

**MINUTES OF THE SPECIAL MEETING OF  
THE TOWN BOARD OF THE TOWN OF NEW LEBANON  
HELD ON NOVEMBER 7, 2019**

**Present:** Margaret Robertson, Interim Supervisor  
Kevin Smith Sr., Councilmember  
Jesse Newton, Councilmember  
Mark Baumli, Councilmember  
Norman Rasmussen, Councilmember

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

**Others Present:** Jeff Winestock, Highway Superintendent  
Jessica Byrne, Town Justice  
Jack Nevers, Town Justice  
Steve Powers, CAC Member  
Cynthia Creech, CAC Member & ZRC Member  
Eugenia Browning, LVPA  
Judy Zimmer, NL Rep to CC OFA & Cleaner  
Several Members of the Public

**CALL TO ORDER:**

The special meeting was called to order at 6:59 p.m. by Interim Supervisor Robertson.

**WATER SHUT OFF IN SHATFORD PARK:**

Interim Supervisor Robertson stated that the issue is we have to get the water shut off in the park and it needs to be done before tomorrow night because it's going to be about 17 degrees. Councilmember Smith stated that has been resolved very recently. He stated that we ran into problems with the Department of Labor and the town has to pay prevailing wages on anything that is done so that forces up the cost. They have gone back to our vendors and audited our vendors. One particular one would be Hatch Mechanical, maximum they can go back is 2 years, so that leaves us with a balance of \$3,203.46 which is the difference between the prevailing wage and what Randy was paying his employees. Unfortunately with the prevailing wage thing, Hatch Mechanical will no longer do any work for the town. For the furnace we will have to find somebody from Pittsfield or Albany and hopefully they can get here as quickly as Hatch would get here. It is going to add a lot of chaos, but we will get through it. Tomorrow we are going to have Randy come up and consult and Councilmember Newton will do the shutting off of the water and Hatch will point and talk us through what to do. For consulting we do not have to pay prevailing wage.

Councilmember Smith made a motion authorizing Interim Supervisor Robertson to issue a check on an interim voucher in the amount of \$3,203.46 to Ward Hatch Mechanical. Councilmember Newton seconded that motion.

**Roll Call Vote:**

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye

Interim Supervisor Robertson -	Aye
Councilmember Newton -	Aye
Councilmember Baumli -	Aye

**2019 LVPA CONTRACT AMENDMENT:**

Councilmember Baumli stated that the LVPA would like the Town to consider an amendment to the 2019 contract on page 2, section 3. a. to allow the LVPA to apply leftover operating budget from 2019 to be applied to the truck and equipment capital reserve accounts with the split between the two accounts to be determined by the LVPA. Town Clerk Houghtling volunteered to prepare that amendment for the November 12 monthly meeting.

**2020 LVPA CONTRACT:**

The following changes were agreed to for the 2020 LVPA Contract, with the rest of the contract staying the same as the 2019 LVPA Contract:

- Page 2, section 3.a. - change to read that leftover operating expenses from 2020 operating budget will be split between the truck capital reserve account and the equipment capital reserve account with the split of the total amount to be determined by the LVPA as long as total amount left from 2020 operating budget goes only into truck and equipment capital reserve accounts
- Page 3, section ii – remove completely
- Page 9, section 14. a. – change from July 15<sup>th</sup> to October 15<sup>th</sup>
- Page 9, section 14. a. – change from July 15<sup>th</sup> to October 15<sup>th</sup>
- Page 10, section 14. b. v. – change from 2018 to “previous year”
- Page 10, section 14 b. ix. – add “when updated” to section 1. and remove section 2.
- Page 10, number 9, number 2 – ISO rating – removed
- Page 12, section 20 – change “on a monthly basis” to “as needed to be determined by the Town Board”

**EXECUTIVE SESSION:**

Councilmember Smith made a motion to enter an executive session at 7:23 pm to discuss matters leading to the potential dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension of a particular person. Councilmember Newton seconded that motion.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye
Interim Supervisor Robertson -	Aye
Councilmember Newton -	Aye
Councilmember Baumli -	Aye

Councilmember Newton made a motion to exit the executive session at 7:58pm. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye
Interim Supervisor Robertson -	Aye
Councilmember Newton -	Aye
Councilmember Baumli -	Aye

**ADJOURNMENT:**

Councilmember Newton made a motion to adjourn the special meeting at 7:58pm.  
Councilmember Rasmussen seconded that motion.

Respectfully submitted,

Tistrya Houghtling  
New Lebanon Town Clerk