

**MINUTES OF THE ANNUAL ORGANIZATIONAL MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON JANUARY 04, 2010**

Present: Margaret Robertson, Supervisor
Bruce Baldwin, Councilmember
Karl B. Chittenden, Councilmember
Allen Livermore, Councilmember
Doug Clark, Councilmember

Recording Secretary: Colleen Teal, Town Clerk

Others Present: Darcy Poppey, Town Justice
Jessica Byrne, Town Justice
Diane Reynolds-Brown, Deputy Court Clerk
Trina Porte, Planning Board Member
Monte Wasch
Leonard (Rocky) Brown
J. Lawrence Benson
Robert Mittnacht
Kevin Smith
Joanne Johnson-Smith
John Archambeault
Ed Ferguson
Gail Heinsohn, Reporter for *The Columbia Paper*
Several members of the public

CALL TO ORDER:

The meeting was called to order at 7:15 p.m. by Supervisor Robertson and the flag salute followed a moment of silence.

EXECUTIVE SESSION:

A motion was made by Councilmember Baldwin, seconded by Councilmember Livermore and passed unanimously to enter an executive session at 7:20 p.m. to discuss a particular personnel matter.

A motion was made by Councilmember Chittenden, seconded by Councilmember Baldwin and passed unanimously to close the executive session and re-open the public meeting at 7:50 p.m.

TOWN ATTORNEY:

A motion was made by Councilmember Baldwin and seconded by Councilmember Clark to remove Rapport, Meyers, Whitbeck, Shaw & Rodenhausen as Attorney for the Town and open interviews for attorneys as soon as possible.

There was a general discussion regarding whether or not Rapport, Meyers would be considered among applicants, the detrimental impact to the town of being without an attorney, and the option of looking at other law firms just to handle the landfill.

The motion was voted down with Councilmembers Baldwin and Clark voting aye, and Councilmembers Chittenden and Livermore and Supervisor Robertson voting nay.

A motion was made by Councilmember Chittenden and seconded by Councilmember Livermore to retain Rapport, Meyers, Whitbeck, Shaw & Rodenhausen as Attorneys for the Town for 2010. The motion was approved with Councilmembers Livermore and Chittenden and Supervisor Robertson voting aye and Councilmembers Clark and Baldwin voting nay.

ZONING ENFORCEMENT OFFICER:

A motion was made by Councilmember Baldwin, seconded by Councilmember Chittenden and passed unanimously to re-appoint Stanley Koloski as Zoning Enforcement Officer.

PARK MAINTENANCE SUPERINTENDENT:

A motion was made by Councilmember Baldwin, seconded by Councilmember Livermore and passed unanimously to table the appointment of the Park Maintenance Superintendent and further, to interview the interested parties and then make the appointment at the February 8th meeting.

ZONING BOARD OF APPEALS:

A motion was made by Councilmember Baldwin, seconded by Councilmember Livermore and passed (Councilmember Chittenden voted Nay) to appoint Phyllis Stoller to Zoning Board of Appeals to fill the vacancy with term expiring 12/31/13.

COURT CLERK POSITION:

Supervisor Robertson explained to the court staff that Diane Brown would be appointed as temporary Court Clerk while the Town Board enacted a local law making this position exempt from civil service placement requirements. The board authorized the town attorney to draft the local law and noted that they will hold the public hearing for this law before the February meeting.

RESOLUTION #1, 2010 ~ APPOINTMENTS

The following resolution was proposed by Councilmember Bruce Baldwin and seconded by Councilmember Allen Livermore:

Annual Appointments of Town Officers

BE IT RESOLVED THAT the Town Board of the Town of New Lebanon makes the following appointments for a term of one (1) year to run from 1/1/10 to 12/31/10 unless noted otherwise:

Accountant for the Town:	M.J. Fitzgerald, Inc.
Attorney for the Town:	Rapport, Meyers, Whitbeck, Shaw, & Rodenhausen
Assessor's Clerk:	Anita Crosby
Building Inspector/CEO:	Kent Pratt
Building Inspector, Deputy:	Dean Herrick
Building Inspector's Clerk:	Hazel (Cissy) Hernandez
Zoning Enforcement Officer:	Stanley Koloski
Zoning Enforcement Clerk:	Hazel (Cissy) Hernandez

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Planning & Zoning Clerk:	Hazel (Cissy) Hernandez
Planning Board Member (7 year term):	Jerry Grant
Planning Board Chairman:	Ray Herrmann
Zoning Board of Appeals Member (7 yr):	Jeannine Tonetti
Zoning Board of Appeals Member (4 yr):	Phyllis Stoller
Zoning Board of Appeals Chairman:	John Dax
Animal Control Officer:	Willard (Wes) Powell
Dog Control Officer:	Willard (Wes) Powell
Constable:	Willard (Wes) Powell
Court Clerk:	Diane Brown (<i>temporary</i>)
Camp Director:	Michelle Bienes
Ethics Board Member (5 year term):	
3 year vacancy:	(Tabled)
1 year vacancy:	(Tabled)
Park Maintenance Superintendent:	(Tabled)
Registrar of Vital Statistics (2 yr):	Colleen Teal
Recreation Commission Members:	(Tabled)
6 vacancies: 7, 6, 5, 3, 2, 1 year terms	
New Lebanon Representative to the Columbia County Office for the Aging:	Kathy Murnane
Alt. NL Rep. to CC Office for the Aging:	Jean Stelling
Town Historian:	Kevin Fuerst

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

Roll Call Vote:

Supervisor Margaret Robertson	Aye
Councilmember Bruce Baldwin	Abstain
Councilmember Allen Livermore	Aye
Councilmember Doug Clark q	Aye
Councilmember Karl B. Chittenden	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.

APPOINTMENTS BY OTHER THAN TOWN BOARD:

Supervisor Margaret Robertson appointed Monroe S. Wasch as Deputy Town Supervisor for a term of 1 year.

Supervisor Margaret Robertson appointed Anita Crosby as Bookkeeper for a term of 1 year.

Town Clerk Colleen Teal appointed Darla Dobert as First Deputy Town Clerk for a term of 2 years.

Registrar Colleen Teal appointed Darla Dobert as Deputy Registrar for a term of 2 years.

HIGHWAY SUPERINTENDENT:

Councilmember Bruce Baldwin made a motion to increase the Highway Superintendent's salary to \$46,500 with the additional compensation being for plowing the American Legion parking lot; no second was made to the motion.

RESOLUTION #2, 2010 ~ SALARIES, WAGES, AND MILEAGE RATE:

The following resolution was proposed by Councilmember Allen Livermore and seconded by Councilmember Karl B. Chittenden:

Salaries and Wages for all Elected and Appointed Town Officers and Employees & Setting of Mileage Reimbursement Rate

BE IT RESOLVED THAT the Town Board of the Town of New Lebanon fixes the following annual salaries for elected officials for the year 2010 to be paid biweekly:

Town Supervisor	\$8,048
Councilmembers	\$2,369 each
Highway Superintendent	\$45,089
Town Clerk	\$32,544
Tax Collector	\$10,000
Town Justices	\$10,360 each

BE IT FURTHER RESOLVED THAT the Town Board of the Town of New Lebanon fixes the following annual salaries and hourly wages for appointed officials and employees for the year 2010 to be paid biweekly:

Assessor	\$22,500 annual salary
Assessor's Clerk	\$8,400 annual salary
Bookkeeper	\$6,080 annual salary (10 hrs/wk)
Building Inspector/CEO	\$24,040 annual salary (17.5 hrs/wk)
Zoning Enforcement Officer	\$22,950 annual salary (2 days/wk)
Building Inspector's Clerk	\$10,123 annual salary (15 hrs/wk)
ZEO Clerk	\$6,748 annual salary (10 hrs/wk)
Planning Clerk	\$6,748 annual salary (10 hrs/wk)
ZBA Clerk	\$3,375 annual salary (5 hrs/wk)
Building Maintenance	(Tabled)
Animal Control Officer	\$5,150 annual salary
Dog Control Officer	\$5,665 annual salary
Town Constable	\$4,275 annual salary
Court Clerk	\$24,000 annual salary (35 hrs/wk)
First Deputy Town Clerk	\$25,055 annual salary (40 hrs/wk)
NL Rep to CC Office for the Aging	\$1,236 annual salary

BE IT FURTHER RESOLVED THAT the Town Board of the Town of New Lebanon fixes the following annual salaries for appointed officials and employees for the year 2010 to be paid in one annual payment:

Budget Officer	\$732
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Town Historian \$750

BE IT FURTHER RESOLVED THAT the Town Board of the Town of New Lebanon fixes salaries and wages for the following appointed officials and employees for the year 2010 to be paid as stipulated:

Deputy Building Inspector	\$25/hour as needed; \$1,000 max. annual
Park Maintenance Superintendent	\$10.75/hr
Park Maintenance Staff	up to \$8/hr
Registrar of Vital Statistics	fees collected
Other Clerks	up to \$10.00 per hour

Highway Department Employees:

Laborer	\$11.00 to \$14.00 per hour
Equipment Operator	\$11.00 to \$14.00 per hour
Equipment Operator/Mechanic	\$13.00 to \$18.50 per hour

Summer Youth Program Staff:

Camp Director	\$4244/season*
Program Director	\$4,030/season*
Assistant Program Director	\$3,448/season*
Aquatics Director	\$2,400/season
Counselors	\$6.85/hr to \$8.60/hr based on number of certifications and years with the program (12 maximum t/b hired ~ \$23,283 total season)
Counselors-in-Training	\$5.85/hr (3 max. t/b hired ~ \$4,225 total season)
Water Safety Instructor Aide Only	\$7.25/hr (3 max. t/b hired @ 120 hrs ~ \$2,610 total season)
Lifeguard Only	\$8.00/hr (2 max. t/b hired @ 120 hrs ~ \$1,920 total season)
Bus Drivers	\$80 per field trip (4 max t/b scheduled) \$120/trip for 8 or + hr trip (1 max t/b scheduled)

**Salaries for directors are based on 2009 directors returning. New hires will be paid at 2007 rate. Additionally, rates for directors will be equated to hourly rate and time not worked will be docked for SYP staff paid seasonally.*

(2007 Rates:

Program Director	\$3,800/season
Assistant Program Director	\$3,250/season)

BE IT FURTHER RESOLVED THAT the Town Board of the Town of New Lebanon fixes the following contractual obligations for the appointed officials and employees noted for the year 2010 to be paid by monthly submission of vouchers:

Accountant for the Town	\$9,900 annually
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Attorney for the Town	\$17,000 annual retainer + litigation and bond counsel per letter dated 12/9/2008
Office Buildings Cleaners	\$75 per cleaning

BE IT FURTHER RESOLVED THAT the Town Board of the Town of New Lebanon sets the following mileage rate for reimbursement to town officials and employees for 2010 when applicable:

.50¢ per mile.

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

Roll Call Vote:

Supervisor Margaret Robertson	Aye
Councilmember Bruce Baldwin	Nay
Councilmember Allen Livermore	Aye
Councilmember Doug Clark	Aye
Councilmember Karl B. Chittenden	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 BOARD COMMITTEES:

Supervisor Margaret Robertson and made the following committee appointments:

- to **Economic and Business Development**, Councilmembers Chittenden & Clark;
- to **Highways, Buildings & Town Property**, Councilmembers Baldwin & Chittenden;
- to **Zoning, Planning, Code Enforcement, Assessor**; Councilmembers Baldwin & Clark;
- to **Education & Recreation**; Kathy Murnane; and
- to **Security, Fire, Law Enforcement, Justice Court & Constable**; Councilmembers Livermore & Chittenden;

RESOLUTION #3, 2010 ~ REGULAR MEETINGS & OFFICIAL NEWSPAPER:

The following resolution was proposed by Councilmember Livermore and seconded by Councilmember Clark:

Establishment of the Regular Meetings and Designation of Official Newspaper of the New Lebanon Town Board

BE IT RESOLVED THAT the regular meetings of the Town Board of the Town of New Lebanon, throughout the year 2010, be held at 7:00 p.m. on the second 2nd Monday of the month and that the fourth 4th Monday of the month will be reserved for special

meetings. All meetings will be held at the American Legion Hall at 7 Mill Road in the Town of New Lebanon.

BE IT FURTHER RESOLVED THAT, the Town Board of the Town of New Lebanon designates *The Register Star* as the official newspaper for the Town of New Lebanon for the year 2010.

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

Roll Call Vote:

Supervisor Margaret Robertson	Aye
Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Allen Livermore	Aye
Councilmember Doug Clark	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.

RESOLUTION #4, 2010 ~ DESIGNATION OF DEPOSITORIES AND AUTHORIZATION FOR CHECK SIGNING AND MONEY TRANSFERS:

The following resolution was proposed by Councilmember Bruce Baldwin and seconded by Councilmember Allen Livermore:

Designation of Depositories and Authorization of Town Supervisor and Deputy Town Supervisor to Sign Checks and Transfer Monies for the Town of New Lebanon

BE IT RESOLVED THAT, the Town Board of the Town of New Lebanon designates the *Bank of America, Kinderhook Bank, First Niagara, Berkshire Bank, Trustco, and Bank of Greene County* as the depositories for the Town of New Lebanon for all Town Officers to deposit all moneys coming into their hands by virtue of their offices for the year 2010.

BE IT FURTHER RESOLVED THAT, the Town Board of the Town of New Lebanon authorizes the Town Supervisor and Deputy Town Supervisor to sign checks and transfer monies for the Town of New Lebanon for the year 2010.

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

Roll Call Vote:

Supervisor Margaret Robertson	Aye
Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Allen Livermore	Aye
Councilmember Doug Clark	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.

RESOLUTION #5, 2010 ~ PETTY CASH FUNDS:

The following resolution was proposed by Councilmember Allen Livermore and seconded by Councilmember Bruce Baldwin:

DESIGNATION OF AMOUNTS FOR PETTY CASH FUNDS FOR OFFICERS OF THE TOWN OF NEW LEBANON

BE IT RESOLVED THAT, the Town Board of the Town of New Lebanon authorizes the following Town Officers petty cash funds in the following amounts for the year 2010:

Town Supervisor	\$100.00
Town Clerk	\$200.00
Court Clerk	\$150.00
Tax Collector	\$250.00.
Planning & Zoning; Building Inspector's; & ZEO Clerk	\$150.00

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

Roll Call Vote:

Supervisor Margaret Robertson	Aye
Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Allen Livermore	Aye
Councilmember Doug Clark	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.

RESOLUTION #6, 2010 ~ HIGHWAY WORK WITH TOWNS OF CANAAN, CHATHAM, AND STEPHENTOWN:

The following resolution was proposed by Councilmember Bruce Baldwin and seconded by Councilmember Allen Livermore:

HIGHWAY WORK WITH TOWNS OF CANAAN, CHATHAM, AND STEPHENTOWN

WHEREAS, it has been the policy of the Highway Superintendent to trade highway labor and/or equipment with other towns when it has been of benefit to the Town of New Lebanon.

NOW THEREFORE, BE IT RESOLVED THAT, the Town Board of the Town of New Lebanon authorizes the Highway Superintendent to continue this policy with the Towns of Canaan, Chatham, and Stephentown for the year 2010.

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

Roll Call Vote:

Supervisor Margaret Robertson	Aye
Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Allen Livermore	Aye
Councilmember Doug Clark	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.

RESOLUTION #7, 2009 ~ SANDING PLACES OF PUBLIC ASSEMBLY:

The following resolution was proposed by Councilmember Bruce Baldwin and seconded by Councilmember Allen Livermore:

SANDING PLACES OF PUBLIC ASSEMBLY

BE IT RESOLVED THAT, the Town Board of the Town of New Lebanon authorizes the Highway Superintendent to sand the Lebanon Valley Protective Association driveways at New Lebanon and West Lebanon, and the driveways at the Walter B. Howard Elementary School and the New Lebanon Central Junior Senior High School, at the discretion of the Highway Superintendent, per the request of the Head of the Bus Garage and/or the Chief of the Lebanon Valley Protective Association for the year 2010.

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

Roll Call Vote:

Supervisor Margaret Robertson	Aye
Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Allen Livermore	Aye
Councilmember Doug Clark	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.

RESOLUTION #8, 2009 ~ DESIGNATION OF VOTING DELEGATE AND ALTERNATE TO ATTEND THE ANNUAL MEETING OF THE NEW YORK STATE ASSOCIATION OF TOWNS:

The following resolution was proposed by Councilmember Bruce Baldwin and seconded by Councilmember Karl B. Chittenden:

DESIGNATION OF VOTING DELEGATE AND ALTERNATE TO ATTEND THE ANNUAL MEETING OF THE NEW YORK STATE ASSOCIATION OF TOWNS

BE IT RESOLVED THAT, the Town Board of the Town of New Lebanon duly designates Town Supervisor Margaret Robertson to attend the Annual Business Session of the Association of Towns of the State of New York, for the year 2010, to be held in New York City, on February 17, 2010, and to cast the vote of the Town of New Lebanon,

pursuant to §6 of Article III of the Constitution and By-Laws of said Association;
and

BE IT FURTHER RESOLVED THAT, in the absence of the person so designated, the Town Board of the Town of New Lebanon duly designates Councilmember Allen Livermore as an alternate to attend the Annual Business Session of the Association of Towns of the State of New York, and to cast the vote of the Town of New Lebanon; and

BE IT FURTHER RESOLVED THAT, The Town Board of the Town of New Lebanon further authorizes the payment of the actual and necessary expenses incurred in doing so.

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

Roll Call Vote:

Supervisor Margaret Robertson	Aye
Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Allen Livermore	Aye
Councilmember Doug Clark	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.

MOBILE HOME PARK LICENSES:

A motion was made by Councilmember Bruce Baldwin and seconded by Councilmember Allen Livermore to approved the issuance of the following Mobile Home Park License renewals with the conditions noted as recommended by the Code Enforcement and Zoning Enforcement Officers:

Ski Lodge Mobile Home Park with the following stipulations/conditions:

1. License to include 26 lots. This includes lot numbers 1 through 12, 14 through 19, and 26 through 27 on the south side of Route 20. Also included are lot numbers 20 through 25 on the north side of Route 20.
2. The two vacant mobile homes (at lot nos. 6 and 10, owned by the MHP owner) must be inspected by the Building Department prior to being re-occupied.
3. A building permit application must be filed to place a mobile home on any vacant lot.
4. The owner has committed to take care of all remaining minor deficiencies noted on the Mobile Home Park Inspection Checklist, 2010 License Renewal Report;

Sherman’s Mobile Home Park with the following stipulations/conditions:

1. License to include 14 lots (lot numbers 1 through 14).
2. The owner has committed to eliminate the minor deficiencies noted on the Mobile Home Park Inspection Checklist, 2010 License Renewal Report;

Cornerstone Mobile Home Park with the following stipulations/conditions:

1. License to include 3 lots (lot numbers 1, 3 and 4). This does not include lot number 5 which is owner-occupied.

Adams Crossing Mobile Home Park with the following stipulations/conditions:

1. License to include 40 lots. This includes lot numbers 1 through 40.
2. The owner has committed to eliminate the minor deficiencies noted on the Mobile Home Park Inspection Checklist, 2010 License Renewal Report;

Hanson's Mobile Home Park with the following stipulations/conditions:

1. License to include 17 lots. This includes lot numbers 1 through 12, and nos. 980 and 1002 Route 20 (aka lot nos. 16 and 17 respectively).
2. The three proposed new lots (nos. 13, 14, and 15) shown on the map are under construction and are included in this license renewal.
3. The electric services and concrete pads were not installed at lot nos. 13, 14, and 15 at the time of inspection, but they will be installed prior to installation of a mobile home.
4. The owner has committed to take care of all remaining minor deficiencies noted on the Mobile Home Park Inspection Checklist, 2010 License Renewal Report;

Taxmutt, Inc. (AIMA) Mobile Home Park (aka Kinder Creek Estates) with the following stipulations/conditions:

1. License to include 22 lots. This includes lot number 1A and lot numbers 1 through 21.
2. Lot no. 22 has been deleted.
3. A building permit application must be filed to place a mobile home on any vacant lot.
4. Only lot no. 1A can be installed before the above major improvements are complete. Mobile homes can be installed on other vacant lots after the improvements are complete.
5. The owner has committed to take care of all remaining minor deficiencies noted on the Mobile Home Park Inspection Checklist, 2010 License Renewal Report.

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

Roll Call Vote:

Supervisor Margaret Robertson	Aye
Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Allen Livermore	Aye

Councilmember Doug Clark

Aye

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

ANNOUNCEMENTS:

Annual Audit of the Books: Saturday, January 9, 2010 at 8:00 a.m. at the American Legion Building

Public Hearing – Mid-Town Mall: Proposed HUD Community Development Block Grant: Monday, January 11, 2010 at 6:45 at American Legion Building

Regular Monthly Meeting of the Town Board ~ Monday, January 11, 2010 at 7:00 p.m. at the American Legion Building

Public Hearing on Proposed Zoning Re-write (continuation): Monday, January 25, 2010 at 7:00 p.m. at the New Lebanon Firehouse

Association of Towns, Town Officials School for Newly Elected Officials:
January 5-7 in Albany
January 13-15 in Rochester

Association of Towns, 2010 Training and Annual Meeting of AOTSNY
February 14-17 in New York City

BUDGET AMENDMENT:

Amendment No. 1 of 2010

General Fund:

Increase General Fund Appropriated Balance (A03400)	\$5,705.22
From Encumbered Funds from 2009 JCAP Grant Monies	
\$1,214.22 to A-1110.4 (Court: Contractual Expenses)	
\$4,491.00 to A-1110.2 (Court: Equipment)	

A motion was made by Councilmember Baldwin, seconded by Councilmember Livermore and passed unanimously to approve the above noted amendments to the 2010 Budget.

AUDIT OF BILLS:

General Fund (*for JCAP Grant*):

AUDIT OF THE BILLS:

General Fund Claim Nos. 1 through 3, in the amount of \$2,054.41; and
As set forth in Abstract No. 1-1, dated January 4, 2010; were audited.

A motion was made by Councilmember Livermore, seconded by Councilmember Chittenden, and passed unanimously to pay the above noted claims from their respective accounts.

OTHER:

Court JCAP Grant:

A motion was made by Councilmember Baldwin, seconded by Councilmember Livermore and passed unanimously to authorize the court to proceed with the installation of the air conditioners at the American Legion Hall per the JCAP Grant and further, due to the age of the quote and the need to obtain an updated quote, the board authorizes the amount of \$3,638 (as noted in the JCAP Grant) plus an additional amount up to but not to exceed \$500.00.

Proposed Local Law Eliminating the Position of Deputy Court Clerk:

A motion was made by Councilmember Baldwin, seconded by Councilmember Chittenden, and passed unanimously *not* to enact this local law.

New Reporting Requirements for NYS Retirement:

Town Clerk Teal reported to the board that the procedures for reporting time to NYS Retirement changed effective August 2009. All elected and appointed officials and employees that take office or are re-elected or re-appointed after August 2009 are governed by the new rules. All employees that participate in the retirement program that do not submit time cards (which is all staff other than highway and park maintenance) must complete three month calendar of activities within the first 150 days of their taking office. The same must be filed with the town clerk within 180 days of their taking office; then the town board needs to review each and through a resolution, establish the standard work day for each position. These resolutions must then be posted for 30 days for public review and then filed with NYS Retirement.

PUBLIC COMMENT:

Robert Smith addressed the town board regarding the letter of interest he submitted for the position of Zoning Enforcement Officer and his disappointment that he received no response from the board at all; no telephone call, no letter. Mr. Smith also expressed his concern with how the current Zoning Enforcement Officer does the job as well as the fact that he is not a resident of the town.

Joanna Johnson addressed the town board regarding her concerns with the Zoning Enforcement Officer noting the number of complaints the board has received about him as well as the fact that he is not a resident of the town.

Robert Smith addressed the town board regarding the Zoning Board of Appeals application form noting that Robert Mittnacht has been turned down four times for his application for pole barn but no one ever told him that he had a right to appeal that decision.

Trina Porte addressed the town board regarding concerns that the Deputy Town Supervisor is not a member of the Town Board and concerns regarding the minutes of the October 19, 2009 Town Board Meeting.

Robert Mittnacht addressed the town board regarding the Zoning Enforcement Officer noting that he did attend a meeting of the Zoning Board of Appeals after his application for

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pole barn was denied but he was sent back to the Zoning Enforcement Officer by the Zoning Board of Appeals. He noted his concern that the Zoning Enforcement Officer is not a resident of the town and further expressed interest in the vacancy on the Ethics Committee.

Kevin Smith addressed the Town Board regarding his problems with the Zoning Enforcement Officer including a telephone call that the Zoning Enforcement Officer made to the county that caused Mr. Smith to be ineligible for benefits from Social Services including HEAP, food stamps, etcetera. Additionally, Mr. Smith noted that he has received “a letter to remedy” from the Zoning Enforcement Officer that references December 15, 2010 and he has been trying to contact the ZEO to discuss the date. There needs to be communication and with Mr. Koloski, there is none. Mr. Smith also noted his interest in the vacancy on the Ethics Board. In closing, Mr. Smith noted that he was cited for running an illegal junk yard which he never had and he asked what the boards’ opinion is on the legality of issues addressed by Mr. Koloski before he became legal.

Monte Wasch addressed the Town Board regarding the concerns about zoning violations that have gone through the courts noting that the town board cannot adjudicate these matters, it is a matter for the courts. Mr. Wasch also noted that there is a simple solution to the problem with notice of the right to appeal and that is to draft a one page letter to hand out whenever there is a violation or a denial.

Justice Darcy Poppey addressed the Town Board noting that there is a limited time frame (30 days) to file an appeal. Justice Poppey further noted that she sent numerous letters to the board regarding her concern about the October 19, 2009 Town Board Meeting Minutes and noting that she did not adjudicate the fines due to the 72 hour restriction.

ADJOURNMENT:

A motion was made by Councilmember Baldwin and seconded by Councilmember Livermore to adjourn the meeting at 9:50 p.m.

Respectfully submitted,

Colleen Teal
Town Clerk