

MINUTES OF THE ANNUAL ORGANIZATIONAL MEETING OF  
THE TOWN BOARD OF THE TOWN OF NEW LEBANON  
HELD ON JANUARY 04, 2012

**Present:** Michael Benson, Supervisor  
Bruce Baldwin, Councilmember  
Karl B. Chittenden, Councilmember  
Doug Clark, Councilmember  
Matthew Larabee, Councilmember

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

**Others Present:** Andrew Howard, Attorney for the Town  
Jeff Winestock, Highway Superintendent  
Darla Dobert, Deputy Town Clerk  
Kent Pratt, Code Enforcement Officer  
Cissy Hernandez, Building Department Administrator  
Anita Crosby, Bookkeeper/Assessor's Clerk  
Diane Reynolds-Brown, Court Clerk  
Tistrya Hamilton, Deputy Court Clerk  
Charly Sears, Park Maintenance Superintendent  
Donald Sears, Park Maintenance Staff  
Steve Mumford, Park Maintenance Staff  
Robert Smith, ZBA & Ethics Board Member  
Michelle Bienes, SYP Camp Director  
Kevin Smith, Ethics Board Member  
Gail Heinsohn, Reporter for *The Chatham Courier*  
Several members of the public

**CALL TO ORDER:**

The meeting was called to order at 7:00 p.m. by Supervisor Benson and the flag salute followed a moment of silence.

*Supervisor Benson noted that Privilege of the Floor will be held both at the beginning and at the end of the meetings.*

**PRIVILEGE OF THE FLOOR:**

**Hazel Dewey** addressed the town board requesting that one of the Privilege of the Floor be held in the middle of the meeting and the second be held at the end.

**RESOLUTION #1, 2012 ~ ANNUAL APPOINTMENTS OF TOWN OFFICERS**

The following resolution was proposed by Councilmember Bruce Baldwin 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 1/1/12 to 12/31/12 unless noted otherwise:

Accountant for the Town:

Michael Bucci of Pattison, Koskey, Howe  
& Bucci, CPAs

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Attorney for the Town:	Andrew Howard of Freeman Howard
Assessor's Clerk:	Tabled
Code Enforcement & Zoning Enforcement Officer:	Kent Pratt
Deputy Code Enforcement Officer:	Dean Herrick
Building Department Administrator:	Hazel (Cissy) Hernandez
Planning Board Member (7 year term):	Ray Herrmann
Planning Board Chairman:	Ray Herrmann
Zoning Board of Appeals Chairman:	John Dax
Animal Control Officer:	Willard (Wes) Powell
Dog Control Officer:	Willard (Wes) Powell
Constable:	Willard (Wes) Powell
Deputy Court Clerks:	Tistrya Hamilton
Camp Director:	Michelle Bienes
Park Maintenance Superintendent:	Tabled
Registrar of Vital Records (2 year):	Colleen Teal
Ethics Board:	
• 1 year term (exp. 12/31/2012)	**
• 5 year term (exp. 12/31/2016)	**
Ethics Board Chairperson:	To be appointed upon recommendation of full board.
Conservation Advisory Council:	
• 1 year terms (3 seats)	**
• 2 year terms (2 seats)	**
Recreation Commission:	
• 3 year term (exp. 12/31/2014)	**

*\*\* Letters of Interest to be solicited in January, Interviews to be held in February, and Appointments to be made in March. Vacancies to be noticed in January 2012 Newsletter and advertised in the official town newspaper.*

New Lebanon Representative to the Columbia 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 **
Marriage Officer (2 year term):	Darla Dobert

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 Matthew Larabee	Aye-
Supervisor Michael Benson	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 Michael Benson appointed Councilmember Doug Clark as Deputy Town Supervisor and Kevin Fuerst as Town Historian.

Town Clerk Colleen Teal appointed Darla Dobert as First Deputy Town Clerk and Deputy Registrar of Vital Records.

**RESOLUTION # 2, 2012 ~ SALARIES, WAGES, AND MILEAGE RATE:**

The following resolution was proposed by Councilmember Doug Clark and seconded by Councilmember Matt Larabee:

***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 2012 to be paid biweekly:

Town Supervisor	\$7,840
Councilmembers	\$2,000 each
Highway Superintendent	\$54,060
Town Clerk	\$34,192
Tax Collector	\$10,300
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 2012 to be paid biweekly and further that every position will either have hours stipulated or will be required to prepare a Quarterly Report unless noted otherwise:

Assessor	\$22,327 annual salary/Quarterly Report
Building Inspector/CEO	\$19,380 annual salary/Monthly Report
Zoning Enforcement Officer	\$19,380 annual salary/Monthly Report
Building Department Administrator – allocated as follows:	
CEO Clerk	\$10,636 annual salary (15 hrs/wk)
ZEO Clerk	\$11,370 annual salary (10 hrs/wk)
Planning Clerk	\$7,089 annual salary (10 hrs/wk)
ZBA Clerk	\$3,546 annual salary (5 hrs/wk)
Animal Control Officer	\$2,500 annual salary/Quarterly Report
Dog Control Officer	\$2,500 annual salary/Quarterly Report
Town Constable	\$4,166 annual salary/Quarterly Report
Court Clerk	\$25,215 annual salary (35 hrs/wk)

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First Deputy Town Clerk	\$26,323 annual salary (40 hrs/wk)
NL Rep to CC Office for the Aging	\$824 annual salary/Quarterly Report

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 2012 to be paid in one annual payment:

Budget Officer	\$732
Town Historian	\$1,200 (@ begin. of year)/Quarterly Report

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 2012 to be paid as stipulated:

Deputy Court Clerks	\$11.85/hour (up to \$5,525 total annual)
Deputy Code Enforcement Officer	\$25/hour as needed; \$1,000 max. annual
Park Maintenance Superintendent	\$10.97/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 \$19.50 per hour

Summer Youth Program Staff:

Camp Director & Co-Program Director:	\$8,275/season
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Park Program Staff will be hired by the Camp Director at the rates as set here:

Co-Program Director	\$5,000/season*
Aquatics Director	\$2,800/season*
Counselors	\$7.25/hr to \$8.65/hr based on number of certifications and years with the program (12 max. t/b hired ~ \$31,000 total season)
Counselors-in-Training	\$5.85/hr (3 max. t/b hired ~ \$5,629 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)

*\*Seasonal rates for directors will be equated to hourly rate and time not worked will be docked.*

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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 2012 to be paid by monthly submission of vouchers:

Accountant for the Town	not to exceed \$10,500 annually
Attorney for the Town	\$15,000 annually
Office Buildings Cleaners	\$75 per cleaning

BE IT FURTHER RESOLVED THAT the Town Board of the Town of New Lebanon has funded the position of Building Maintenance for 2012 for an amount not to exceed \$3,000 for the year and at a rate to be determined.

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 2012 when applicable:

55.5¢ 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 Matthew Larabee	Aye
Supervisor Michael Benson	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 Michael Benson made the following committee appointments:

to **Economic and Business Development**, Councilmember Clark & Supervisor Benson;

to **Highways, Buildings & Town Property**, Councilmembers Baldwin & Chittenden;

to **Zoning, Planning, Code Enforcement, Assessor**; Councilmembers Baldwin & Clark;

to **Education & Recreation**; Kathy Murnane & Councilmember Larabee;

to **Security, Fire, Law Enforcement, Justice Court & Constable**; Councilmembers Chittenden & Larabee; and

to **Town Hall Project**, Councilmember Clark and Supervisor Benson.

**RESOLUTION # 3, 2012 ~ REGULAR MEETINGS & OFFICIAL NEWSPAPER:**

The following resolution was proposed by Councilmember Bruce Baldwin and seconded by Councilmember Doug 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 2012, be held at 7:00 p.m. on the second 2<sup>nd</sup> Tuesday of the month and that the fourth 4<sup>th</sup> Tuesday of the month will be reserved for special meetings.

BE IT FURTHER RESOLVED THAT, the Town Board of the Town of New Lebanon designates *The Chatham Courier* as the official newspaper for the Town of New Lebanon for the year 2012.

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 Matthew Larabee	Aye
Supervisor Michael Benson	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, 2012 ~ 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 Matthew Larabee:

***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 2012.

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 2012 and that, upon transfer from Bank of America to First Niagara Bank, all checks will be countersigned by the Town Clerk or, in her absence, the Deputy Town Clerk

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 Matthew Larabee	Aye
Supervisor Michael Benson	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, 2012 ~ PETTY CASH FUNDS:**

The following resolution was proposed by Councilmember Matthew Larabee and seconded by Councilmember Karl B. Chittenden:

***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 2012:

Town Supervisor	\$100.00
Town Clerk	\$200.00
Justice Court	\$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:

Councilmember Bruce Baldwin	Aye
Councilmember Karl B. Chittenden	Aye
Councilmember Doug Clark	Aye
Councilmember Matthew Larabee	Aye
Supervisor Michael Benson	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, 2012 ~ HIGHWAY WORK WITH TOWNS OF CANAAN, CHATHAM, AND STEPHENTOWN:**

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

***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 2012.

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 Matthew Larabee	Aye
Supervisor Michael Benson	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, 2012 ~ SANDING PLACES OF PUBLIC ASSEMBLY:**

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

***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 2012; 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 Matthew Larabee	Aye
Supervisor Michael Benson	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, 2012 ~ 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 Matthew Larabee and seconded by Councilmember Bruce Baldwin:

***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 Michael Benson to attend the Annual Business Session of the Association of Towns of the State of New York, for the year 2012, to be held in New York City, on Wednesday, February 22, 2012, 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 Matthew Larabee	Aye
Supervisor Michael Benson	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.

**REVIEW OF CURRENT POLICIES:**

***Procurement Policy:***

The Town Board requested that the Town Attorney review the Procurement Policy with the Highway Superintendent; it has been approximately twelve years since this policy has been updated.

***Investment Policy:***

The Town Board requested that the Town Attorney and the Town Supervisor review the Town's Investment Policy.

***Personnel Policy:***

The Town Board requested that the Town Attorney, Town Supervisor, and Town Clerk review the personnel policy; this policy was last updated in 2004.

**MOBILE HOME PARK LICENSES:**

The Town Board reviewed the inspection reports and recommendations provided by the CEO/ZEO for mobile home park license renewals.

A motion was made by Councilmember Larabee, seconded by Councilmember Clark, and passed unanimously to issue 2012 Mobile Home Park Licenses to the following parks:

- Cornerstone Mobile Home Park,
- Garden Homes/Adam's Crossing Mobile Home Park,
- Hanson's Mobile Home Park, and
- Sherman's Mobile Home Park.

A motion was made by Councilmember Baldwin, seconded by Councilmember Larabee, and passed unanimously to issue 30-day conditional licenses to the following parks noting that upon compliance and the completion of a satisfactory re-inspection, an annual license will be reconsidered:

- Ski Lodge Mobile Home Park, and
- Tazmutt Mobile Home Park.

The board also requested that the board be provided with the total number of lots in each park along with the number of occupied and vacant lots in each park.

**ANNOUNCEMENTS:**

**January:**

Tuesday, January 10, 2012 ~ Regular Monthly Town Board Meeting at 7:00 p.m. at the American Legion Building

**OTHER:**

**Fire Protection Agreement:**

The town board tabled the execution of this agreement to the regular monthly meeting on January 10, 2012.

**Batteries for Emergency Buttons:**

The town board authorized the purchase of new batteries for the emergency buttons at the town hall. A test was run on them and they are operating but the batteries are three years old and should be replaced.

**Chatham Rescue Squad:**

The town board requested a report from the Chatham Rescue Squad providing whatever information they legally can including the number of calls and mileage. Additionally, the board requested that the Town Attorney review the contract.

**New Bridge in Park:**

There was a general discussion regarding the new bridge in the park, the approval of which had been tabled by the board. Councilmember Chittenden will follow up with the vendor for the January 10<sup>th</sup> meeting. Deputy Town Clerk Darla Dobert noted concerns about the Recreation Commission spending park monies without coordinating or consulting with the Park Maintenance Superintendent.

**PRIVILEGE OF THE FLOOR:**

**Kevin Smith** addressed the town board regarding the Ethics Board noting his concerns that the board is currently not a functioning board because one member is in Florida and there are two vacancies. Supervisor Benson noted that the board is going to go through a process for all vacancies that includes the acceptance of letters of interest, interviews, followed by selection. Mr. Smith requested that the town board hold an emergency meeting to speed up the process since the Ethics Board is currently a non-functioning board. Attorney Howard noted that there are currently three members of a five-member board. If a complaint is received, then the board can call a meeting, either there will be a quorum or not. There are currently three duly appointed members and no pending complaint so it is not an issue. The board can readdress it if the need arises.

**Tistrya Hamilton** addressed the town board requesting emergency buttons for the court. The board directed the town clerk to obtain a quote.

**Hazel Dewey** addressed the town board inquiring why they are leaving a vacancy on the Ethics Board noting that it is the same as when the town board left a vacancy on its board noting that it is not fair to the public to have vacancies. Supervisor Benson noted that the board is putting forth a process to be used to fill vacancies that is in the best interest of the town and the board will speed up the process if necessary.

**Robert Smith** addressed the town board/town attorney inquiring about the protocol for the Ethics Board and specifically, can they meet just to review the Ethics Code and procedures? Attorney Howard noted that the Ethics Board can meet to review the code and procedures.

**ADJOURNMENT:**

A motion was made by Councilmember Chittenden and seconded by Councilmember Larabee to adjourn the meeting at 8:21 p.m.

Respectfully submitted,

Colleen Teal, RMC  
New Lebanon Town Clerk