from time to time;

BE IT RESOLVED THAT, the Town Board of the Town of New Lebanon duly authorizes the New Lebanon Justice Court to file a grant application in the name of the Town of New Lebanon to the Justice Court Assistance Program for grant funding for the 2018-2019 grant cycle for court needs/requirements for the justice court/meeting hall, including but not limited to a

generator purchase and installation.

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

Roll Call Vote:

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

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

BIDS: HIGHWAY DIESEL FUEL STORAGE TANK:

Supervisor Teal asked Deputy Town Clerk Robertson to enter the following bid notice into the record.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the Town of New Lebanon, NY is seeking bids for the ABOVE GROUND FUEL STORAGE TANK PAD AND COVER PROJECT at Town Highway Garage. The Town of New Lebanon invites sealed proposals for the construction of an above ground diesel fuel storage tank pad and cover consisting of a reinforced concrete pad to support a diesel fuel AST, a pre-engineered and pre-fabricated metal cover structure, bollards, fencing and electric power from the existing building, including the furnishing of all materials, labor and related equipment necessary for the installation of same.

This contract has been designated Contract 2018-003 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 3:00 PM on or before Friday, October 12, 2018. at which time and place they will be publicly opened and read aloud, with the contract being awarded, if acceptable, on October 15, 2018, 5:30 PM, at a Special Meeting of the Town Board at 14755 Route 22, New Lebanon, NY 12125.

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 September 28, 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. Project timeliness is crucial. The project must be started on October 15, 2018 and must be completed by November 30, 2018.

Deputy Town Clerk Robertson stated that we received one bid from Borderline Excavation and Fence, LLC in the amount of \$72,750.

Supervisor Teal stated that amount is way beyond what we anticipated. She stated that Engineer McCreary's estimate was closer to \$50,000.

Councilmember Smith made a motion to table the acceptance of the bid. Supervisor Teal seconded that motion.

Roll Call Vote:

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

BIDS: PARK MAINTENANCE SHED:

Supervisor Teal asked Deputy Town Clerk Robertson to enter the following bid notice into the record.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the Town of New Lebanon, NY is seeking bids for a PRE-ENGINEERED, PRE-FABRICATED METAL BUILDING as a shed structure for the Town Park. The Town of New Lebanon invites sealed proposals for the noted metal building. The bid is for supplying the metal building (a carport style structure is acceptable and preferred). Bid must include delivery, installation and full set up.

The metal building shall be ready to assemble and delivered to the site. Documentation regarding the building erection shall be provided and a certification and/or design documents, stamped by a Professional Engineer in the State of New York, that the building meets all International Building Code Loadings – as adopted by the State of New York, as applicable for the Town of New Lebanon, NY.

Other Metal Building details follow:

24 feet by 24 feet (width and depth)

10 foot leg/vertical support height

Both sides to be enclosed and both ends to be enclosed

1 overhead garage door, 10 feet wide and 8 feet high at the center of the gable end

1 walk-in/person door, 36 inches wide and 80 inches high for the left side, 4 feet from the front corner

There are to be no windows

Northeast Certified (120 mph, 65lb snow load, wind anchors)

Panel, roof and trim color is green

Must be anchored and attached to an existing 5.5 inch thick reinforced concrete slab

This contract has been designated Contract 2018-004 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 3:00 PM on or before Friday, October 12, 2018. at which time and place they will be publicly opened and read aloud, with the contract being awarded, if acceptable, on October 15, 2018, 5:30 PM, at a Special Meeting of the Town Board at 14755 Route 22, New Lebanon, NY 12125.

Questions can be directed to the Town Clerk during the Clerk's business hours of Monday, Wednesday, Thursday, and Friday from 9:00 am to 5:00 pm. There are no bid documents. All bids must include a non-collusive bidding certificate which can be obtained from the Town Clerk's office by emailing townclerk@townofnewlebanon.com.

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.

Project timeliness is crucial. The project must be started on October 15, 2018 and must be completed by November 15, 2018.

Deputy Town Clerk Robertson stated that we received two bids. One is from Shedman Inc. in the amount \$6,370 with a 10X10 garage door upgrade for an additional \$125 for a total of \$6,495. The second bid is from Wainschaf Associates Inc in the amount of \$26,800.

Councilmember Smith made a motion to accept the bid from Shedman Inc. with the upgrade to a 10X10 garage door in the amount of \$6,495. Supervisor Teal seconded that motion.

Roll Call Vote:

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

LVPA BUDGET:

Supervisor Teal asked Ed Godfroy of the LVPA if he has any documents for the Town. Supervisor Teal stated that we received a certificate of insurance from the LVPA but the Town is not listed as an additional insured. We will accept that for now, but before entering into another contract we would need to get that fixed. Ed Godfroy stated per the Town's written request he is submitting training records, driver training lists, vehicle maintenance

records, the check sheets on every vehicle every time it goes out on a fire call, hose testing records, pump testing records, ladder testing records, and SCBA testing records for all the SCBA equipment that the LVPA has. He stated that the only thing that is not in there is the County filing. They had to confer with their Attorney on exactly what they needed and now they know and will be filing it. He asked when he goes to file it if the Town needs a certified copy of it as well or just a certified copy at the county with a receipt of filing and a packet of all the same information at the Town. Supervisor Teal stated that a copy is fine along with the certified receipt of filing.

Supervisor Teal asked if we got anything on an asset management replacement plan. That was due by June 15th. The LVPA stated that they are working on that right now. They stated they are comparing options for a new fire house versus repairing the existing fire house. Supervisor Teal stated that there needs to be a better discussion about what we are looking for because that is not what we are looking for. The LVPA Attorney asked what the town is looking for. Supervisor Teal stated the asset value and what work needs to be done on that asset. We have no asset value for any of their assets. Ed Godfroy stated that the cost of the vehicles and the value of the vehicles is in the packets. Councilmember Baumli stated that we also want to know what the trade in value of the vehicles would be and how long their life expectancy is. Ed Godfroy stated that you don't trade these things in. Supervisor Teal stated that we want to know the useful life of each vehicle. Ed Godfroy stated that the life of the vehicle is however long you want to maintain it to meet the current FBA specs. Supervisor Teal stated that most industries have a standard. Kevin Darcy stated that he is pretty sure it is 25 years.

Supervisor Teal stated that we don't have a membership list. The one we received on 4/28/17 had no physical address or category of membership. That is required. Ed Godfroy stated that they just updated it the other night and will get it to us.

Supervisor Teal stated that she would like to amend the contract so that the monthly reports continue to come monthly, but all of the contract negotiations for fire protection to begin no later than July 15th and she wants the documents needed for contract negotiations submitted all together at that time, instead of all different dates throughout the year.

Supervisor Teal asked if the LVPA has corrected the monthly activity report to include separating out emergency calls, drills and training and miscellaneous and to name each member as well as their classification. Ed Godfroy stated that he made the decision to remove the name of each member from their reports because he wasn't aware that was in the contract. Supervisor Teal stated that we need to know that. Ed Godfroy stated that they will correct it. Supervisor Teal asked if they could go back to May and correct it as that is when they stopped reporting that information. Ed Godfroy stated yes.

Supervisor Teal stated that everything that is required by law, the Town has received. It is only documents required in the contract that we are missing so she will defer to the Town Board about how we want to proceed.

Supervisor Teal stated that she spoke with someone that she has asked if they would serve

as a consultant for us. This is our 3rd year and some of the things when we look through the budget requests, we are not making progress. She has discussed this with the liasons and where she stands with this is she is not willing to do this any longer. If we are going to contract with the LVPA she strongly recommends that we hire a consultant. This particular person is a lifetime member of the LVPA and a former chief. He used to have to prepare these reports, he understands what they are and hopefully they can work together. Ed Godfroy stated no. The LVPA board will not work with a consultant. They will prepare the information themselves. He stated that the town could have a consultant look at it but they will not let a consultant in because that person is biased.

Supervisor Teal stated that when the town requests a 3 year analysis from the LVPA, they are looking for a 3 year analysis of actual, not a 3 year analysis of budgeted. Ed Godfroy stated that the town has all of that information in the annual reports. Supervisor Teal stated it is not the town's job to put it together. Councilmember Baumli stated that he did sit down with all of the LVPAs financial records submitted and put it all into a spreadsheet to compare money actually spent by the LVPA. He asked if the LVPA could get the 3 year comparison together for money spent instead of budgeted because that helps the town compare how much is needed for each expense line. Ed Godfroy stated that is how they calculated their budget request for 2019. They took what their actual expenses are so far this year on their line items. They provided another page that explains the budget line items that either went up or down from 2018 to 2019.

Discussion occurred between the Town Board and the LVPA going through the budget request line by line for clarification on some of the estimated expenses.

Councilmember Baumli stated that when he looks at the numbers and the LVPA actually spent under \$100,000 in 2017 and now they are asking for \$126,000, that is hard to swallow. No company that he knows has an increase of that kind of percentage in a year or two. That is where he is at with it. He can give them a little extra with inflation, but a 20% increase over what they actually spent 2 years ago is a large amount of money. He stated that when you are looking at some of this building maintenance, and he understands that the LVPA is putting some money away for a possible new firehouse, but until that is made a decision which he thinks needs to be made sooner than later because the people of this town know that the LVPA is sitting on hundreds of thousands of dollars and it's bothering them, so if the LVPA could make a decision as to what the plans are for the new firehouse that is not a \$5 million dollar firehouse because he knows that is not going to fly, but until then he can't justify to everybody that there is building maintenance in the budget when they already have hundreds of thousands of dollars in a building fund. Bobby Waters of the LVPA stated that the town should send people with questions to the LVPA. Councilmember Baumli stated that this is their money, this is the taxpayers money, the Town Board is elected to be responsible with the taxpayers money. He stated that a few years ago there were a lot of concerned citizens at the meetings wondering why the LVPA was getting so much money. Are they going to come back and ask why the town is giving the LVPA \$126,000 when they are only spending \$100,000. The room isn't full of people right now because he thinks this board is acting responsible enough to say you can't get that kind of money unless you can truly prove to us that you are going to spend it and that is where we are at with what this proposal is to what the actual money spent is last year.

Supervisor Teal stated that she has looked at what the LVPA has spent to date. It is \$68,601.82 as of September 30, 2018. If you look at that as 9 months out of 12, it gives an annual budget of \$91,470 which is not that far off from their \$99,575. If you look at it that way, they have \$22,868.18 in expenses due through the year end. As of 9/30, they have \$82,163.72 in their contractual funds that are available and they have a \$16,840 fourth payment due to them in November. That gives them a total cash of \$99,003.72. Take off the expenses through the end of the year, that gives them a surplus of \$76,000. Ed Godfroy stated that they have already spent what the town budgeted to give them, they have already spent their own money to cover the last payment.

Councilmember Baumli stated that the rest of the reports that we need would be really helpful to us. For example, on the call reports we were getting listing how many people were showing up at whatever activity it might be. The LVPA had a handful of people showing up for each one of those activities. He knows membership is down, people all over the country don't volunteer for stuff anymore. That give us an idea of whether or not we really need this number of trucks and whether we need 2 stations. These are questions that would resolve if we had this proper information that we truly need that we have been asking for and was part of the contract. When we are hearing that mutual aid is making it to fires prior to our town getting to the local fires, that is a problem as well. These are questions that taxpayers are asking the town board about and we have to be able to defend these numbers. Ed Godfroy stated that you don't use every truck on every call and as far as mutual aid making it to these calls before the LVPA, East Chatham is closer to the far end of Lebanon. They are going to get there quicker than us even if we are standing at the fire house. Canaan is going to get to that end of the district quicker than we are.

Supervisor Teal stated that the last time we got the report she believes there were 3 qualified fire fighters and one has now left the area. Ed Godfroy stated that they have more than 3 qualified fire fighters and that member that she is talking about is Josh Schuster and he is away during the week, but in town on weekends. He has not resigned from the company. He is still a member and he is still an active firefighter. Councilmember Smith asked how many available, interior firefighters the LVPA has. Ed Godfroy stated that there is air pack qualified. Supervisor Teal stated all she wants to know is how many of their men can come into a house that is on fire to rescue someone. Kevin Darcy stated 8. Supervisor Teal asked how many can fight a fire from outside, not including those 8. Ed Godfroy stated that they have 30 members. Supervisor Teal stated so no one is just fire police without fire fighting qualifications. The LVPA stated no. Supervisor Teal stated that we have nothing close to their reports then because what they got last time did not show that. It showed one or two qualified interior and she doesn't think there were any exterior and everyone else were fire police. Ed Godfroy stated that everyone is exterior. There is no classification for exterior. Supervisor Teal stated that State has said that fire police are not fire fighters so just because you have completed a fire police training, doesn't mean you can fight a fire. Ed Godfroy stated that in their company, most of their fire police are fire fighters. They have taken both classes.

Councilmember Rasmussen asked for a list of training levels with who has what training and qualifications. The LVPA stated that they will get the Town Board that list tomorrow.

Supervisor Teal asked the Town Board where they want to go from here. Councilmember Baumli stated that the LVPA needs to provide the Town with the missing documentation. Then we can move forward from there. He doesn't think it's a lot of information that needs to be put together but probably the asset management plan will take longer than anything else. The LVPA stated that the only asset management plan they can give right now is on the trucks as the buildings are still being figured out. Councilmember Baumli stated that between the truck information and the membership information, including when the last time some of the members showed up for a fire call, that should be good.

The LVPA conversation was postponed until the budget workshop on 10/18.

2019 TENTATIVE BUDGET REVIEW BY TOWN BOARD:

The following changes were proposed to the tentative budget:

- Page 6 – Pavilion Roof (A-7140.41) was changed to Pavilion Roof and Fence (A-7140.41)
- Page 8 – Cemeteries – West Lebanon Cemetery (A-8810.41) – brought down to \$750 from \$1,000 for mowing – can we bump it back up and use the extra money to do some repairs on cemetery? – Attorney will look into this

ADJOURNMENT:

A motion was made by Councilmember Rasmussen and seconded by Councilmember Baumli to adjourn the meeting at 7:18 pm.

Respectfully submitted,

Tistrya Houghtling
New Lebanon Town Clerk