

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON OCTOBER 10, 2011**

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

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

Recording Secretary: Colleen Teal, Town Clerk

Others Present: Andrew Howard, Attorney for the Town
Jeff Winestock, Highway Superintendent
Cissy Hernandez, Building Dept. Administrator
Matt Larabee, CC Traffic Safety Advisory Council &
Emergency Management, Deputy Coordinator
Donna Smith, Building Committee Chair
Scott Larabee
David Mieschonz
Thaddeus Flint, Reporter for the *Eastwick Press*
Lisa Connell, Reporter for the *Chatham Courier*
Several members of the public

CALL TO ORDER:

The meeting was called to order at 7:03 p.m. by Supervisor Robertson and the flag salute followed a moment of silence.

SUPERVISOR'S REPORT:

Supervisor Robertson read her monthly report.

Councilmember Doug Clark reported that he emailed the accountant and he has not received a response. He noted his disappointment that the figures that the board is trying to work with to develop the budget for 2012 are not up to date. He further noted that "we do not darken his door very often," and he is not responding to the board's requests. He stated that he wants to meet with the accountant as the town board's accountant.

A motion was made by Councilmember Baldwin, seconded by Councilmember Clark and passed unanimously (Councilmember Chittenden absent) to accept the Supervisor's Report.

PRIVILEGE OF THE FLOOR:

Donna Smith, Building Committee Chair, reported on the Building Committee. After much discussion, the Building Committee has eliminated the Polacinski and Chittenden sites, the Union Free School, Judy's Gifts, the Donnelly Building, and the American Legion Hall. It is the committee's recommendation that we seriously consider only adding a meeting room for the court to the old town hall at this time. This would allow us to stay where we are now while eliminating the need for the American Legion Building that would be cost effective and require that we maintain one building instead

of two. Additionally, we would be making renovations in stages instead of buying more property or building a new town hall, which do not make sense in this economy. The committee met with the architect, Joe Iuviene, and gave his perspective on the cost of a 1700 square foot addition consisting of two judge's offices, two handicapped bathrooms, a small conference room, and the meeting hall. Included in the estimated construction cost is repair of the vault and the handicapped entrance. The total estimated cost, which includes contingency fees such as legal, architectural, and engineering fees, is \$360,000. The building committee further recommends that the town board, (current and future) commit to a maintenance plan strictly for the upkeep and renovation of the current town hall. If this is done, in five to ten years, the town will have a town hall that it can be proud of. The committee is looking for input from the town's people and has included this request in the latest newsletter. However, no feedback has been received to date.

Councilmember Clark thanked the committee for all of their work, especially Donna Smith, Hazel Dewey, and Rocky Brown. Councilmember Clark noted that several committees have put a lot of work into this project. The final recommendations may not be what we all want but it is the absolute minimum of what we need and the cost factor is an important factor. Councilmember Clark noted that personally, he would like to move forward with this project. He further noted that after the 2012 budget is completed, we will know better where we are financially and how much we can add to the capital project fund. Either we will be able to pay for the entire project with the capital reserve fund or we will have some of the funding and we can finance the balance at about \$45,000 annually.

There was a general discussion regarding surplus funds or unexpended balance and the complexities surrounding these monies, criticized if too high and criticized if too low.

Hazel Dewey, Building Committee member, noted that she feels that even if there are sufficient monies in the capital reserve and a referendum is not *required*, there should be a referendum regardless.

Dave Mieschonz addressed the town board regarding the Union Free School Building noting that is a super classic - a prized building. Mr. Mieschonz noted that as a taxpayer, he does not like his tax dollars being spent to demolish this building. He requested that the town board join the residents to oppose the demolition of the Union Free School.

Councilmember Clark noted that the town board voted twice to save the building and that Supervisor Robertson met with the school and got a very icy reception. For a number of reasons, the school board is tired of dealing with the building and it is in their way; they do not want to listen to the town board. Supervisor Robertson reported that there is some talk that the Lebanon Valley Historical Society is looking at ways to acquire and move the building. It is out of the town board's hands.

COMMITTEE REPORTS:

Announcements: ~ No report ~

Economic & Business Development:

Councilmember Clark reported that he attended a workshop on NYS Works and the consolidated funding application; this application combines all the different state funding programs into one application, not just for municipalities. In an effort to improve New York's business climate and stimulate economic growth, ten Regional Economic Development Councils were created. The main objective is creating jobs. The deadline for the application is October 31st but they do not have the whole process worked out yet. This is a good opportunity for planning money for the Route 20/22 Corridor. The next Economic Development Committee meeting is at 6:00 p.m. on Thursday, October 13th.

Highways, Buildings, & Town Property:

Town Hall ~ Building Committee Update:

See Privilege of the Floor.

Zoning, Planning, CAC, Code Enforcement, & Assessor: ~ No report ~

Education & Recreation:

Recreation Commission:

Supervisor Robertson read the following letter from Scott Larabee expressing his interest in being appointed to the Recreation Commission:

New Lebanon Town Board:

I am interested in becoming a member of the Recreation Commission. As a lifelong resident of the town (with the exception of about 6 months), I feel that the town needs to come together as a community. We also need events to occupy the time that our youth now spend in front of video games or causing mischief. One way of accomplishing both of these goals is through community events. With proper planning, and fund raising, I feel that events could be planned to bring us closer to each other. As of this time, there is very little in this town for residents, both young and old, to do.

Our town does have a sense of community, but it really is not a community! There is nothing in town to bring people together. I have several ideas, and I feel that with a dedicated Commission, we can come up with many events and programs that will breathe new life into the town, and truly make us a community.

Sincerely,

Scott A. Larabee

A motion was made by Councilmember Clark, seconded by Councilmember Baldwin, and passed unanimously (Councilmember Chittenden absent) to appoint Scott

Larabee to the Recreation to fulfill the balance of the vacant term to expire 12/31/2016.

Security, Fire, Law Enforcement, Justice Court, & Constable:

Draft Audit Report:

Councilmember Clark asked for the status of the draft audit of the Town Justice Court. Supervisor Robertson noted that the deadline for the board's response is tomorrow. Councilmember Baldwin stated that if OSC publishes the audit without the town board's sign off, they are wrong and asking the town board to sign off without an exit interview is wrong. Councilmember Clark noted concern that there are items in that report that the board needs to be working on. Supervisor Robertson noted that there is a discrepancy between what OSC states the town board is responsible for overseeing versus what the Office of Court Administration states they are responsible for overseeing and the town attorney is currently working to clarify that discrepancy.

Resolution 2011, 31 ~ Exit Interview with OSC re: Draft Audit of Town Court

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

EXIT INTERVIEW WITH OSC RE: DRAFT AUDIT OF TOWN COURT

WHEREAS, the Town Board of the Town of New Lebanon has requested that the Office of the State Comptroller conduct an exit interview of on the Draft Audit Report on the Town of New Lebanon Justice Court with the entire Town Board; and

WHEREAS, the Town Board of the Town of New Lebanon hereby states that they are ready willing and able to respond to the above noted audit report; however,

WHEREAS, the draft audit report leaves many questions unanswered;

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board of the Town of New Lebanon hereby respectfully requests again the opportunity to conduct an exit interview with the Office of the State Comptroller and the entire Town Board where those questions can be answered and the Town Board can submit a comprehensive and complete response to the audit.

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

Roll Call Vote:

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

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.

Traffic Safety:

Matt Larabee, Representative to the Columbia County Traffic Safety Council, reported that he received a request from a town resident regarding County Route 9 /South Stephentown Road. A substantial number of tractor-trailer trucks are using this road (not associated with local traffic/businesses) and they are shaking his foundation loose. Mr. Larabee noted that we could request a weight limit on the road but this may affect local businesses; another option would be a "local traffic only" designation. However, it has to be enforced.

A motion was made by Councilmember Baldwin, seconded by Councilmember Clark, and passed unanimously (Councilmember Chittenden absent) to request that the Columbia County Traffic Safety Council review the tractor-trailer and truck traffic on County Route 9 North/South Stephentown Road.

COMMUNICATIONS (and Petitions):

1 ~ Lebanon Valley Historical Society (LVHS)

Re: Thank you for loan of shelving.

Supervisor Robertson read the following thank you letter from the Lebanon Valley Historical Society:

Dear Town Board Members:

The Lebanon Valley Historical Society Board of Directors thanks you for the loan of one set of steel shelves. We particularly acknowledge Bruce Baldwin for bringing this need to the Town Board's attention at your meeting on September 12. The shelf unit will be used to store items in the LVHS collection, currently being re-organized by a professional archivist.

The LVHS understands that the shelf unit is a loan to the Society and that it must be returned if the Town develops a need for the unit.

Sincerely,

Charles D. (Doug) Banker, LVHS Secretary

2 ~ Lebanon Valley Historical Society (LVHS)

Re: Columbia County Heritage Driving Map.

Supervisor Robertson read the following letter from the Lebanon Valley Historical Society:

Dear Town Board Members:

As described in our letter of August 15, LVHS is working with the Columbia Local History Collaborative to produce a Heritage Driving Map of Columbia County. The Society thanks you for your vote to endorse the project at your regular meeting on September 12, 2011. The Town Clerk has informed us that it is possible for the

Town Board to also donate money to this project, should you choose to do so, using the appropriate language for a resolution to be supplied by the Town Attorney.

If you decide to donate to the project, the attached donor form should accompany the payment. The project-briefing document is also attached for your reference. If you desire more detailed information on any aspect of the project, Colleen may send your questions to me.

The other CLHC representatives are appealing to their respective town boards for donations. Germantown has already committed to a donation of \$250. There are currently pledges and donations amount to \$1,700 toward the goal of \$10,000. The LVHS is greatly encouraged by this early response and confident that sufficient funds will be raised when the wider campaign begins.

Thank you in advance for any contributions you can make to this worthwhile community effort!

Sincerely,

Doug Banker, LVHS Secretary and CLHC Representative

Resolution #32, 2011 ~Columbia County Heritage Driving Map Project Donation

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

COLUMBIA COUNTY HERITAGE DRIVING MAP PROJECT DONATION

WHEREAS, the Town Board of the Town of New Lebanon recognizes the need to promote tourism and economic development in the town; and

WHEREAS, the Town Board acknowledges that the Columbia County Heritage Driving Map will be a valuable tool to promote tourism and economic development in the town; and

WHEREAS, the Town Board recognizes that the Town of New Lebanon will benefit directly from the completion of the Columbia County Heritage Driving Map Project highlighting the history of the Town of New Lebanon.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board of the Town of New Lebanon hereby donates \$250.00 to the CCHS-CLHC Map Project.

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

Roll Call Vote:

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

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.

NEW BUSINESS:

Budget Workshop:

The town board set the next budget workshop meeting for Tuesday, October 11th at 7:00 p.m. at the American Legion Hall.

Public Hearing on Preliminary Budget:

The town board tentatively set the public hearing for the 2012 Preliminary Budget for Thursday, November 10, 2011 at 7:00 p.m. at the American Legion Hall.

ANNOUNCEMENTS:

October:

Tuesday, October 18th ~ Budget Workshop at 7:00 p.m. at the American Legion Building

November:

Thursday, November 10th ~ Public Hearing on Preliminary Budget at 7:00 p.m. at the American Legion Building

Monday, November 14th ~ Town Board Meeting at 7:00 p.m. at the American Legion Building

BUDGET AMENDMENT:

Amendment No. 8 of 2011

General Fund:

\$5,000 from A-1620.43 (Buildings: Clerk of the Works)
\$5,000 to A-1620.4 (Buildings: Contractual Expense)
\$1,005 from A-1990.4 (Contingency)
\$685 to A-6324.4 (Other Economic Opportunity Programs: Contractual Expense)
\$320 to A-8160.4 (Refuse & Garbage: Contractual Expense)

A motion was made by Councilmember Clark, seconded by Councilmember Baldwin, and passed unanimously (Councilmember Chittenden absent) to approve the above noted amendments to the 2011 Budget.

Highway Fund:

\$1,700 from DA-5130.4 (Machinery: Contractual Expense)
\$1,700 to DA-5110.4 (General Repairs: Contractual Expense)
\$1,100 from DA-5142.4 (Snow Removal: Contractual Expense)
\$1,100 to DA-5140.4 (Brush & Weeds/Misc.: Contractual Expense)

A motion was made by Councilmember Baldwin, seconded by Councilmember Clark, and passed unanimously (Councilmember Chittenden absent) to approve the above noted amendments to the 2011 Budget.

AUDIT OF THE BILLS:

General Fund Claim Nos. 354 through 405, in the amount of \$23,608.87; and
Highway Fund Claim Nos. 160 through 170, in the amount of \$24,244.03;
As set forth in Abstract No. 14, dated October 10, 2011; were audited.

A motion was made by Councilmember Baldwin, seconded by Councilmember Clark,
and approved (Councilmember Chittenden absent) to pay the above noted claims from
their respective accounts.

OTHER:

Councilmember Clark requested that the Lebanon Valley Protective Association provide
a balance sheet for the Town Board for review along with their budget request.

ADJOURNMENT:

A motion was made by Councilmember Clark and seconded by Councilmember Baldwin
to adjourn the meeting at 8:54 p.m.

Respectfully submitted,

Colleen Teal, RMC
New Lebanon Town Clerk