

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON JUNE 11, 2019**

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

Recording Secretary: Tistrya Houghtling, Town Clerk

Others Present: Steve Powers, CAC Member
Peg Munves, CAC Member
Jeff Winestock, Highway Superintendent
Bruce Shenker, NL Rep to CC Enviro Mgmt Council
Robert Gilson, CAC Member
Cynthia Creech, CAC Member & ZRC Member
Robert Smith, Planning Board & Ethics Board Member
Jeannine Tonetti, Ethics Board Chair
Thaddeus Flint, *The Eastwick Press*
Several members of the public

CALL TO ORDER:

The meeting was called to order at 7:01 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 **May 14, 2019 Public Hearing on Proposed LL#2 of 2019; May 14, 2019 Public Hearing on Proposed LL#3 of 2019; May 14, 2019 Public Hearing on Proposed LL#4 of 2019** and the **May 14, 2019 Regular Monthly Meeting** were reviewed. A motion was made by Supervisor Teal, seconded by Councilmember Newton and approved unanimously to accept the above noted minutes as typed.

FINANCIAL:

Supervisor's Report:

Supervisor Teal provided the public and TB members with a copy of the Supervisor's Report as of May 31, 2019. A motion was made by Councilmember Smith, seconded by Councilmember Newton and approved unanimously to accept the Supervisor's report as typed.

EXECUTIVE SESSION REQUEST:

Supervisor Teal made a motion to enter into an executive session to discuss a particular employee issue at 7:02 p.m. Councilmember Baumli seconded that motion.

Roll Call Vote:

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

Councilmember Smith made a motion to exit the executive session at 7:15 p.m. Supervisor Teal seconded that motion.

Roll Call Vote:

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

Supervisor Teal made a motion to approve the appointment of Cynthia Creech as Court Clerk on a temporary basis from 6/1/2019 through 6/15/2019 at the hourly rate she was at when she left. 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 made a motion to set a special Town Board meeting for June 25, 2019 at 5:15pm to discuss the possibility of contracting some additional services for the building department, the generator and any other business that comes up. Councilmember Newton seconded that motion.

Roll Call Vote:

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

OLD BUSINESS:

Resolutions Enacting LLS 2-4 for Terms of Office:

TOWN OF NEW LEBANON

RESOLUTION #17, 2019 ~ ENACTMENT OF LL#2 OF 2019 ~ INCREASING THE TERM OF

**OFFICE OF THE TOWN HIGHWAY SUPERINTENDENT FROM TWO YEARS TO FOUR YEARS
JUNE 11, 2019**

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 11th day of June 2019, the following Resolution was put forth for enactment:

**PROPOSED BY SUPERVISOR TEAL
SECONDED BY COUNCILMEMBER SMITH SR.**

**RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2019 OF THE TOWN OF NEW
LEBANON**

WHEREAS, the term of office for the Town Highway Superintendent is currently two years; and

WHEREAS, the Town Board of the Town of New Lebanon seeks to extend the term of office for the Town Highway Superintendent to four years; and

WHEREAS, this local law is subject to a mandatory referendum and shall be submitted for approval of the qualified voters for the Town of New Lebanon at the biennial town election to be held on November 5, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of New Lebanon in regular session duly convened that the term of the Town Highway Superintendent for the Town of New Lebanon shall be increased to four years upon approval by the qualified voters with the four year term to begin on January 1, 2020.

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.

**TOWN OF NEW LEBANON
RESOLUTION #18, 2019 ~ ENACTMENT OF LL#3 OF 2019 ~ INCREASING THE TERM OF
OFFICE OF THE TOWN TAX COLLECTOR FROM TWO YEARS TO FOUR YEARS
JUNE 11, 2019**

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 11th day of June 2019, the following Resolution was put forth for enactment:

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

**RESOLUTION ADOPTING LOCAL LAW NO. 3 OF 2019 OF THE TOWN OF NEW
LEBANON**

WHEREAS, the term of office for the Town Tax Collector is currently two years; and

WHEREAS, the Town Board of the Town of New Lebanon seeks to extend the term of office for the Town Tax Collector to four years; and

WHEREAS, this local law is subject to a mandatory referendum and shall be submitted for approval of the qualified voters for the Town of New Lebanon at the biennial town election to be held on November 5, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of New Lebanon in regular session duly convened that the term of the Town Tax Collector for the Town of New Lebanon shall be increased to four years upon approval by the qualified voters with the four year term to begin on January 1, 2020.

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.

TOWN OF NEW LEBANON

**RESOLUTION #19, 2019 ~ ENACTMENT OF LL#4 OF 2019 ~ INCREASING THE TERM OF
OFFICE OF THE TOWN CLERK FROM TWO YEARS TO FOUR YEARS
JUNE 11, 2019**

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 11th day of June 2019, the following Resolution was put forth for enactment:

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

**RESOLUTION ADOPTING LOCAL LAW NO. 4 OF 2019 OF THE TOWN OF NEW
LEBANON**

WHEREAS, the term of office for the Town Clerk is currently two years; and

WHEREAS, the Town Board of the Town of New Lebanon seeks to extend the term of office for the Town Clerk to four years; and

WHEREAS, this local law is subject to a mandatory referendum and shall be submitted for approval of the qualified voters for the Town of New Lebanon at the biennial town election to be held on November 5, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of New Lebanon in regular session duly convened that the term of the Town Clerk for the Town of New Lebanon shall be increased to four years upon approval by the qualified voters with the four year term to begin on January 1, 2020.

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.

Assessor Reappointment Resolution:

**TOWN OF NEW LEBANON
RESOLUTION # 20, 2019
RE-APPOINTMENT OF NEW LEBANON SOLE ASSESSOR
JUNE 11, 2019**

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 11th day of June 2019, the following Resolution was proposed and seconded:

Resolution by Supervisor Teal

Seconded by Councilmember Newton

Re-Appointment of New Lebanon Sole Assessor

BE IT RESOLVED THAT the Town Board of the Town of New Lebanon hereby reappoints Kimberly Cammer to the position of Sole Assessor for the Town of New Lebanon for a term of six (6) years to commence on October 1, 2019 and end on September 30, 2025, and

BE IT FURTHER RESOLVED THAT the Town Clerk is hereby directed to send a copy of this resolution to the Columbia County Real Property Tax Service Agency to be forwarded to the NYS Office of Real Property Tax Services/Department of Taxation & Finance.

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.

CC MIS – IT Services:

Supervisor Teal stated that on our IT services proposal, for the Sophos hardware which is our firewall, the proposal that we had was for a one year subscription for the protection services. She would like to request that be increased to a three year subscription as that will be a cost savings to the Town. It will be a total increase of \$200 from the original quote and we are well below what we were paying for IT services. She would like the board to consider authorizing the Town Clerk and Town Supervisor to approve increases from 1 year subscriptions to 3 year subscriptions on IT services when it is at a cost savings to the Town.

Supervisor Teal made a motion to approve the 3 year subscription and hardware for Sophos for a total cost of \$1,906.56. Councilmember Newton seconded that motion.

Roll Call Vote:

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

Supervisor Teal made a motion to authorize the Town Clerk and the Town Supervisor to approve increases to 3 year subscriptions from the 1 year subscriptions that were originally approved in the quote, with the total increase not to exceed \$1,000. Councilmember Smith seconded that motion.

Roll Call Vote:

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

LED Streetlighting:

Town Clerk Houghtling stated that the Town has to make the decision of Option A or Option B as well as 3,000 or 4,000 kelvin for the LED streetlight conversion. She turned it over to Councilmember Newton to explain what the options mean.

Councilmember Newton stated that he thinks we should go with Option A and go with the recommended lumens for the conversion instead of going by each streetlight and choosing the lumen for each. He stated that if we choose Option A all we have to decide is color temperature on the lights and 3,000 kelvin is the yellow, natural daylight color and the 4,000 kelvin is the whiteish-blue color. He stated that personally he likes the 3,000 kelvin as it is much warmer with less glare and it doesn't reflect back of stuff as much.

Councilmember Smith made a motion to go with Option A with 3,000 kelvin and to authorize the Town Clerk to execute the contract with NYSEG. Supervisor Teal seconded that motion.

Roll Call Vote:

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

Employee Evaluations:

Supervisor Teal made a motion to adopt the employee performance evaluations as proposed for all appointed employees, excluding highway employees from the evaluation process. Councilmember Baumli seconded that motion.

Roll Call Vote:

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

****See attachment A for full packet of adopted evaluation process****

Employee Appointment Recommendation Policy:

**TOWN OF NEW LEBANON
RESOLUTION # 21, 2019
EMPLOYEE APPOINTMENT POLICY
JUNE 11, 2019**

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 11th day of June, 2019, the following Resolution was proposed and seconded:

Resolution by Councilmember Smith Sr.
Seconded by Supervisor Teal

Employee Appointment Policy

WHEREAS, it is the Town Board's responsibility and authority to make appointments to fill vacancies in town positions, on boards or on commissions; and

Whereas, the Town of New Lebanon is the employing entity; and

Whereas, in some instances, the Town Board is not the appropriate entity to conduct the interviews of the applicants for said vacancies; defers the interviews to the appropriate department heads, boards or commissions; and makes an appointment based on a recommendation from said department heads, boards or commissions,

Now, therefore be it resolved by the New Lebanon Town Board that in order to make informed decisions in the best interest of the employing entity, the Town of New Lebanon, the following is adopted as the ***Employee Appointment Policy***:

1. In those instances when the Town Board is the most appropriate entity to conduct interviews of applicants for a vacancy, the Town Board will conduct the interviews and make the appointment;
2. In those instances when another entity (department head, board, commission, etc.) would be the more appropriate one to conduct the interviews based on knowledge and understanding of the skills and experience required for the position, the following protocol will be followed:
 - a. Interviews of all qualified candidates will be conducted;
 - b. A letter or memo with a paragraph summarizing the highlights of each candidate's interview, skills and experience and specifying which candidate is being recommended and why will be sent to the town board along with copies of the resumes, applications or letters of interest received at least one week in advance of the meeting when said appointment is to be made;
 - c. The town board will direct any questions or concerns to the Supervisor (HR) for discussion with the recommending entity.
 - d. If the town board disagrees with the recommendation, a meeting will be scheduled for the board

to meet with the recommending entity to resolve the issue.

- e. In all cases, the Town Board is ultimately responsible for all appointments except for deputy town clerks and highway employees (and any other positions as set forth by New York State Law) and will not make an appointment if they have legally valid reasons to decline.
- 3. The town board has the authority to waive the interview requirements if it is determined to be in the best interest of the town, eg. only one applicant for a position.
- 4. This policy applies to compensated positions and uncompensated positions, board and commission seats.

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.

Historic Donations Policy:

Supervisor Teal stated that she put together a substantial packet for the Town Historian. She asked the Town Board to consider adopting this as the actual policies and procedures for the historian. It lays out the duties and functions that is laid out by the Office of NYS History which is what the NYS law says that their requirements are. It also lays out very clearly that any historic item that a historian receives is not maintained by them, which is part of the NYS law. The NYS law says that the historian should evaluate what would be the best repository, whether that is the historical society, the town’s vault, the library, a museum. It lays out how they should handle these documents and then there is a form “donations of historic documents” that will cite the donor, what the item is, and has the historian determine the appropriate repository and then asks if a “records deposit agreement” has been executed between the town and the repository. The records deposit agreement lays out that the item will always belong to the town but it may reside at the library or somewhere else. If that entity decides they no longer want to hold it, they cannot sell it or give it away, they must return it to the town. These documents get filed in the Town Clerk’s office so we would have a record of where all of the items are.

Councilmember Rasmussen stated that we are deciding that we will expect current and future Town Historians to obey NYS laws and town regulations and to use the forms that are recommended. He stated that it sounds like a good idea to him.

Councilmember Smith made a motion to adopt the historic donations policy as provided to

the Town Board from Supervisor Teal. Councilmember Rasmussen seconded that motion.

Roll Call Vote:

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

****See Attachment B for full packet of adopted historic donations policy****

Generator – State Contract Pricing:

Councilmember Smith stated that he is working with Scott out of Halfmoon. The good news is we are going to be able to save money. Because it is under state contracting price, they can also include, because it's prevailing wage, services to install it. He stated that Scott will be getting back to him at the beginning of the week with the prices for it and at the special meeting we will go forward and hopefully accept it.

Newsletter:

Supervisor Teal distributed a memorandum from the Town Attorney to each Town Board member. She stated that it states right on the document that it is not subject to FOIL and it outlines specifically what we can and cannot cover in the newsletter. She thinks it has taken a lot of the gray out of it. She stated that the last item on the do list is to include any activities that are funded by the town budget. One of the things that we can do to get back to the point where we are doing more of a community newsletter is we are allowed to do a publicity fund to promote New Lebanon as a tourism destination. If we do that, anything that we are promoting through that fund for tourism we can also include in the newsletter. Her recommendation is that she reach out to Berkshire County tourism and see what we can do with that publicity fund through them. They have the specialty and then we are funding tourism in a way that we can promote all types of things that are going on in the community. She will continue working on this with Columbia County tourism, Berkshire County tourism and the Town Attorney to allow us to promote even more things happening in the community.

Carport & Fence for Highway Fuel Tank:

Councilmember Smith stated that he has a quote for \$1,785 for a 12'X20', 12 gauge, with 7' side walls. He stated that he will get a second quote as it is over the \$1,000 threshold where we need two quotes.

Tennis & Basketball Courts – annual maintenance:

Councilmember Smith stated that it is more common sense, if it doesn't need to be coated with the striping. He stated that park maintenance should be checking all the clips every month, the netting on it, cracks, any deep marks and dig marks, check the striping, make sure all the drainage is clear, and make sure it is free of debris. He stated that it is pretty

much the same for the tennis courts. Supervisor Teal asked if they know what to look for on an annual basis to know if we need to re-coat it. Councilmember Smith stated that if they are doing it monthly, they will know that it's going to have to be done well in advance. He said they will add these checks to the forms that park maintenance uses for their inspections.

Flags – thank you to Crown Cleaners in East Greenbush for cleaning for free:

Supervisor Teal stated that we had all the flags cleaned and we wanted to say thank you to Crown Cleaners in East Greenbush for cleaning all of them for free. Town Clerk Houghtling stated thank you to Councilmember Smith for dropping them off and picking them up from the cleaners.

Pavilion:

Bathroom Bids:

Supervisor Teal stated that we are going back out to bid on the bathrooms.

Supervisor Teal made a motion to go out to bid on the pavilion bathroom with the project to start after August 23rd and work to be done by October 31st with bids due by August 9th at 3pm for Town Board consideration at the regular monthly meeting on August 13th with the Town Clerk reaching out to the Town Engineer to update any necessary bid documents. Councilmember Baumli seconded that motion.

Roll Call Vote:

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

Fee Waiver Policy:

TOWN OF NEW LEBANON

RESOLUTION #22, 2019

ADOPTION OF TOWN OF NEW LEBANON PAVILION FEE WAIVER POLICY

JUNE 11, 2019

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 11th day of June, 2019, the following Resolution was proposed and seconded:

Resolution by Supervisor Teal
Seconded by Councilmember Newton

ADOPTION OF PAVILION FEE WAIVER POLICY

WHEREAS, the Town Board of the Town of New Lebanon charges a fee to rent the Shatford Park Pavilion to individuals and organizations; and

WHEREAS, the Town of New Lebanon wishes to waive the fee for local organizations who are funded by tax payer dollars as well as other specific organizations including local churches and schools;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of New Lebanon hereby adopts the Pavilion Fee Waiver Policy, as attached;

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.

****See Attachment C for Pavilion Fee Waiver Policy****

NEW BUSINESS:

Annual Bids:

Supervisor Teal stated that it is time to go out to bid on sand, stone & gravel; fuel; calcium chloride; and contracted equipment. She suggested bids be due the Monday before the board meeting instead of the Friday before because of the 4th of July holiday.

Supervisor Teal made a motion to go out to bid on sand, stone & gravel; fuel; calcium chloride; and contracted equipment with all bids due on Monday, July 8th by 3pm with the Town Board to consider bids at their regular monthly meeting on July 9th.

Councilmember Newton seconded that motion.

Roll Call Vote:

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

Assessor's Clerk Appointment:

Supervisor Teal stated that our Assessor, Kim Cammer, has requested that we appoint Michelle Bienes as Assessor's Clerk for up to 5 hours per week. Councilmember Smith asked where that puts her for hours. Supervisor Teal stated somewhere between 20 and 25. She stated that it won't be a full 5 hours a week. Councilmember Newton stated that she is at 20 hours per week now.

Supervisor Teal made a motion to appoint Michelle Bienes as Assessor's Clerk at \$13 per hour for up to 5 hours per week. Councilmember Newton seconded that motion.

Roll Call Vote:

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

PPENY Grant Application for Residence – Letter of Support:

Supervisor Teal read parts of the resolution. She stated that it is an estimated \$100,000 in work and \$75,000 is funded through the grant. The grant would be for all repairs necessary to make the building structurally sound.

Councilmember Baumli asked where the project is at with the architect that was approved with the last grant. Deb Gordon of PPENY stated that she is meeting with the architect tomorrow at the site. She stated that he is starting his work tomorrow and what they are asking him to do is to do a structural analysis of the building and then design all necessary repairs that need to be made to the building to make it structurally sound. Councilmember Baumli stated that it is not known right now if the building can be saved. Deb Gordon stated that any building can be saved. Councilmember Baumli stated at what cost, will she really invest \$500,000 for a building that is only worth \$100,000. Deb Gordon stated that she is assuming she will need to invest more into the building than they will get out of it. Councilmember Baumli stated that his concern is that they just keep kicking the can down the road with this building. He stated that we have a building on the main thoroughfare, which this board has put a lot of effort in to clean up, with a blue tarp on it and the building looks no better than it did when he started on the board. His concern is that he owes the taxpayers and residents of this town to make sure that building is moving forward and nothing is being done with that building. It is an eyesore, she doesn't know if it is structurally sound, and there is no end in sight. We need an end in sight.

Supervisor Teal asked if Councilmember Baumli thinks we should just demolish it. Councilmember Baumli stated that if PPENY can't give him an end date or do what needs to be done without grants, just like people do in this town, he believes the Tilden building and the Lenny's building were refurbished without grants. His family has rebuilt buildings in this town without grants. Supervisor Teal stated that PPENY is very clearly a not for profit organization that takes high profile historic properties that are in such deterioration that the private sector will not go in because the amount of money needed to restore or save that structure exceeds what they are going to get. She stated that the choices on these types of properties that PPENY is going to go after are demolish it and lose that historic site or allow them to do their job through grants. That is how they function. If we don't want those historic properties saved, then we should lay that out now, but if we are going to allow them to work we have to understand how they function and what their goal is. They specifically take on high profile, blight properties that the private sector can no longer address because the cost

to restore them far exceeds anything they are going to get back.

Councilmember Baumli stated that it hasn't been explained to him either yet. He asked what makes this building so historical value wise, compared to other old buildings that aren't in as bad condition. He stated that when people drive through this town they don't think that is a historical building, they think it is blight in this town and it doesn't look good. He stated that it has been going on for too long and he would like at least the outside of the building cleaned up so it is no longer a blight in this town. He stated that he doesn't think he can support going forward on this building until he knows where we are at with it and what it is going to take to get there. Supervisor Teal stated that she doesn't think PPENY knows that until they do this and she thinks we need to make a determination as a board. This is a very different animal than your normal ongoing structures. With a historic property the Town Board has excessive authority. The Town Board has the ability if there is a historic property to actually use eminent domain to preserve it, we can go in and take it. The state recognizes the importance of historic. We need to decide, do we, as a community. She thinks we do and these are properties that we don't want to lose. We lost the union free school and that broke a lot of hearts. She doesn't think we want to continue to lose them but if the private sector is not going to come in and we have a not for profit that is willing to do this, she thinks that we are very lucky but we need to understand how they function. They don't come in with the money to do this. This is all through a grant process. There is no ability to come in and slap a roof on it and give a timeline.

Councilmember Baumli stated that he is very disappointed that he has sat on the board for almost 4 years and in the audience before that, discussing this building that continues to look the exact same, if not worse than it did when he sat there, with no end in sight. If PPENY could give him an end in sight, a plan in reference to where we are at with the building. He sees nothing being done with this structure and therefore, to him, it is blight in this town. Supervisor Teal stated that this grant application may not even go through because the timeframe that we are given with this is very narrow and the engineer may not have all of the work done necessary to go into this. Deb Gordon stated that if she had the money to go in and put a new roof on it, she would do it in a minute, but she doesn't so she is forced to use what resources are available out there to try and bring in grants. She objects to the idea that the building looks no better than it did. If you remember what it looked like when PPENY bought it. Councilmember Baumli stated that they tore a couple of porches off of it and they mowed the lawn. Deb Gordon stated that they took the sumac off the roof, they took down all the stuff that was growing around it, they mow it, and they took the porches off.

Councilmember Rasmussen stated that he agrees with some of the stuff Councilmember Baumli has said, but he thinks that knowing that the condition of the building requires an engineer and that requires money so what Deb is doing now is a necessary first step to find out. Before you can make any other type of decision or even apply for a larger grant to fix it, you still have to have the engineer's report. He stated that Councilmember Baumli made a good point that if someone is driving by they don't know that it is a historic building waiting to be renovated. He asked Deb Gordon if it was possible to put a fairly large sign out front that says that the house is in the process of historical preservation so that someone driving

by knows that it is not just an abandoned house, it's actually something that PPENY is working on. Deb Gordon stated yes, a sign is possible. She stated that there used to be a sign on the front of it, but it disappeared.

Supervisor Teal asked if this is a one year grant process. Deb Gordon stated that the application is due in July and by the end of the calendar year, the state will make it's decision. Supervisor Teal asked once PPENY is awarded that grant, how long they would have to complete the work. Deb Gordon stated that she believes it is a 2 year cycle, if you are awarded the grant then you have 2 years to complete the work of the grant. Supervisor Teal stated that if the grant goes through, within 2 years the roof and any other structural repairs would be done. Councilmember Baumli stated so you are telling me that in 2 years, hopefully if this grant goes through, that they will put a new roof on that building and possibly do something with the siding on it. Supervisor Teal stated that all of that would be used to make it structurally sound. Deb Gordon stated that you are not going to see cosmetic work, but you would need to get it closed in, including repairing the roof. She stated that the person who repaired the Fisher Store put together a proposal and his bid was around \$25,000 to get the building structurally sound but she is sure that if an engineer designs it, it is not going to be \$25,000 but it is not a million dollars either.

Councilmember Baumli asked if PPENY knows how long it will be before the engineers report is done. Deb Gordon stated that his work needs to be completed before the end of 2019. The grant she is going for now needs an estimate from the engineer so he will be supplying her with that information within the next 6 weeks. Councilmember Baumli stated that he will keep kicking the can and support the grant application tonight, but he wants something from the engineer saying what is needed and he wants a sign up stating that this is a historic building in the process of being renovated. He would also like regular updates to the Town Board through Supervisor Teal from PPENY with where they are at with the process. Supervisor Teal stated that she will get together with Deb Gordon on a monthly basis and she will update the Town Board on how we are doing.

Councilmember Smith stated that he agrees with what both Councilmember Baumli and Councilmember Rasmussen had to say. If PPENY had the engineering done in time for this grant and we knew that the building was salvageable, that would be a different story, but without knowing that he cannot support this grant application. Councilmember Newton stated that he would vote yes to support this grant resolution but he also has reservations. He stated that we supported a grant previously that was for an engineer to look at it and that hasn't happened yet. Supervisor Teal stated that she looks at it differently in that she is very appreciative that we are not destroying our historic properties and that we are making an effort to save them and these houses are a challenge. She stated that supervisor's in other towns are anxious to get her into their communities so she is grateful to have her doing work here in New Lebanon.

TOWN OF NEW LEBANON

RESOLUTION # 23, 2019

PPENY – NY MAIN STREET GRANT APPLICATION – 530 US-20

JUNE 11, 2019

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 11th day of June 2019, the following Resolution was proposed and seconded:

Resolution by Supervisor Teal
Seconded by Councilmember Rasmussen

**Phoenix Project of Eastern New York – NY Main Street Grant Application:
Residence at 530 US-20**

WHEREAS, the Phoenix Project of Eastern New York (PPENY) desire to apply for approximately \$75,000 in financial assistance through the 2019 Consolidated Funding Application (CFA) under the NY Main Street Program; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings on Main Street between First Street and Second Street; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of New Lebanon approves and endorses the 2019 NY Main Street Program application for assistance prepared and to be submitted by the Phoenix Project of Eastern New York (PPENY).

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.	Nay
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.

Ethics Law Amendment:

Supervisor Teal stated that we have an introductory local law that would amend our current ethics law. It is a minor change in terminology which would provide a significant change in how the ethics law reads. Right now we are a lot more stringent than the state. This will bring our ethics law in line with the state’s ethics law. The problem is that we are going out to bid multiple times without receiving any bidders and this specific terminology and

restriction in our ethics law prohibits any town employee or member of any board from bidding on any project for the town. The state law says that as long as that bidder has no control over that project, they can bid on it. No one on the Town Board can bid because we are responsible for paying vouchers for projects. Currently the state law would not prevent a member of the Recreation Commission from bidding on a project that did not have anything to do with the Recreation Commission but our town law does prohibit it. We are considering modifying the town ethics law to make it match the state law.

Ethics Board Chair Jeannine Tonetti stated that she feels it should be public knowledge about why we are doing this and was there a specific individual involved, just to put it out in the open. She feels the board should state exactly what happened and the names of people involved. Supervisor Teal stated that one of the people who had previously bid on projects is Bill Banker who now is precluded because he now sits on the Planning Board but she wouldn't say that he is the only one. Councilmember Newton stated that the Town Board specifically addressed this with him at his interview that he would not be able to bid on town projects anymore if he were appointed to the Planning Board. He stated that two of the Planning Board applicants were contractors who could bid on town projects that would no longer be able to bid if they were chosen. Town Clerk Houghtling stated that in the past it has also been an issue with Tony Murad bidding on town projects since he sits on the Zoning Board of Appeals. Councilmember Smith stated that Pete McCagg also worked for the town highway department on a temporary basis and couldn't bid on town projects. Councilmember Newton stated that the way our current ethics law is worded also prevents the Town Board from awarding any contracts when read literally. Supervisor Teal stated that this also came out of us combing through the entire code and finding where issues are in our code.

Supervisor Teal made a motion to introduce introductory Local Law #5 of 2019. Councilmember Smith seconded that motion.

Roll Call Vote:

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

Supervisor Teal made a motion to set a public hearing for introductory Local Law #5 of 2019 on Tuesday, July 9, 2019 at 6:55pm. Councilmember Baumli seconded that motion.

Roll Call Vote:

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

Retirement Resolution:

**TOWN OF NEW LEBANON
RESOLUTION #24, 2019
STANDARD WORK DAY AND REPORTING RESOLUTION FOR 2019
JUNE 11, 2019**

At the regular monthly meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 Route 22, New Lebanon, New York, duly called and held on the 11th day of June 2019, the following Resolution was put forth for enactment:

Proposed by Supervisor Teal

Seconded by Councilmember Baumli

Standard Work Day and Reporting Resolution for 2019

BE IT RESOLVED, that the New Lebanon Town Board hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Not Submitted
Elected Officials						
Highway Superintendent	Jeffrey Winestock	6	1/1/2018 – 12/31/2019	No	28.11	
Town Supervisor	Colleen Teal	6	1/1/2018 – 12/31/2019	No	37.36	
Town Clerk	Tistrya Houghtling	6	1/1/2018 – 12/31/2019	No	27.54	
Town Justice	Jessica Byrne	6	1/1/2018 – 12/31/2021	No	3.18	
Tax Collector	Tamara Darcy	6	1/1/2018 – 12/31/2019	No	3.46	
Appointed Officials						
CEO/ZEO/Building Dept Administrator	Hazel Hernandez	6	1/1/2018-12/31/2018	No	39.04	
Animal Control Officer & Town Constable	Willard Powell	6	1/1/2018-12/31/2018	No	2.78	

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Not Submitted
Appointed Officials						
Assessor	Kimberly Cammer	6	10/1/2012-9/30/2019	No	9.89	
SYP Program Director	Michelle Bienes	6	1/1/2018-12/31/2018	No	8.0	

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.

Historic Preservation: Bigelow-Finch-Fowler House @ 1459 US 20:

Supervisor Teal stated that we received a letter from NYS Parks, Recreation and Historic Preservation about the property at 1459 U.S. Route 20 in New Lebanon that is being considered by the NYS Board for Historic Preservation for nomination to the National and State Registers of Historic Places. She stated that the Town Board does not have to take any action unless they want to oppose the property being considered. The Town Board had no opposition and therefore took no action.

COMMITTEE/LIAISON REPORTS:

Assessor (Councilmember Rasmussen):

Councilmember Rasmussen stated that the reassessment was a success! We only had 10 Grievances filed and 6 of them were lowered by the Board of Assessment review. The assessor also made 7 stipulations with others. She does expect one small claims case.

The State changed the star process again for those wishing to switch from the star exemption on their tax bill to a credit check does not have to go through the assessor. Instead they will simply register online and check the box to remove star at the Town level. The State will notify the Town assessor.

Building Department (Councilmember Baumli):

Supervisor Teal stated that town clean up day was the largest yet. She stated that there are some changes happening with what garbage will be accepted next year and we will advertise in advance of next year's town clean up day as to what can and cannot be brought. She stated that there were 4 tractor tires collected this year that Councilmember Smith had to drive to Hudson to pick back up or it would have cost the town almost \$1,000 to get rid of them.

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

Bruce Shenker stated that they had a clean up on the rail trail property on Lover's Lane and it was a huge success. He stated that they have released a natural resources inventory on a County level and many towns have accepted and approved the County natural resources inventory. It is a non-binding resolution. He would like the New Lebanon Town Board to consider endorsing the County natural resource inventory. Councilmember Newton stated that Bruce Shenker should send the resolution to the Town Board to consider for the July meeting.

Peg Munves stated that the CAC is following through with some action items from the NRCP. They are identifying potential critical environmental areas. They are looking at aquifers. They are participating in reviewing the action plan from the 2005 Comprehensive Plan revision because there are a lot of conservation and environmental actions in there and they are going through and updating for when the Comprehensive Plan gets updated. They are also doing an inventory for scenic roads and scenic viewsheds so people can identify them and see exactly where they are with coordinates.

Supervisor Teal stated that the pond that there were concerns about on the old Ceramtech property is actually on the Waste Quip property. It was their cooling pond and it has been filled in. There are some reports from DEC on that water body. Steve Winkley has all the files and information to incorporate into the Source Water Protection Plan that he is working on.

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

Councilmember Smith stated that everything seems to be fine. The reporting is right on. Supervisor Teal stated that she believes it is July that they need to provide everything for budget. Councilmember Smith stated that he and Councilmember Baumli will reach out to them and get together to discuss the budget stuff. Councilmember Smith stated that he sees a lot of alarm activations on the reports and he believes if there are so many on one property the owner has to pay for them. He will ask Ed Godfroy about that.

Highway (Superintendent Winestock & Councilmembers Smith & Newton):

Highway Superintendent Winestock stated that he would like the Town Board to consider providing health insurance after retirement for employees that have worked for the Town for a certain number of years. He knows the school and other Towns provide this. Supervisor Teal suggested that he get together with his board liaisons and start a discussion about it

and put something together for the board to consider. Councilmember Smith asked if Highway Superintendent Winestock could put something together with what other towns are providing. Town Clerk Houghtling stated that she has information on some other towns in the County that do provide health insurance after retirement. She will share this information with Superintendent Winestock, Councilmember Smith and Councilmember Baumli.

Historian & LVHS: (Councilmembers Baumli & Rasmussen):

No report.

Justice Court/Constable (Councilmember Newton):

No report.

Parks & Recreation (Councilmembers Smith & Newton):

Councilmember Smith stated that the new fruit trees donated have been planted and the bench is up. The donor wants the bench cemented in which would be an add on cost to the donor. He will work with Donnie and Herb to see if it can be done and if so, how much it will cost.

Councilmember Newton stated that he came up with a cost for the base for the cupola and it is over the \$500 threshold for the lumber to build it so he is coming for board approval to purchase the lumber. He stated the total is \$625.

Councilmember Smith made a motion to authorize the purchase of lumber for the cupola base not to exceed \$750. Supervisor Teal seconded that motion.

Roll Call Vote:

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

Councilmember Smith stated that there are a lot of stumps that need grinding in the park from trees that have come down. He will get estimates for stump grinding.

Seniors (Councilmember Baumli & Judy Zimmer):

No report.

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

No report.

ANNOUNCEMENTS:

JUNE:

Tuesday, June 25th ~ Special Town Board Meeting @ Town Hall @ 5:15 pm

JULY:

Tuesday, July 9th ~ Public Hearing on Proposed LL #5 of 2019 @ Town Hall @ 6:55 pm

Tuesday, July 9th ~ Town Board Meeting @ Town Hall @ 7:00 pm

BUDGET AMENDMENT:

Budget Amendment #5 of 2019:

General Fund:

\$3,250 from A-1990.4 (Contingency)
\$4,000 from A-873 (Capital Reserve: Shatford Park – Basketball Court)
\$1,000 from A-1110.4 (Justices: Contractual Expenses)
\$250 to A-7310.41 (Youth Programs: Contractual Expenses – Senior Class Project)
\$1,000 to A-8020.4 (Planning: Contractual Expenses)
\$2,000 to A-8664.4 (Code/Zone Enforcement: Contractual Expenses)
\$4,000 to A-7140.4 (Playgrounds & Recreation Centers: Contractual Expenses)
\$1,000 to A-1110.13 (Justices: Personal Services – Clerk)

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

Roll Call Vote:

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

AUDIT OF BILLS:

**General No. 172 through 173 in the amount of \$4,091.68;
As listed on Abstract No. 5A, dated June 11, 2019; and**

**General Nos. 174 through 212, in the amount of \$59,915.92;
Highway Nos. 60 through 71, in the amount of \$45,743.91; and
Escrow No. E-8, in the amount of \$1,700.00;
As listed on Abstract No. 6 dated June 11, 2019.**

A motion was made by Councilmember Newton and seconded by Councilmember Baumli 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:

Chris Verge stated that this is the first year he is sponsoring and coaching at the little league field. He painted the minors dugout and he has a striping machine. He has a whole bunch of stuff and he doesn't mind doing the work but there are a couple of things that he would like to address. When he was in little league there were 10 or 15 teams and now there are 3 in minors. That is a problem for him and he thinks if we did something, and he has some ideas, it would attract more people. He would like to be able to host a tournament here. He would like to install batting cages and lights around the fields. Supervisor Teal stated that historically little league purchases their own things like that. Chris stated that he has someone willing to donate 4 batting cages of variable speeds, softball and baseball. He stated that they could use netting instead of fencing for the batting cages and he would take care of getting electrical lines run to them. Councilmember Smith stated that he would first like to meet with our park maintenance guys to see exactly where the batting cages would go and how it would fit in the park. Supervisor Teal stated that we would also need to check with our insurance. Town Clerk Houghtling stated that she will ask the town insurance if they are okay with batting cages. Councilmember Smith suggested that Chris meet with the little league board first and find out if it is something that they want to do and then he can meet with Councilmember Smith and Newton as well as the park maintenance staff and the building department for any permits needed to run electrical and such.

Chris Verge stated that he also wants to build another set of bleachers. Councilmember Smith stated that the town is still waiting to place the other bleachers. The little league needs to show the town where they want the bleachers placed. Chris stated that he will work with the town and little league on bleacher placement. Once the little league lines out with marker paint where to place them, the town will take care of placing them. Chris asked who he would ask about upgrading the scoreboards. Supervisor Teal stated that he would need to talk to the little league about the scoreboard.

ADJOURNMENT:

A motion was made by Councilmember Smith and seconded by Supervisor Teal to adjourn the meeting at 9:21 pm.

Respectfully submitted,

Tistrya Houghtling
New Lebanon Town Clerk