

**MINUTES OF THE REGULAR MEETING OF  
THE TOWN BOARD OF THE TOWN OF NEW LEBANON  
HELD ON JANUARY 12, 2016**

**Present:** Chuck Geraldi, Councilmember  
Mark Baumli, Councilmember  
Kevin Smith Sr, Councilmember  
Colleen Teal, Supervisor

**Absent:** Dan Evans, Councilmember

**Recording Secretary:** Tistrya Houghtling, Town Clerk

**Others Present:** Jeannine Tonetti, LVHS, Ethics Board Applicant  
Cynthia Creech, Deputy Supervisor; Court Clerk;  
Recreation Commission, CAC, & Zoning Re-Write  
Committee Member  
Rocky Brown, Ethics Board Applicant  
Wayne Martin, Ethics Board Applicant  
Greg Gilliland, LVPA  
Sharon Moon, Previous Historian  
Irene Hanna, Previous Councilmember  
Matthew Larabee, Previous Councilmember  
Robert Smith, Planning Board Member  
Tammie Darcy, Tax Collector  
David Farren, CAC Member  
Ted Salem, Zoning Board of Appeals, Zoning Re-Write  
Committee  
Steve Oberon, LVHS  
Erminia Rasmussen, Behold  
Norman Rasmussen, Behold  
Scott Larabee, Building Maintenance  
Chris Dreyfus, Meals On Wheels  
Judy Zimmer, Cleaner  
David Flint, Reporter for *The Eastwick Press*  
Several members of the public

**CALL TO ORDER:**

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

**MINUTES:**

The minutes of the **December 29, 2015 Year End Meeting** were reviewed. Town Clerk Tistrya Houghtling requested a correction of the minutes on page 3 to list Supervisor Michael Benson as Absent instead of the Aye vote that was listed in error. The minutes of the **January 4, 2016 Special Meeting** were reviewed. The minutes of the **January 4, 2016 Organizational Meeting** were reviewed. Town Clerk Tistrya Houghtling requested a correction of the minutes on page 8 to list Councilmember Kevin Smith Sr. as having seconded the motion instead of Supervisor Kevin Smith Sr. that was listed in error.

A motion was made by Councilmember Smith, seconded by Councilmember Baumli, and passed unanimously (Councilmember Evans absent) to accept the above noted minutes as typed with corrections noted above.

**FINANCIAL:**

***Supervisor's Report:***

Supervisor Teal read Supervisor Benson's Report.

A motion was made by Councilmember Smith, seconded by Councilmember Gerald and approved unanimously (Councilmember Evans absent) to accept the Supervisor's report.

**DISCUSSION:**

***Agenda Submissions:***

Supervisor Teal mentioned a resolution that was adopted in 2010 that she would like to start following again that states that all submissions for the agenda be due by the end of the business day on the Wednesday before the meeting. Councilmember Baumli requested that the agenda be available to all Town Board Members and the Public by the Friday before the meeting. Supervisor Teal stated that the agenda and all supporting documents can be posted on the website by the end of the business day on the Friday before the meeting. Councilmember Baumli requested that the agenda also be posted at the Post Office (inside bulletin board) and the Library by the end of the business day on the Friday before the meeting.

**CERTIFICATES OF APPRECIATION:**

***Presented by Supervisor Teal:***

Supervisor Teal presented former Councilmember Irene Hanna, former Councilmember Matthew Larabee, and former Supervisor Michael Benson (absent) with Certificates of Appreciation from the current Town Board Members and the current Town Supervisor. Supervisor Teal gave the Certificate for Michael Benson to the Town Clerk to mail to him.

**PRIVILEGE OF THE FLOOR:**

Supervisor Teal opened the Privilege of the Floor stating that she would like to open Privilege of the Floor at the beginning and ending of meetings so if people want to be heard they don't have to stay for the entire meeting.

Christine Dreyfus addressed the Town Board and invited the Town Board Members, Town Supervisor and members of the public to the New Lebanon Library on 1/21/2016 for a presentation by Dr. David Borton about his solar powered boat, Solar Sal.

## **COMMITTEE REPORTS:**

### ***Assessor (Councilmember Evans):***

Councilmember Evans absent. No report.

### ***Building Department (Councilmember Gerald & Councilmember Baumli):***

Supervisor Teal reported that we are beginning a sign enforcement throughout the town. A letter will be going out this week with a copy of the current sign ordinance to all businesses in town. Supervisor Teal read the letter from the building department aloud. Starting 4/15/2016 the building department will begin inspections and enforcement follow up. Councilmember Baumli requested that the Building Department provide the board with a report of where people are with violations and where the building department is with the process. Supervisor Teal stated these will now be given to the entire board in their packet once a month.

### ***CAC & Environmental Management (Deputy Supervisor Creech):***

Deputy Supervisor Creech recommended that Councilmember Evans work with them again as a liason. Supervisor Teal stated that she would check with Councilmember Evans. David Farren reported that the CAC is looking to fill a vacant spot on the CAC. He reported that the CAC has been awarded a grant from the Hudson River Estuary Program in the amount of \$21,520 for the project of a Natural Resources Conservation Plan for the town. They are in the final stages of reviewing and just need a contract signatory on this end. Supervisor Teal stated that she is working on getting them all the documentation that they require.

### ***Fire, Law Enforcement & Emergency (Councilmember Smith):***

No report.

### ***Highway (Councilmember Evans & Councilmember Smith):***

No report.

### ***Historian & LVHS: (Councilmember Baumli):***

Steve Oberon stated that the Heritage Center at the Valley Plaza is closed. He wanted to reassure everyone that the Historical Society has committed itself to preserving the kind of community outreach programs that were there. Sharon Moon stated that the Heritage Center has closed and will not re-open. Councilmember Baumli asked why they had closed. Steve Oberon stated that they lost their lease. Councilmember Baumli asked who had opened it and who was in charge of it. Sharon Moon answered that the Economic Development Committee met and decided that they needed to do something positive for the Town and she volunteered to start the Heritage Center and ended up having a full time job doing the Heritage Center. Steve Oberon stated that it was the Economic Development Committee in collaboration with the Lebanon Valley Historical Society as equal partners. Sharon Moon stated they were not equal, but they were the financiers of it. Councilmember Baumli asked if the other storefront is available, who

made the decision not to go to the other storefront. Steve Oberon stated that the other storefront has various issues with it. Councilmember Baumli asked if another space were to become available if the Heritage Center would re-open. Steve Oberon stated it is possible.

***Justice Court/Constable (Councilmember Gerald):***

No report.

***Parks & Recreation (Supervisor Teal):***

Supervisor Teal reported that we did get the new playground equipment and it is in storage. We will do an installation in the Spring of 2016. Department of Health will work with us as far as planning it because there are specific requirements for spacing and set up. We are hoping it will be another volunteer event that erects it as it was that took it down. It will be located where the current playground is at Shatford Park.

***Seniors (Councilmember Baumli & Phyllis Hulbert):***

No report.

***Town Assets, Buildings & Property (Supervisor Teal & Councilmember Gerald):***

Supervisor Teal stated there is no report at the moment, but her goal is to do a full inventory to start with but it will take some time to get that together.

**DISCUSSION:**

**Deputy Supervisor Creech** stated that the Supervisor's Report tells us that taxpayers paid \$48,000 in payroll in the month of December and she as a taxpayer would like to hear something from **liason reports**. Supervisor Teal stated that at many towns they do have the department heads at the meetings to make monthly reports and asked if that is something the board would like to see. Councilmember Smith suggested that the department heads could submit quarterly reports. Supervisor Teal stated that the written reports take a lot of time away from the office work and asked if a verbal report would be acceptable for the board. Councilmember Baumli said either one or the other; if they want to submit a written report or if they have time to come down to the meeting and do a verbal presentation either would be fine.

**OLD BUSINESS:**

***Ethics Board Appointments:***

Councilmember Smith made a motion to appoint Leonard (Rocky) Brown. Councilmember Baumli seconded that motion. Supervisor Teal clarified that they were referring to the full appointment which would be a 5 year appointment.

Roll Call Vote:

Councilmember Gerald – Aye

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Baumli – Aye

Councilmember Evans – Absent

Councilmember Baumli made a motion to appoint Wayne Martin to fulfill the remainder of Christopher Steadman's term. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Baumli – Aye

Councilmember Evans – Absent

***Cleaner Appointment:***

Supervisor Teal stated that the board neglected to appoint a cleaner at the Organizational meeting. Councilmember Smith made a motion to keep Judy Zimmer appointed as the cleaner for the year 2016. Councilmember Geraldini seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Baumli – Aye

Councilmember Evans – Absent

***Building Department Administrator – accrued time buy-out:***

Supervisor Teal stated that Cissy is requesting a buy-out for her accrued sick and personal time per the policy laid out in our employee manual. She has 123 hours accrued at her rate of \$16.49 per hour for a buyout of \$2,028.27. Councilmember Baumli asked if this was part of an agreement that the Town has. Supervisor Teal stated that it is part of the personnel policy that is currently in place. Councilmember Baumli asked if the buy-out is at 100%. Supervisor Teal answered that it is. Councilmember Smith stated if it is the current policy then he will make a motion to pay out the accrued time. He stated that it's too late to change it now but the board can change the policy moving forward if they want to.

A motion was made by Councilmember Smith to pay Cissy Hernandez, Building Department Administrator for unused sick and personal time in the amount of \$2,028.27. Councilmember Geraldini seconded the motion.

Roll Call Vote:

Councilmember Geraldini – Aye

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Baumli – Aye

Councilmember Evans – Absent

***Town Engineer:***

Supervisor Teal made a motion to appoint the current Town Engineer, Ryan Biggs for the year 2016. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Baumli – Aye

Councilmember Evans – Absent

***Resolution #8 - Behold! – Administration of Grant:***

**Discussion:**

Supervisor Teal stated that the Town has served as the sponsor, applicant and administrator for the Behold! New Lebanon Grant for the USDA Rural Business Enterprise Grant. At the time that they were awarded the grant, we were going to obtain further written agreement with them as far as them paying the cost of that administration. In the meantime they have achieved the designations that they need in order to administer themselves. What the USDA Rural Business Enterprise Grant needs is our approval to transfer the grant back to Behold!.

***RESOLUTION #8, 2016: BEHOLD! NEW LEBANON ~ TRANSFER OF DESIGNATION OF TOWN OF NEW LEBANON AS SPONSOR AND ADMINISTRATOR FOR USDA RURAL BUSINESS ENTERPRISE GRANT***

The following resolution was proposed by Councilmember Kevin Smith Sr. and seconded by Councilmember Mark Baumli:

WHEREAS, the Town Board of the Town of New Lebanon adopted Resolution No. 12 of 2015 agreeing to serve as the sponsor and administrator of the Behold! New Lebanon's Rural Business Enterprise Grant with the USDA and further resolved that upon notice of receipt of the grant, the Town of New Lebanon would enter into a further written agreement with Behold! New Lebanon setting forth the rights and

responsibilities of the parties with regard to the administration of the subject Rural Business Enterprise Grant; and

WHEREAS, Behold! New Lebanon has been awarded said grant but now maintains the designations necessary to sponsor and administer the above noted grant themselves; and

Whereas, the USDA needs the New Lebanon Town Board's approval to transfer the Rural Business Enterprise Grant of \$89,529 from the Town of New Lebanon to Behold! New Lebanon;

NOW THEREFORE BE IT RESOLVED THAT, the New Lebanon Town Board approves the transfer of the USDA Rural Development Enterprise Grant in the amount of \$89,529 from the Town of New Lebanon to Behold! New Lebanon; and

BE IT FURTHER RESOLVED THAT, Behold! New Lebanon will be responsible for the administration of the USDA Rural Development Enterprise Grant and no further written agreement regarding the administration of the subject grant is necessary.

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

Roll Call Vote:

Councilmember Geraldini – Aye

Councilmember Smith – Aye

Supervisor Teal – Aye

Councilmember Baumli – Aye

Councilmember Evans – Absent

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.

***Bids:***

Supervisor Teal stated that the Board had discussed putting off the bid process until June so that July 1<sup>st</sup> is when the new bids would start and she was advised that we cannot do that. So we do need to go out to bid for slightly less than 6 months with bids valid through June 30<sup>th</sup> and then do the bid process again in late May, accept them in June for July 1<sup>st</sup> to run for the year so that we're not doing bidding at the beginning of the year when everything else is going on. Going to bid are fuel, sand/stone/gravel, and calcium chloride. Supervisor Teal suggested having the bids due Friday, February 5<sup>th</sup> at 5pm. That would give the Board ample time to review those bids and make a decision at the regular monthly meeting on Tuesday,

February 9<sup>th</sup>. Councilmember Smith said it sounds good to him. No objections by any of the board members.

## **NEW BUSINESS:**

### ***Conservancy Project:***

Supervisor Teal stated that Councilmember Baumli had expressed concern about how much land we were losing along the road frontage. She had asked Councilmember Smith if he would like to take on that project. She thinks the most important thing is just to be aware of what we have for development and what is going into conservancy and the first step is to get an inventory of that. Councilmember Smith asked if Councilmember Baumli would like to work together on that which he agreed to. Supervisor Teal mentioned that the Assessor can be helpful for them to get started with preliminary information and for guidance as to what the next step would be.

### ***Budget Amendments for 2016:***

Supervisor Teal stated that at the next meeting there are budget amendments needed such as the Payroll company budgeted for in 2016 that will not be used.

### ***Cabinet Purchase:***

Town Clerk Houghtling stated that currently in the vault we are using up a lot of space for things such as folders, hanging files, envelopes and other supplies that do not need to be in the vault and we are short on vault space so we need to get that stuff out of the vault. We can fit another storage cabinet in the kitchen area that would be a 4' wide X 2' deep cabinet that would provide a lot of space to store the supplies that don't need to be in the vault. She presented 3 quotes; Staples for \$642.98, Office Depot for \$750.99, and WB Mason for \$751.89.

Supervisor Teal made a motion to purchase the cabinet from Staples for \$642.98. Councilmember Smith seconded that motion. The motion passed unanimously (Councilmember Evans absent).

### ***Mouse Control:***

Town Clerk Houghtling stated that there is currently a bad mouse problem at the Town Hall. She presented 3 quotes: Orkin for \$200 initial visit plus \$65 per month for general pest control (mouse plus ants and other general pests); Meerkat for \$850 initial visit plus \$850 per month for just mouse control and you must enter into a one year contract; and Catseye for \$875 initial visit plus \$125 per month.

Councilmember Smith made a motion to authorize Orkin for a general pest control program at \$200 initial cost and \$65 per month. Councilmember Geraldini seconded that motion. The motion passed unanimously (Councilmember Evans absent).

***Flat Files (3) – surplus – bids:***

Supervisor Teal stated that Cissy Hernandez received a Local Government Records Management Improvement Fund (LGRMIF) grant and she is scanning all of her big maps and plans so she has 3 flat files that she no longer needs. We have had several inquiries so we are asking for the board to deem them as surplus and go out to bid to sell them. She suggested a bid due date of Friday, February 5<sup>th</sup> at 5pm so the board had time to review them and the board could make a decision at the February 9<sup>th</sup> meeting. Councilmember Smith said that sounds good. No objections by any of the board members.

**ANNOUNCEMENTS:**

Tuesday, January 19<sup>th</sup> is the year-end audit of books at 5:30pm at the Town Hall for the Tax Collector, Justice Court, Town Clerk, Supervisor, and Building Department.  
Tuesday, February 9<sup>th</sup> is the regular monthly meeting at 7:00pm at the Town Hall.

**BUDGET AMENDMENT:**

**Amendment # 9 of 2015:**

**General Fund:**

\$467	from A-1410.4 (Town Clerk: Contractual Expenses)
\$310	to A-1410.11 (Town Clerkt: Deputy Personal Services)
\$157	to A-1410.2 (Town Clerk: Equipment)
\$814	from A-1440.4 (Engineer: Contractual Expenses)
\$366	to A-1430.4 (Personnel – payroll firm)
\$448	to A-1670.4 (Central Printing: Contractual Expenses)
\$194	from A-1603 (Vital Statistics: Fees - Registrar)
\$194	to A-4020.4 (Vital Statistics: Contractual Expenses)

**Highway Fund:**

\$353	from DA-5130.4 (Machinery: Contractual Expenses)
\$353	to DA-5140.4 (Misc: Brush & Weed: Contractual Expenses)

**Amendment #1 of 2016:**

**General Fund:**

\$771	from A-1990.4 (Contingency)
\$771	to A-1220.2 (Supervisor: Equipment)

A motion was made by Councilmember Smith, seconded by Councilmember Gerald, and approved unanimously (Councilmember Evans absent) to approve the above noted amendments to the 2015 and 2016 Budget.

**AUDIT OF BILLS:**

**2015:**

**General Nos. 405 through 413, in the amount of \$2,899.82; and  
Highway Nos. 184 through 187, in the amount of \$1,368.73;  
As listed on Abstract # 12B of 2015, dated January 12, 2016.**

**2016:**

**General Nos. 1 through 19, in the amount of \$47,197.39; and  
Highway Nos. 1 through 2, in the amount of \$2,939.11;  
As listed on Abstract # 1 of 2016, dated January 12, 2016.**

A motion was made by Councilmember Smith, seconded by Councilmember Baumli, and approved unanimously (Councilmember Evans absent) to pay the above noted claims from their respective accounts.

**OTHER:**

Town Clerk Houghtling announced that due to a request at the last board meeting from audience members, The Eastwick Press will now be available at Bucky's Bagels and Blueberry Hill.

**PRIVILEGE OF THE FLOOR:**

**Jeannine Tonetti** addressed the town board requesting a County report from the Supervisor each month at the meeting to keep the public aware of what is happening at the County level.

**Scott Larabee** addressed the town board and asked Supervisor Teal if she was going to discuss with the town board moving the pipes at the town hall. Supervisor Teal advised the board that what we have currently with the fan to prevent the freezing pipes is not legal. Kent was going to replace the fan. In talking to Scott, he indicated that it would not be a difficult or expensive process to move just the heating pipes over to the other side of the hallway so they are no longer on the exterior wall. It would cost between \$100 and \$200 and would eliminate the problem of the pipes freezing. Up above would still remain open with vents installed. The board was okay with this being done.

**Robert Smith** addressed the town board asking who the Town Attorney is. Supervisor Teal stated that they have not yet made that appointment. They are going to get some other quotes. There is a significant difference in the pricing and they want to get a better idea of what the going rate is for that particular position. Robert Smith asked what the grant money is for that the CAC is receiving. Deputy Supervisor Creech stated that it for creating an inventory of the natural resources in this town and having information available to the various boards that make decisions in this town so that they don't accidentally ruin them. Councilmember Baumli asked who hires the consultants. David Farren responded that it is the Hudsonian Limited, specifically Gretchen Stevens a biologist who has done this for other towns in Columbia County successfully. Supervisor Teal stated that it was part of the application for the grant to specify who would be doing the consulting.

**Jennifer Kelly** addressed the town board asking who the Town Historian is. Supervisor Teal responded that we do not have one. Jennifer Kelly asked if we did have one (previously) and Supervisor Teal responded yes and that it is annual appointment. Supervisor Teal said it was up to Sharon (Moon) whether she wanted to discuss this or not. Sharon Moon responded that she thought people should know that we don't have one (Town Historian). Supervisor Teal stated that she was told that if she did not

appoint her (Sharon Moon) she would close the Heritage Center. Sharon Moon responded "not quite in those terms". Supervisor Teal stated those were the terms she said to her. Sharon Moon stated that they went hand in hand (Historian & Heritage Center). Supervisor Teal stated that she and Sharon had met about a month and a half ago and discussed her interest in re-appointing her and whether that was on the table and that she did not have anyone else that she was interested in. Supervisor Teal stated that historically, not on Sharon, but historically there have been conflicts between Historian and Historical Society since her beginning of time and this conflict exists in many towns however it is not acceptable to her. In her administration she would like to see a lot of teamwork and cooperation. Councilmember Baumli stated that Supervisor Teal will make that appointment (Town Historian) when she is ready to make that appointment.

**Christine Dreyfus** addressed the town board stating that the Columbia County Office for the Aging has this Meals on Wheels program. They send someone out to assist but there are many people who are afraid to ask or certain they will be turned down and that is not the case. She asked that if we know anybody who could use a daily meal please have them call the office for the aging, you get a 5 day delivery and there are a variety of options. It's also a service that you can use for a short period of time for things such as a broken leg. Councilmember Smith asked for a flier to be put in the bulletin board in front of the post office.

**ADJOURNMENT:**

A motion was made by Supervisor Teal and seconded by Councilmember Geraldini to adjourn the meeting at 8:12 p.m.

Respectfully submitted,

Tistrya Houghtling  
New Lebanon Town Clerk