

**MINUTES OF THE PUBLIC HEARING OF
THE NEW LEBANON TOWN BOARD
ON PROPOSED LOCAL LAW NO. 1 of 2010 ~
CONSERVATION ADVISORY COUNCIL
HELD ON FEBRUARY 8, 2010**

Present: Margaret Robertson, Supervisor
Bruce Baldwin, Councilmember
Doug Clark, Councilmember
Allen Livermore, Councilmember

Absent: Karl (K.B.) Chittenden, Councilmember

Recording Secretary: Darla Dobert, Deputy Town Clerk

Others Present: Trina Porte, Planning Board Member
John Holbrook

CALL TO ORDER:

Supervisor Robertson called the public hearing to order at 6:58 p.m.

PROOF OF PUBLICATION AND POSTING:

Deputy Town Clerk Dobert provided the Town Board with proof of publication and posting of the public notice as follows:

**NOTICE OF PUBLIC HEARING
TOWN OF NEW LEBANON
COUNTY OF COLUMBIA**

**Proposed Local Law No. 1 of 2010, A Local Law Establishing a
Conservation Advisory Council for the Town of New Lebanon**

NOTICE IS HEREBY GIVEN that a Local Law has been introduced by the Town Board of the Town of New Lebanon to establish a Conservation Advisory Council for the Town of New Lebanon. The purpose of this local law is to ensure the wise use of the Town's natural resources and the enhancement and protection of its environment. The council shall consist of three (3) to five (5) members and shall generally have the responsibility to advise in the development, management and protection of the Town's natural resources. A copy of said proposed law is available for public review in the office of the New Lebanon Town Clerk during regular office hours as well as on the town website at www.townofnewlebanon.com.

PLEASE TAKE FUTHER NOTICE that a public hearing upon said proposed local law will be held at the American Legion Hall at 7 Mill Road in New Lebanon on the 8th day of February 2010, at 6:45 p.m. and that an opportunity to be heard will be given to those favoring or opposing the passage of said proposed law.

By order of the New Lebanon Town Board
Colleen Teal, Town Clerk
1.21.10

PUBLIC COMMENT:

The following letters were read *opposing* the adoption of the proposed local law:

To the Town Board:

It has come to my attention there is a scheduled public hearing with the Town Board on the creation of a Conservation Advisory Council (re. Town Law 2010 #1). I am asking for your support to stop this before it goes any further. A few towns have managed to adopt similar laws, I believe that the residents were not well informed on the consequences.

The Board has not addressed the costs of this proposed law and how funds are to be raised. The purpose of the law is to create an Advisory Council of selected Town property owners who will determine if certain areas of the Town of New Lebanon should become public property and remain forever protected from development. It is my understanding that the funds to purchase these properties will be raised from the sale of homes in Town. The State suggested amount is a 2% of the sale price paid by the seller. I believe this is another unfair burden placed on homeowners while all residents will enjoy the benefits of the **new public lands**.

I love our Town as is but I recognize the need for planning, progress and change. The Columbia Land Conservancy is very active in protecting our open spaces already and this new law would only mean more of the same. Depending on the people chosen for this committee, property selections could become burdensome to all with less tax base and buffers to growth.

So please take time to attend the public hearing at the American Legion Hall Tuesday February 2nd, 6:45PM. Seek out the answers. This law is not required, fair or mandated.

Pete Rawson

To the Town Board:

It has come to my attention there is a scheduled public hearing with the Town Board on the creation of a Conservation Advisory Council (re. Town Law 2010 #1). I will not be able to attend, so want to let you know my thoughts and offer some suggestions.

It is my understanding, first of all, that the Board has not addressed the costs of this proposed law and how funds are to be raised. I also understand that the purpose of the law is to create an Advisory Council of selected Town property owners who will determine if certain areas of the Town of New Lebanon should become public property and remain forever protected from development. Further, it is my understanding that the funds to purchase these properties will be raised from the sale of homes in Town. The State suggested amount is a 2% of the sale price paid by the seller.

I believe this is an unfair and inappropriate burden placed on homeowners. Since all residents will enjoy the benefits of the new public lands, it seems to me the funds should come from the taxes of all New Lebanon residents. Further, any advisory council should consist of a spectrum of residents, not just landowners, as this could become an opportunity for conflict of interest. Also property selections could become burdensome to those with less buffers to growth.

I recognize the need for planning and change for the good of the community while preserving the beauty and integrity of our landscape. The Columbia County Land Conservancy is very active in protecting our open spaces already and this new law, it seems to me, would be reinventing the wheel.

Why not try partnering with the CCLC? They have the resources, experience and expertise that could help us achieve our goals while helping to avoid regrettable and irreversible mistakes.

Thanks very much for taking my comments into consideration,

Angelo Manno

No one else spoke *opposing* the enactment of the local law.

The following persons spoke *favoring* the enactment the local law:

Trina Porte.

All persons desiring to be heard, having been heard, a motion was made by Councilmember Livermore, seconded by Councilmember Baldwin, and approved to close the public hearing at 7:06 p.m.

Respectfully submitted,

Colleen Teal, RMC
Town Clerk