

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON DECEMBER 10, 2019**

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

Recording Secretary: Marsha “Marcie” Robertson, Deputy Town Clerk

Others Present: Ed Godfroy, LVPA
Gregg Gilliland, LVPA
Matt Larabee, LVPA
Eugenia Browning, LVPA
Jeff Winestock, Highway Superintendent
Cynthia Creech, CAC Member & ZRC Member
Peg Munves, CAC Member
Robert Gilson, CAC Member
Robert Smith, Ethics Board & Planning Board Member
Bruce Shenker, NL Rep to CC Environmental Management
Hazel “Cissy” Hernandez, CEO/ZEO
Jeff Hattat, Deputy CEO/ZEO
Sargent Strobel & Captain Kolb, NYSP
Joyce Thompson, Safe at Home
Several members of the public

CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Interim Supervisor Robertson. Two moments of silence for Charlotte Martin and Barbara Felter were followed by the flag salute. Interim Supervisor Robertson pointed out the emergency exits.

MINUTES:

The minutes of the **November 12, 2019 Regular Monthly Meeting** were reviewed. A motion was made by Councilmember Newton, seconded by Councilmember Smith and approved unanimously to approve the minutes as typed.

The minutes of the **November 12, 2019 Public Hearing on 2020 CRS Contract** were reviewed. A motion was made by Councilmember Newton, seconded by Councilmember Smith and approved unanimously to approve the minutes as typed.

The minutes of the **November 7, 2019 Public Hearing on Town Budget for 2020** were reviewed. A motion was made by Councilmember Newton, seconded by Councilmember Baumli and approved unanimously to approve the minutes as typed.

The minutes of the **November 7, 2019 Public Hearing on LVPA Budget for 2020** were reviewed. A motion was made by Councilmember Baumli, seconded by Councilmember Newton and approved unanimously to approve the minutes as typed.

The minutes of the **November 15, 2019 Special Meeting** were reviewed. A motion was made by Councilmember Newton, seconded by Councilmember Baumli and approved unanimously to approve the minutes as typed.

The minutes of the **November 7, 2019 Special Meeting** were reviewed. A motion was made by Councilmember Newton, seconded by Councilmember Baumli and approved unanimously to approve the minutes as typed.

The minutes of the **November 22, 2019 Special Meeting** were reviewed. A motion was made by Councilmember Newton, seconded by Councilmember Baumli and approved unanimously to approve the minutes as typed.

FINANCIAL:

Supervisor's Report:

Interim Supervisor Robertson provided the public and TB members with a copy of the Supervisor's Report as of November 30, 2019. She read the following aloud:

Deposits:

Judge Byrne = \$9,308.00

Judge Nevers = \$2,670.00

Town Clerk = \$8,745.00

Mortgage Tax = \$21,715.95

Sales Tax = \$133,952.05

Refund = \$144.00

NYMIR Refund = \$31.47

Interest – Multifund = \$577.26

Interest – Operating = \$10.22

Interest – Payroll = \$6.48

Total Deposits = \$177,160.43

Disbursements:

Abstracts = (\$114,528.62)

Payrolls = (\$39,171.63)

Total Disbursements = (\$153,700.25)

Accounts at Bank of Greene County:

Operating Account = \$9,173.26

Multifund Account = \$1,697,083.02

Escrow Account = \$10,353.81

Trust & Agency Payroll Account = \$44,537.45

Petty Cash = \$950.00

Total Cash Balance = \$1,762,097.54

A motion was made by Councilmember Smith, seconded by Councilmember Newton and approved unanimously to accept the Supervisor's report as typed.

NYSP/LVPA PROPOSAL:

Ed Godfroy of the LVPA stated that some time ago we got the announcement that the NYSP were leaving New Lebanon and moving to Chatham. Everybody was concerned when they thought the NYSP was leaving New Lebanon and we would be without police protection. Not too long ago Sargent Strobel approached Ed Godfroy with the idea of having the NYSP run a satellite office out of the LVPA building. The LVPA and NYSP have come to an agreement to put a satellite station in the New Lebanon Firehouse for the NYSP to supply them with an office space, phone, computer, place to park their car, etc. to allow them to still be in the Town of New Lebanon.

Captain Kolb stated that this was Sargent Strobel's idea. He stated that once the new barracks is built in Chatham, they will move down there which raised a big problem of what to do about New Lebanon. Sargent Strobel had the idea to approach the LVPA and suggested the idea to Ed Godfroy. The three of them looked at the firehouse and figured out an area where the NYSP could put a satellite office in. He stated that his vision moving forward for this is that once Chatham becomes the parent station and New Lebanon closes, they now have the satellite in New Lebanon and the Sargent would cover two towns, which is not uncommon. He stated that he is very excited about this collaboration. This gives the NYSP the opportunity to maintain a presence here. The LVPA will allow them to park a police car out front as a good visual deterrent.

Ed Godfroy of the LVPA stated that it is a win win for all of us and the LVPA is happy to do it. They will be in this station or the new station when that gets built, but for now they have promised them a spot in this station and the renovations are not extensive so they can be done quickly. The LVPA will keep the building department involved for any permits that may be needed.

SAFE AT HOME:

Joyce Thompson from Safe and Home did a presentation. She talked about taking a survey of our residents, especially our seniors, to see what is needed in our community. She discussed other towns that offer things like a senior coffee day at local businesses and getting our local businesses involved. She suggested tapping into local residents who currently work in the home health aid industry to do local work with our seniors who need help through the safe at home program and our local community. She is willing to work with the town to develop a safe at home program and collaboration with New Lebanon.

PRIVILEGE OF THE FLOOR:

J.J. Smith stated that she wants to thank our outgoing board members. She stated that

we have had the most wonderful board we have had in decades. She stated that we had more transparency, productivity and fun. She stated that it's been really, really great to watch you guys work and she is going to miss them a lot. She thanked Interim Supervisor Robertson for filling in when she was needed and she appreciates that. She thanked Highway Superintendent Winestock for the job he did last week in that storm.

NEW BUSINESS:

Authorize Town Supervisor to execute the LVPA contract:

Councilmember Smith made a motion authorizing Interim Supervisor Robertson to execute the 2020 LVPA contract. Councilmember Newton seconded that motion.

Roll Call Vote:

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

Building Department requesting a fee schedule modification:

Interim Supervisor Robertson stated that our CEO/ZEO and Deputy CEO/ZEO went over our fee schedule and compared it with other towns and found that our fees are low compared to other towns. Hazel "Cissy" Hernandez, CEO/ZEO stated that Greenport charges \$8 per \$1,000 with a minimum of \$25, Austerlitz charges \$6 per \$1,000 with a minimum of \$35 and Hillsdale charges \$4 per \$1,000, which is closer to what she is recommending for New Lebanon.

Councilmember Smith asked Councilmembers Rasmussen and Newton if they feel this is something that should wait for the new board since it is new business. Councilmembers Newton and Rasmussen stated that they felt it could be dealt with now with the current board.

Councilmember Baumli asked if this is for residential construction, commercial construction or both. CEO/ZEO Hernandez stated that some towns do a separate fee for residential and commercial. New Lebanon has never made that differentiation so she did not include that in her recommendation. We are currently at \$2 per \$1,000 and she is requesting it be increased to \$4 per \$1,000.

Councilmember Smith made a motion to accept the fee modification proposed by the building department with the fee to increase to \$4 per \$1,000 from the current fee of \$2 per \$1,000 with an official resolution being prepared for the Town Board to adopt at the year end meeting on 12/30/2019. Councilmember Newton seconded that motion.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye

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

Insurance crime bond:

Interim Supervisor Robertson stated that the insurance crime bond that we had discussed at a special meeting and realized that we had to come up with as part of our town insurance as a way to cover any mishaps that occur in the building whether it's financial or computer fraud, etc. and our insurance expert who will now be our Town Clerk in January looked everything over and she solidified the differences between the two offers we have.

Deputy Town Clerk Robertson stated that currently we do not have option #2 which is exposure for employees who may commit computer fraud, funds transfer fraud and identity fraud so if someone who works within the town commits one of these acts, it is currently not covered. Councilmember Smith stated that on the vouchers we have a non-town employee doing deposits and asked if we are covered for that and would this make it covered. Deputy Town Clerk Robertson stated that this is different as it is more internal. She stated that she believes that as far as the person doing the deposits, the Town Clerk can authorize someone else to run the deposit as long as it is somebody that they trust because ultimately the Town Clerk is responsible for their money regardless of what happens. Deputy Town Clerk Robertson stated that in speaking with our insurance broker she feels we do not need this extra coverage. Councilmember Smith stated that for \$150 we should just do it. Deputy Town Clerk stated it is \$195 and you don't want to pay for extra insurance that you don't necessarily have a need for. She felt very confident after her conversation with the insurance agent that if we don't purchase this extra insurance, we are not vulnerable in these areas.

Councilmember Smith made a motion to accept option #2 for crime bond insurance in the amount of \$1,149 for the 2020 year. Councilmember Rasmussen seconded that motion.

Roll Call Vote:

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

Schedule End-of-the-year-meeting:

An end of year meeting was scheduled for Monday, December 30, 2019 at 7pm to be held at the town hall.

Town Clerk furniture request:

Interim Supervisor Robertson stated that it was requested of the Town Board that they authorize the purchase of 2 replacement pieces of furniture to replace broken furniture for a total cost of \$869.98. Then we will do up a budget amendment that we can approved at the year end meeting. Councilmember Smith stated that this is 2 pieces of furniture that we

were paid for by the insurance company back at the break in as they were damaged. We fixed them as best we could and got more life out of them but now they are not usable or fixable anymore. Deputy Town Clerk Robertson stated that the maintenance staff fixed them multiple times and now the drawer is sitting on the floor as it is beyond repair and the lock doesn't work anymore on the other piece.

Councilmember Smith made a motion to approve the purchase of 2 replacement pieces of furniture for the Town Clerk's office in the total amount of \$869.98. Councilmember Newton seconded that motion.

Roll Call Vote:

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

Fridge and Dryer for the Highway Garage:

Councilmember Smith stated that Highway Superintendent Winestock needs a fridge and dryer for the highway garage. He priced them at home depot and he is waiting to hear from Hatch mechanical for a second price and chances are they will be cheaper through Hatch. He stated that home depot has a basic fridge on sale for \$597 which is \$311 off because the regular price is \$908. There is a dryer on sale for \$398 which is normally \$598. We are looking at \$597 for the fridge and \$398 for the dryer. The dryer is under the \$500. He is waiting for hatch to get back to him with a price on the fridge. He wants to make the board aware that we will be taking care of that when Hatch gets back to him.

NYS Retirement Voucher:

Interim Supervisor Robertson stated that the information that came in from NYS Retirement that every year we pay early to get a discount. It must be paid by 12/16 for the discounted rate.

Councilmember Baumli made a motion to authorize an interim voucher to NYS Retirement up to the amount of \$60,500 as budgeted in the 2019 budget, not to exceed \$44,000 from A-9010.8 and not to exceed \$16,500 from DA-9010.8. Councilmember Newton seconded that motion.

Roll Call Vote:

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

COMMITTEE/LIAISON REPORTS:

Assessor (Councilmember Rasmussen):

Councilmember Rasmussen stated that the Assessor has sent out the exemption renewals and if you are expecting one and haven't gotten it yet, you should contact her. She is almost done with the Ag audit that she started earlier this year. All the exemptions are due by 3/1/2020. She wants to remind everyone that her office is upstairs but she will happily come downstairs for anyone that would like her to, just go to the Town Clerk's office to request that she come downstairs.

Building Department (Councilmember Baumli):

Councilmember Baumli stated that back in the June meeting the Town Board discussed a grant that Deb Gordon was applying for for the building next to the Fisher Store. That grant, he believes, was going to be submitted in July and she was going to have a final answer by the end of the year as to whether that grant was provided. He stated that looking back at the minutes of the June meeting there were other things that the Town Board had asked for, one of which was a monthly update through the Town Supervisor as to what was going on with that structure. He has not gotten any updates on that structure. Another thing the Town Board asked for in June was that a sign be placed outside in front of that building saying that it was going to be a rehab project, not just a dilapidated building on the main miracle mile. He is extremely disappointed that we have not received anything on that and he would ask that the Town Board ask Deb Gordon to be at the year end meeting to provide an update on that structure, to which the board can take action at that point if they choose. Interim Supervisor Robertson stated that she will reach out to Deb Gordon and ask her to attend the year end meeting.

Councilmember Smith stated that it was June he believes that the first grant that the board supported for Deb Gordon was for the engineer's report to see if the building was even rehabable. He stated that nothing happened at that and she came back at that meeting and wanted the board to support a grant to rebuild it and we hadn't even received the engineer's report which is why he voted no on that. He stated that he would like to see, because he has heard through rumors that she does have the engineer's report, is a copy of the engineer's report on whether that building is rehabable or not. Councilmember Baumli stated that according to June minutes she was having an architect at that site the next day after the June meeting. He would hope that the architect between June and now has gotten some information available on that building.

Councilmember Smith asked that CEO/ZEO Hernandez or Deputy CEO/ZEO Hattat reach out to Deb Gordon to see if she does have an engineer's report.

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

No report.

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

Ed Godfroy of the LVPA stated that they need to make an appointment with the Town Clerk

for January 6, 2020 at 7:30pm to swear in the new officers. Deputy Town Clerk Robertson stated that she already has it on her calendar. Ed Godfroy stated that he is the president and treasurer, Matt Larabee is the new chief, Josh Ramos is vice president, Bud Godfroy, Stephen Houghtling and Phyllis Hulbert are board of directors, and Eugenia Browning is secretary.

Highway (Superintendent Winestock & Councilmembers Smith & Newton):

Councilmember Smith stated that the one ton truck money has been figured out. It was sitting in surplus like he said it was. The truck has also been ordered for next year.

Historian & LVHS: (Councilmembers Baumli & Rasmussen):

Interim Supervisor Robertson stated that the LVHS had their annual meeting and potluck dinner last night. They added Glenn Fisher to their board of directors.

Justice Court/Constable (Councilmember Newton):

No report.

Parks & Recreation (Councilmembers Smith & Newton):

Councilmember Smith stated that it has been a pleasure over the last 4 years they have updated the park, the sidewalks around the pavilion, the new bathrooms a little bit delayed they will be done in January, the maintenance shed is new, all the equipment is updated, new basketball courts and tennis courts and he hopes the new board will properly maintain them and fill any small cracks as they come up, the tree program was awesome, the orchard was awesome, and he is very proud of what they accomplished in the park.

Seniors (Councilmember Baumli & Judy Zimmer):

Councilmember Baumli stated that he went to a public hearing with the Office for the Aging and they have two vans and he talked to them about possibly having a van come to New Lebanon and pick up some seniors and bring them to the grocery store and he felt they could possibly work with that. Like most things it might start out slowly and as word of mouth spreads, we could get more seniors utilizing it. He hopes the future board will work on this.

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

Councilmember Smith stated that the new board has to keep in mind that now that the prevailing wage we have no local contractors left. Don't call Hatch mechanical. He is not sure if Billy Banker is going to continue to do work with the town. The State really screwed us over with that complaint with the prevailing wage. The incoming board is going to have to find someone to do work for the town.

ANNOUNCEMENTS:

DECEMBER:

Monday, December 30th ~ Year End Meeting @ Town Hall @ 7:00 pm

***Wednesday, January 1st ~ Swearing in of new Town Government officials @
Town Hall @ 10:00 am***

BUDGET AMENDMENT:

Budget Amendment #10 of 2019:

General Fund:

\$2,628 from A-1990.4 (Contingency)
\$400 to A-1010.4 (Town Board – Contractual Expense)
\$112 to A-1110.4 (Justice Court – Contractual Expense)
\$1,931 to A-1420.4 (Attorney – Contractual Expense)
\$101 to A-1670.41 (Central Printing – Newsletter)
\$84 to A-1650.4 (Central Communications – Contractual Expense)

Highway Fund:

\$23,619 from DA-3409
\$26,350 from DA-878 (Transfer from Capital)
\$35,570 from DA-9950.9 (Transfer to Capital)
\$10,118 to DA-5130.4 (Machinery – Contractual Expense)
\$5,224 to DA-5142.4 (Snow Removal – Contractual Expense)
\$70,197 to DA-5130.2 (Machinery - Equipment)

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

AMEND ABSTRACT #11 OF 2019:

Interim Supervisor Robertson stated that we need to amend highway abstract #11 from 2019 because Colarusso got overpaid so they sent us a refund check. We needed to edit voucher #119 to \$673.74 so the abstract amount is going to be amended to \$47,904.16.

Councilmember Smith made a motion to amend abstract #11 of 2019 from \$48,482.67 to \$47,904.16 as was approved at the Town Board meeting on 11/12/19 to adjust for voucher #119 being amended from \$1,252.25 to \$673.74 due to an over-payment. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye

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

AUDIT OF BILLS:

**General No. 410, in the amount of \$33,360.00;
As listed on Abstract No. 11A, dated December 10, 2019.**

A motion was made by Councilmember Newton and seconded by Councilmember Baumli to pay the above noted claim from its respective account.

Roll Call Vote:

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

**General Nos. 411 through 450, in the amount of \$64,666.07; and
Highway Nos. 133 through 143, in the amount of \$24,960.00; and
Escrow Nos. 11 through 12, in the amount of \$1,335.96;
As listed on Abstract No. 12, dated December 10, 2019.**

A motion was made by Councilmember Smith and seconded by Councilmember Newton to pay the above noted claims from their respective accounts.

Roll Call Vote:

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

PRIVILEGE OF THE FLOOR:

Robert Gilson stated that he thinks this board has done an outstanding job and thanked the outgoing board members for their service to the Town.

ADJOURNMENT:

A motion was made by Councilmember Newton and seconded by Councilmember Baumli to adjourn the meeting at 8:45 pm.

Respectfully submitted,

Tistrya Houghtling
New Lebanon Town Clerk