

**MINUTES OF THE ANNUAL ORGANIZATIONAL MEETING OF  
THE TOWN BOARD OF THE TOWN OF NEW LEBANON  
HELD ON JANUARY 03, 2011**

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

**Absent:** Councilmember - vacancy

**Recording Secretary:** Colleen Teal, Town Clerk

**Others Present:** Jeff Winestock, Highway Superintendent  
Kent Pratt, Code Enforcement Officer  
Chuck Gerald, Zoning Board of Appeals Member  
Diane Brown, Court Clerk  
Several members of the public

**CALL TO ORDER:**

The meeting was called to order at 7:05 p.m. by Supervisor Robertson and the flag salute followed a moment of silence.

**RESOLUTION #1, 2011 ~ ANNUAL APPOINTMENTS OF TOWN OFFICERS**

The following resolution was proposed by Councilmember Doug Clark and seconded by Councilmember Karl (K.B.) Chittenden:

***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 1/1/11 to 12/31/11 unless noted otherwise:

Accountant for the Town:	M.J. Fitzgerald, Inc.
Assessor's Clerk:	Anita Crosby
Code Enforcement/Zoning Enforcement Officer:	Kent Pratt
Deputy Code Enforcement Officer:	Dean Herrick
Building Department:	
	Code Enforcement Clerk, Zoning Enforcement Clerk, Planning Board Clerk, and Zoning Board of Appeals Clerk:
	Hazel (Cissy) Hernandez
Planning Board Member (7 year term):	Robert Smith
Planning Board Chairman:	Ray Herrmann
Animal Control Officer:	Willard (Wes) Powell
Dog Control Officer:	Willard (Wes) Powell
Constable:	Willard (Wes) Powell
Court Clerk (2 year term)	Diane Brown
Deputy Court Clerks:	Tistrya Hamilton & Tamara Darcy
Camp Director:	Michelle Bienes
Park Maintenance Superintendent:	Charly Sears
New Lebanon Representative to the Columbia	

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County Office for the Aging:	Kathy Murnane
Alt. NL Rep. to CC Office for the Aging:	Jean Stelling
New Lebanon Representative to the Columbia County Traffic Safety Council:	Matt Larabee
New Lebanon Representative to the Columbia County Management Council:	Environmental John Dax

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

Roll Call Vote:

Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember - vacant	-----
Supervisor Margaret Robertson	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 ATTORNEY:**

There was a general discussion regarding the town attorney.

**RESOLUTION #2, 2011 ~ ANNUAL APPOINTMENT OF TOWN OFFICERS**

The following resolution was proposed by Councilmember Doug Clark and seconded by Councilmember Karl (K.B.) Chittenden:

***Annual Appointments of Town Officers***

BE IT RESOLVED THAT the Town Board of the Town of New Lebanon appoints Freeman Howard, Andrew Howard, as general counsel for the town for 2011 and further appoints Rapport, Meyers as litigation counsel for the town for 2011.

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

Roll Call Vote:

Councilmember Bruce Baldwin	Nay
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember - vacant	-----
Supervisor Margaret Robertson	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 #3, 2011 ~ APPOINTMENT TO PLANNING BOARD**

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

***Appointment to Planning Board***

BE IT RESOLVED THAT the Town Board of the Town of New Lebanon appoints Robert Smith to the Town of New Lebanon Planning Board for a term of seven (7) years to expire 12/31/2017.

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

Roll Call Vote:

Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember - vacant	-----
Supervisor Margaret Robertson	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 tabled the appointment of a Deputy Town Supervisor.

Supervisor Margaret Robertson appointed Anita Crosby as Bookkeeper for a term of 1 year and further appointed Kevin Fuerst as Town Historian for a term of 1 year.

**SALARIES AND WAGES:**

There was a general discussion regarding the expected hours required for the combined ZEO and CEO positions as well as some of the details of the Building Department Administrator/Clerk. Determination of the expected hours for the ZEO, CEO, and Building Department Administrator/Clerk (ZEO, CEO, ZBA, & PB Clerk) will be tabled to the January 10<sup>th</sup> meeting, however salaries for these positions will be approved tonight so that payroll can be processed. Amendments can be made by the board at the January 10<sup>th</sup> meeting, if necessary.

Councilmember Clark noted the need for definition of hours and duties for all positions.

**RESOLUTION #4, 2011 ~ SALARIES, WAGES, AND MILEAGE RATE:**

The following resolution was proposed by Councilmember Doug Clark and seconded by Councilmember Karl (K.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 2011 to be paid biweekly:

Town Supervisor	\$8,290
Councilmembers	\$2,440 each
Highway Superintendent	\$53,000
Town Clerk	\$33,521

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Tax Collector	\$10,300
Town Justices	<del>\$10,670</del> *\$10,360 each
<i>*(corrected to \$10,360 each on January 10, 2011)</i>	

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 2011 to be paid biweekly:

Assessor	\$22,500 annual salary
Assessor's Clerk	\$8,652 annual salary
Bookkeeper	\$6,263 annual salary (10 hrs/wk)
Building Inspector/CEO	\$16,000 annual salary
Zoning Enforcement Officer	\$16,000 annual salary
Building Inspector's Clerk	\$10,427 annual salary
ZEO Clerk	\$11,147 annual salary
Planning Clerk	\$6,950 annual salary
ZBA Clerk	\$3,476 annual salary
Animal Control Officer	\$2,500 annual salary
Dog Control Officer	\$2,500 annual salary
Town Constable	\$4,000 annual salary
Court Clerk	\$24,720 annual salary (35 hrs/wk)
First Deputy Town Clerk	\$25,807 annual salary (40 hrs/wk)
NL Rep to CC Office for the Aging	\$824 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 2011 to be paid in one annual payment:

Budget Officer	\$732
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 2011 to be paid as stipulated:

Deputy Court Clerks	\$11.85/hour (up to 200 hours)
Deputy Code Enforcement Officer	\$25/hour as needed; \$1,000 max. annual
Park Maintenance Superintendent	\$10.75/hr
Park Maintenance Staff	up to \$9.50/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	\$14.00 to \$19.00 per hour

Summer Youth Program Staff:

Camp Director	\$4244/season*
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Program Director	\$4,030/season*
Assistant Program Director	\$3,448/season*
Aquatics Director	\$2,400/season
Counselors	\$7.25/hr to \$8.65/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)

*\*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 2011 to be paid by monthly submission of vouchers:

Accountant for the Town	\$10,500 annually
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 2011 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:

Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember (Vacant)	-----
Supervisor Margaret Robertson	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 Supervisor Robertson; and
- to **Security, Fire, Law Enforcement, Justice Court & Constable**; Councilmember Chittenden;

**RESOLUTION #5, 2011 ~ REGULAR MEETINGS & OFFICIAL NEWSPAPER:**

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

***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 2011, be held at 7:00 p.m. on the second 2<sup>nd</sup> Monday of the month and that the fourth 4<sup>th</sup> 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 2011.

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

Roll Call Vote:

Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember (vacant)	-----
Supervisor Margaret Robertson	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, 2011 ~ DESIGNATION OF DEPOSITORIES AND AUTHORIZATION FOR CHECK SIGNING AND MONEY TRANSFERS:**

The following resolution was proposed by Councilmember Karl (K.B.) Chittenden and seconded by Councilmember Doug Clark:

***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, National Union Bank of Kinderhook 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 2011.

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 2011.

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

Roll Call Vote:

Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember (vacant)	----
Supervisor Margaret Robertson	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, 2010 ~ PETTY CASH FUNDS:**

The following resolution was proposed by Councilmember Bruce Baldwin and seconded by Councilmember Doug Clark:

***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 2011:

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
Highway Superintendent	

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

Roll Call Vote:

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Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember (vacant)	-----
Supervisor Margaret Robertson	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, 2011 ~ HIGHWAY WORK WITH TOWNS OF CANAAN, CHATHAM, AND STEPHENTOWN:**

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

***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 2011.

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

Roll Call Vote:

Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember (vacant)	-----
Supervisor Margaret Robertson	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 #9, 2009 ~ SANDING PLACES OF PUBLIC ASSEMBLY:**

The following resolution was proposed by Councilmember Bruce Baldwin and seconded by Councilmember Doug Clark:

***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 2011; and further authorizes the Highway Superintendent to plow and sand

the parking lot at the Lebanon Valley Protective Association's American Legion Building being used for the town court and meeting hall.

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

Roll Call Vote:

Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember (vacant)	----
Supervisor Margaret Robertson	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 #10, 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 23, 2011, 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 Doug Clark 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:

Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember (vacant)	----
Supervisor Margaret Robertson	Aye

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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.

**ANNOUNCEMENTS:**

**January:**

Monday, January 10, 2011 ~ Public Hearing on Amendment to Sign Law at 6:45 p.m. at the American Legion Building

Monday, January 10, 2011 ~ Town Board Meeting at 7:00 p.m. at the American Legion Building

Tuesday, January 18, 2011 ~ Annual Audit of the Books at 3:00 p.m. at the Town Hall

Tuesday, January 25, 2011 ~ NYSERDA Workshop at 7:00 p.m. at the American Legion Building

**OTHER:**

**Interviews for Town Board Seat & Ethics Board Seat:**

The town board set interviews for the vacant town board seat and the vacant ethics board seat to begin at 6:00 p.m., at twenty minute intervals, for Monday, January 24, 2011 and requested that the Town Clerk set up the interviews.

**ADJOURNMENT:**

A motion was made by Councilmember Clark and seconded by Councilmember Chittenden to adjourn the meeting at 8:10 p.m.

Respectfully submitted,

Colleen Teal, RMC  
New Lebanon Town Clerk