

**MINUTES OF THE SPECIAL MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON APRIL 4, 2016**

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

Absent: Dan Evans, Councilmember

Recording Secretary: Tistrya Houghtling, Town Clerk

Others Present: Jeff Winestock, Highway Superintendent
Peter Fletcher, Sales Rep for Liftech JCB

CALL TO ORDER:

The meeting was called to order at 6:04 p.m. by Supervisor Teal. A moment of silence was followed by the flag salute.

BACKHOE BIDS:

Bid Notice Published by the Town:

**NOTICE TO BIDDERS
HIGHWAY DEPARTMENT
TOWN OF NEW LEBANON
COUNTY OF COLUMBIA**

NOTICE IS HEREBY GIVEN that the TOWN OF NEW LEBANON HIGHWAY DEPARTMENT is seeking sealed bids for one (1) 4 wheel drive Backhoe Loader w/ Extendible Dipperstick with a trade in of a 2010 CASE 580SM Series III loader backhoe w/ options. Equipment specifications are available at the office of the Town Clerk. Bids MUST meet or exceed specifications and include delivery date. The trade in can be inspected on Thursday, March 24th from 9am – 12 noon at the Town Highway Garage at 14755 State Route 22, New Lebanon, NY. Bids MUST be in a SEALED, PLAIN WHITE ENVELOPE (no logo); marked "BACKHOE BID"; include a NON-COLLUSIVE BIDDING CERTIFICATION and received in the office of the Town Clerk at the New Lebanon Town Hall, 14755 Route 22, New Lebanon, New York, no later than 5:00 P.M. on THURSDAY, MARCH 31ST, 2016. The bids will be opened at the office of the Town Clerk at 5:00 p.m. on THURSDAY, MARCH 31ST, 2016 and decided on at a special meeting of the Town Board on MONDAY, APRIL 4th, 2016. The Town Board reserves the right to accept or reject any or all bids.

Bids Received:

Abele Tractor & Equipment Co, Inc – Terex Backhoe Loader TLB840R
Price \$80,265.55 minus trade \$42,500.00 = Net bid \$37,765.55

Liftech JCB – JCB Model 3CX-14 Super, 109 HP, Tier 4 Final
Price \$91,931.64 minus trade \$39,000.00 = Net bid \$52,931.64

Monroe Tractor – CASE 580SN WT
Price \$96,000.00 minus trade \$41,000.00 = Net bid \$55,000.00

Nortrax – John Deere 310SL OR John Deere 410L
310SL Price \$93,554.38 minus trade \$30,500.00 = Net bid \$63,054.38
410L Price \$101,681.32 minus trade \$30,500.00 = Net bid \$71,181.32

Discussion:

Supervisor Teal stated that Highway Superintendent, Jeff Winestock had reviewed the bids with her. She asked if any of the Town Board members have any questions. Councilmember Smith asked Superintendent Winestock for his input. Superintendent Winestock stated that he recommends the CASE.

Supervisor Teal stated that the Terex bid from Abele Tractor does not meet the bid specifications as the engine horsepower is too low and it is a much smaller machine. She stated that she and Superintendent Winestock had reviewed the bids and his concerns on the Liftech JCB bid were the single battery (instead of dual battery listed in bid specifications) and the weight is a 17,000 pound machine (instead of the operating weight of not less than 21,000 pounds listed in bid specifications). Supervisor Teal stated that she spoke with Councilmember Evans on the phone and he felt that the lower weight put the Liftech JCB in a different class than the John Deere and the CASE.

Peter Fletcher stated that the weight that is listed for Liftech JCB is the published weight in the literature but the machine does weigh quite a bit more than that and it's closer to just under 20,000 pounds. He stated that it's not as heavy as the CASE but it's 19,000+ pounds. He also stated that the double battery is not necessary and the single battery in the JCB is adequate. He stated that the JCB offers a 2 year full machine coverage warranty which is double what the specs require.

Councilmember Smith stated that the Liftech JCB does not meet the bid specifications and Superintendent Winestock knows his equipment and recommends the CASE.

A motion was made by Councilmember Smith to accept the bid from Monroe Tractor for the CASE 580SN WT for the net amount of \$55,000.00, with a trade in for the 2010 CASE 580SM Series III loader backhoe w/ options. Councilmember Baumli seconded that motion. Supervisor Teal requested that the motion be modified to include that we accept the bid subject to review and approval of the Town Attorney and further authorizing Supervisor Teal to obtain financing options from Monroe Tractor for the April 12th meeting.

Councilmember Smith made a modified motion to accept the bid from Monroe Tractor for the CASE 580SN WT subject to review and approval of the Town Attorney and further authorizing Supervisor Teal to research financing options for this purchase. Councilmember Baumli seconded the modified motion.

Roll Call Vote:

Councilmember Gerald – Abstain
Councilmember Smith – Aye

Supervisor Teal – Aye
Councilmember Evans – Absent
Councilmember Baumli – Aye

Attorney Authorization:

Supervisor Teal requested board authorization to utilize the Town Attorney for three things. First to have a meeting with herself, the Town Attorney, Councilmember Smith, Howard Commander and Mr. Commander's Attorney to discuss a proposal and some concerns with the upcoming season at the Lebanon Valley Speedway. Second to set up a land use training with the Town Attorney, the Town Board, the Zoning Board of Appeals, the Planning Board, and the Land Use Staff. The Attorney is offering this training free of charge and Supervisor Teal would like to see everybody attend. Third to allow the Ethics Board to meet with the Town Attorney for a half hour to an hour. When the Ethics Board last met, they requested the opportunity to consult with the Town Attorney.

Councilmember Baumli asked if somebody just resigned from the Ethics Board. Supervisor Teal stated that Jack Yurish has resigned and there is a vacancy. Councilmember Baumli suggested filling the vacancy before the Ethics Board meets with the Town Attorney. Councilmember Baumli asked if they have to advertise the vacancy again or if they can appoint one of the people who applied for the most recent vacancy that was advertised. Supervisor Teal stated that Jeannine Tonneti had been interviewed last time and she will reach out to her to see if she is still interested in a position on the Ethics Board. Supervisor Teal stated that if Jeannine is still interested then the vacancy does not have to be advertised again and the Town Board could appoint her to the vacancy.

Councilmember Smith made a motion to authorize the Town Attorney to meet with Supervisor Teal, Councilmember Smith, Howard Commander and Mr. Commander's Attorney and to authorize the Town Attorney to provide a free land use training for various boards here at the Town. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Geraldi – Aye
Councilmember Smith – Aye
Supervisor Teal – Aye
Councilmember Evans – Absent
Councilmember Baumli – Aye

Other:

Councilmember Baumli suggested making changes to the Chapter 31. Personnel Policies to reduce the amount of Sick and Personal Time given to employees, but increase the amount of Vacation Time. He suggested coming down by 5 days of Sick and Personal Time and increasing Vacation Time by 5 days. He also suggested increasing how quickly you gain your Vacation Time instead of only getting 1 more day for each year worked. Supervisor Teal stated that at this time the only employees that this would affect are Hazel Hernandez and the Highway Department Employees. The

Town Board asked Superintendent Winestock to check with his employees to get their feedback. Supervisor Teal stated that she would check with Hazel Hernandez to get her feedback.

ADJOURNMENT:

A motion was made by Councilmember Smith and seconded by Councilmember Geraldini to adjourn the special meeting at 6:38 p.m.

Respectfully submitted,

Tistrya Houghtling
New Lebanon Town Clerk