

**MINUTES OF THE REGULAR MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON JUNE 14, 2016**

Present: Colleen Teal, Supervisor
Chuck Gerald, Councilmember
Dan Evans, Councilmember
Mark Baumli, Councilmember
Dan Tuczinski, Town Attorney

Absent: Kevin Smith Sr, Councilmember

Recording Secretary: Tistrya Houghtling, Town Clerk

Others Present: Cynthia Creech, Deputy Supervisor; Court Clerk;
Recreation Commission, CAC, & Zoning Re-Write
Committee Member
Peg Munves, CAC
David Farren, CAC
Rocky Brown, Ethics Board Member
Ben Wheeler, LVPA
Ed Godfroy, LVPA
Bud Godfroy, LVPA
Ted Salem, Zoning Board of Appeals & Zoning Re-Write
Committee
Steve Oberon, LVHS
Kent Pratt, CEO & ZEO
Jeff Winestock, Highway Superintendent
Christine Dreyfus, Meals on Wheels
Bruce Shenker, Enviro. Mgt. Council Representative
Judy Zimmer, Cleaner
Phyllis Hulbert, NL Rep for CC Office for the Aging
Thaddeus Flint, Reporter for *The Eastwick Press*
Ellyn Gaydos, Reporter for *The Columbia Paper*
Gail Heinsohn, Reporter for *The Chatham Courier*
Gretchen Stevens, *The Hudsonia*
Michael Dewey & Cynthia Engelhardt, *NY Life Insurance*
Several members of the public

CALL TO ORDER:

The meeting was called to order at 7:15 p.m. by Supervisor Teal. A moment of silence was followed by the flag salute.

MINUTES:

The minutes of the **May 10, 2016 PH – Proposed LL: Dog Control; May 10, 2016 PH – Proposed LL: Best Value Contracts; and May 10, 2016 Regular Meeting** were reviewed. A motion was made by Supervisor Teal, seconded by Councilmember Gerald, and approved unanimously (Councilmember Smith Sr. absent) to accept the above noted minutes as typed.

FINANCIAL:

Supervisor's Report:

Supervisor Teal provided the public and Town Board members with a copy of the Supervisor's Report as of May 31, 2016. A motion was made by Councilmember Gerald, seconded by Councilmember Baumli and approved unanimously (Councilmember Smith Sr. absent) to accept the Supervisor's report.

Library Budget:

Supervisor Teal stated that she received a call from the Office of the State Comptroller regarding the Library Budget. There is a discrepancy in that the New Lebanon Library declares their own budget and follows the 2% cap rule with their own budget. We have been including that in our budget. The options are to let it ride for this year and adjust it in 2017 or to go in and make a correction on our tax cap filing and recalculate our carry over. She is going to meet with the Town Accountant, Brian Fitzgerald tomorrow and ask him how involved it would be to fix it as she would prefer to get 2016 up to date. It won't benefit or harm us, it's just going to recalculate the numbers and put us where we belong.

Councilmember Baumli asked if the Library is under a contract that the Town gives them a certain dollar amount every year. Supervisor Teal stated that their budget is set at a certain amount because of a vote so once they had that vote their budget is their budget and its set by the voters. They follow the same rules with the Office of the State Comptroller that we do and what got missed was that we were both reporting the same amount so they just want us to take that \$135,000 for the Library out of our budget.

CAC AND THE NATURAL RESOURCES CONSERVATION PLAN PROJECT:

Gretchen Stevens, Hudsonia's Biodiversity Resources Center Director gave a presentation to the Town Board regarding the Natural Resources Conservation Plan Project that the Hudsonia is currently working on with the CAC.

NY LIFE INSURANCE COMPANY:

Michael Dewey & Cynthia Engelhardt, Agents for NY Life Insurance Company gave a presentation to the Town Board requesting that the Town offer NY Life Insurance to Town Employees at the employees' option and expense.

Supervisor Teal requested that NY Life provide her with a contract for the Town Board to review so they can make a decision at the July 12, 2016 regular meeting.

PRIVILEGE OF THE FLOOR:

Cynthia Creech addressed the Town Board and stated that she would like to ask the newspapers to put something in the paper about the speed limit on Cemetery Road. The speed limit the entire length of Cemetery Road is 30 mph. People drive this road going 40, 50 and 60 mph. There are children and animals on this road and a lot of local farms use this road to transport materials with slow moving vehicles.

Jagat Pandey addressed the Town Board and stated that Rocky Brown was presented with an award at the County level for his work with the Democratic Party.

Bruce Shenker addressed the Town Board and stated that it is the one year anniversary for the Rail Trail between Stephentown and New Lebanon and in honor they are doing a community walk led by a naturalist named Nick Conrad. The walk will start at 1:00pm on Sunday, June 19th at Knapp road in Stephentown and you walk as long or short as you like. It is free and open to anybody who wishes to attend.

OLD BUSINESS:

Bids:

CONTRACTED EQUIPMENT:

Town Clerk Houghtling read the following bid notice aloud:

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 the following equipment for hire for the 2016-2017 year:

1. Bulldozer, 8 to 10 ton – 70 or more horsepower
Hourly with operator & hourly without operator
Please include year and make in the bid.
2. Excavator – 14 to 16 ton – 70 or more horsepower
Hourly with operator & hourly without operator
Please include year and make in the bid.
3. Dump truck – 10 wheeler or tri-axle
Hourly rates
Please state whether the bid is for a 10 wheeler or a tri-axle
Please include year and make in the bid.
4. Mini excavator
Hourly with operator & hourly without operator
Please include year and make in the bid.
5. Mini Track Loader
Hourly with operator & hourly without operator
Please include year and make in the bid.

Bids **MUST** be in a **SEALED, PLAIN WHITE ENVELOPE (no logo)**; marked **“BID”**; and received in the office of the New Lebanon Town Clerk at the Town Hall, 14755 Route 22, New Lebanon, New York, no later than 5:00 p.m. on Friday, June 10,

2016. All bids must include a *Non-Collusive Bidding Certificate*. The bids will be opened at the Office of the Town Clerk on Friday, June 10, 2016 at 5:00 p.m. Bids will be considered at the regular monthly Town Board meeting to be held on Tuesday, June 14, 2016 at 7:00 p.m. at the New Lebanon Town Hall at 14755 Route 22, New Lebanon, New York. The Town Board reserves the right to reject or accept all bids.

The following bids were received:

D&J Excavating LLC submitted a bid for a 1986 Autocar 400 hp tri-axle for \$85.00/hr with operator; a 2001 D3C Cat Dozer for \$95.00/hr with operator; a 1998 311B Excavator for \$120.00/hr with operator; a 2013 Kx 121-3 Kubota mini excavator for \$90.00/hr with operator; and a 2014 289D Cat Mini track loader for \$90.00/hr with operator.

J. Bergeron Trucking submitted a bid for a 1987 Ford LTL 9000 Triaxle Dump Truck, 400 Caterpillar, NYS overweight permitted with \$1,000,000.00 liability insurance coverage for an hourly trucking rate of \$85.00.

Supervisor Teal made a motion to accept both bids to be used at the discretion of the Highway Superintendent. Councilmember Evans seconded that motion.

Roll Call Vote:

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

FUEL:

Town Clerk Houghtling read the following bid notice aloud:

NOTICE TO BIDDERS
TOWN OF NEW LEBANON
COUNTY OF COLUMBIA

NOTICE IS HEREBY GIVEN that the TOWN OF NEW LEBANON is seeking bids for the following items for use by the NEW LEBANON HIGHWAY GARAGE and the NEW LEBANON TOWN HALL through 6/30/2017:

LOW SULFUR HEATING FUEL (*Number 2 Heating Fuel*) – Delivered to the Town Hall and Town Highway Garage for heating,

LOW SULFUR DIESEL FUEL – Delivered to the Town Highway Garage, and

KEROSENE – Delivered to the Town Highway Garage.

Bidder must guarantee to deliver fuel products at such times and places, and in such quantities, as may be ordered by the Town Highway Superintendent or other Town personnel. Failure on the part of the contractor to make timely deliveries of fuel products upon requisition of the Town may be regarded, at the option of the Town of New Lebanon, as a forfeiture of this contract upon the part of the bidder.

Bids are to be presented as a FIXED ADD to the posted gross rack price at the port of Albany, or the port of Rensselaer at noon on Monday, June 6, 2016.

Proof of posted rack price for any invoice/bill must be made available upon request of the Town Board.

The **FIXED ADD** will remain constant and will be added to the same terminals gross rack price as originally bid on the date of each delivery. Use of an alternate rack price will be allowed if it results in a lower net price for the Town, in which case documentation will be required for the original terminals gross rack pricing, as well as the alternate terminals rack price. An Alternate Fixed Price per Gallon Bid (*good through 6/30/17*) may be submitted for each of the fuel items.

Sealed bids (*on the form provided by the Town of New Lebanon*) must be in plain envelopes, clearly labeled only with the item being bid, and must include a "Non-Collusive Bidding Certificate." Bids must be 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 pm on Friday, June 10, 2016. Electronic and faxed bids will not be accepted.

Bids will be opened at the Office of the Town Clerk on Friday, June 10, 2016 at 5:00 pm and they will be considered by the Town Board at the Regular Monthly Meeting at the New Lebanon Town Hall at 7:00 p.m. on Tuesday, June 14, 2016. The Town Board reserves the right to reject or accept all bids.

The following bids were received:

Main Care submitted a bid for Low Sulfur Heating Fuel, Low Sulfur Diesel Fuel and Kerosene using Sprague as the Terminal for the gross rack price. Low Sulfur Heating Fuel was bid at \$1.4893 gross rack price with a \$0.1640 fixed add for a total of \$1.6533 per gallon. Low Sulfur Diesel Fuel was bid at \$1.5723 gross rack price with a \$0.1890 fixed add for a total of \$1.7613 per gallon. Kerosene was bid at \$1.8856 gross rack price with a \$0.3140 fixed add for a total of \$2.1996 per gallon.

HL Fuel Co. submitted a bid for Low Sulfur Heating Fuel, Low Sulfur Diesel Fuel and Kerosene using Sprague as the Terminal for the gross rack price. Low Sulfur Heating Fuel was bid at \$1.5096 gross rack price with a \$0.20 fixed add for a total of \$1.709 per gallon. Low Sulfur Diesel Fuel was bid at \$1.5960 gross rack price with a \$0.20 fixed add for a total of \$1.799 per gallon. Kerosene was bid at \$1.9879 gross rack price with a \$0.25 fixed add for a total of \$2.239 per gallon.

John Ray & Sons submitted a bid for Low Sulfur Heating Fuel, Low Sulfur Diesel Fuel and Kerosene using Global - Albany as the Terminal for the gross rack price. Low Sulfur Heating Fuel was bid at \$1.4650 gross rack price with a \$0.35 fixed add for a total of \$1.815 per gallon. Low Sulfur Diesel Fuel was bid at \$1.54 gross rack price with a \$0.20 fixed add for a total of \$1.74 per gallon. Kerosene was bid at \$1.9115 gross rack price with a \$0.55 fixed add for a total of \$2.4615 per gallon.

DISCUSSION:

Town Clerk Houghtling stated that both Main Care and HL Fuel Co. used Sprague as the Terminal for the gross rack price yet their gross rack prices were different. She called Sprague to verify that it is possible for different companies to be quoted different gross rack prices based on different factors including the size of loads being picked up.

Supervisor Teal asked Highway Superintendent Winestock if he was okay with them going forward with Main Care and he said yes. Supervisor Teal stated that her only reservation with Main Care is that used to have a lot of issues with them and running out of fuel. We haven't had an issue in a while but we also had a mild winter. She is hoping that we have all the kinks worked out.

Supervisor Teal made a motion to accept the bid from Main Care. Councilmember Evans seconded that motion.

Roll Call Vote:

- Councilmember Geraldini – Aye
- Councilmember Smith – Absent
- Supervisor Teal – Aye
- Councilmember Evans – Aye
- Councilmember Baumli – Aye

SAND, STONE & GRAVEL:

Town Clerk Houghtling read the following bid notice aloud:

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

NOTICE IS HEREBY GIVEN that the TOWN OF NEW LEBANON is seeking bids for supplying the following items for use by the NEW LEBANON HIGHWAY DEPARTMENT through 6/30/2017:

1. Gravel
 - A- Bank run gravel
 - B- Item #3, 1" minus
2. Sand

3. Stone
- A- Screened 3/8" sand
 - A- Washed #1-A
 - B- Washed #1
 - C- Washed Mixed #1 & 1-A
 - D- Gabion Stone

BIDS MUST BE SUBMITTED ON THE BID FORM PROVIDED BY THE TOWN:

A – Delivered to the Town Highway Garage in New Lebanon

B – Picked up by the highway department (**MUST INCLUDE IF LOADER IS AVAILABLE**)

Bids must be received in the office of the Town Clerk at the New Lebanon Town Hall, 14755 Route 22 North, New Lebanon, New York, no later than 5:00 pm on Friday, June 10, 2016. Bids will be opened at the Office of the Town Clerk at 5:00 pm on Friday, June 10, 2016 and bids will be considered by the Town Board at the Regular Monthly Meeting at the New Lebanon Town Hall at 7:00 p.m. on Tuesday, June 14, 2016. The Highway Superintendent reserves the right to inspect and/or reject any materials. The Town Board reserves the right to reject any and all bids, or to accept more than one bid as determined by location and needs of the town. All bidders should present the town clerk with a valid mining permit and/or an agreement with the town, must include a "Non-Collusion Bidding Certificate," and must be submitted on the bid form provided by the town.

Town Clerk Houghtling read the following bids which were received:

Joy Sherman submitted a bid for Bank Run Gravel to be picked up at \$5.50 per cu. Yd.

Colarusso submitted a bid for Bank Run Gravel to be picked up at \$9.00 or delivered at \$20.00 per cu. Yd.; Sand screened 3/8" to be picked up at \$10.85 or delivered at \$20.40 per cu. Yd.; Screen Fill 1" minus to be picked up at \$8.00 or delivered at \$15.00 per ton; washed #1A to be picked up at \$11.25 or delivered at \$18.25 per ton; washed #1 to be picked up at \$10.85 or delivered at \$17.85 per ton; washed mixed #1 & #1A to be picked up at \$11.25 or delivered at \$18.25 per ton; rip-rap to be picked up at \$12.50 or delivered at \$23.30 per ton; and gabion to be picked up at \$10.85 or delivered at \$17.85 per ton.

Supervisor Teal made a motion to accept the bid from Joy Sherman for Bank Run and to accept the bid from Colarusso for all others except Bank Run. Councilmember Baumli seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye

Councilmember Smith – Absent

Supervisor Teal – Aye

Councilmember Evans – Aye

Councilmember Baumli – Aye

CALCIUM CHLORIDE:

Town Clerk Houghtling read the following bid notice aloud:

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 bids for liquid calcium to be applied to town roads through 6/30/2017. **Bids must be submitted on the bid form provided by the town.** Bids must include the percentage (%) of calcium and the percentage (%) of water. Bids must be in a PLAIN ENVELOPE and labeled only with the item being bid and must include a “Non-Collusion Bidding Certificate.” Bids must be received in the office of the Town Clerk at the New Lebanon Town Hall, 14755 Route 22 North, New Lebanon, New York, no later than 5:00 pm on Friday, June 10, 2016. Bids will be opened at the Office of the Town Clerk at 5:00 pm on Friday, June 10, 2016 and will be considered by the Town Board at the Regular Monthly Meeting at the New Lebanon Town Hall at 7:00 p.m. on Tuesday, June 14, 2016. The Town Board reserves the right to reject or accept all bids.

Town Clerk Houghtling read the following bids which were received:

Peckham submitted a bid for Calcium Chloride in winter at 32% calcium and 68% water and in summer at 35% calcium and 65% water for \$0.904 per gallon.

The Gorman Group submitted a bid for Calcium Chloride in winter at 32% calcium and 68% water and in summer at 35% calcium and 65% water for \$0.90 per gallon.

Supervisor Teal made a motion to accept both bids to be used at the discretion of the Highway Superintendent. Councilmember Evans seconded that motion.

Roll Call Vote:

Councilmember Geraldini – Aye

Councilmember Smith – Absent

Supervisor Teal – Aye

Councilmember Evans – Aye

Councilmember Baumli – Aye

NEW BUSINESS:

Good Earthkeeping Award:

Supervisor Teal stated that Cynthia Creech has been awarded The Good Earthkeeping Award by the Columbia County Environmental Management Council. She was nominated by Tistrya Houghtling. Supervisor Teal read aloud the letter of nomination.

I would like to nominate Cynthia Creech and her business, Artemis Farm for the Good Earthkeeping Award. Cynthia is the owner and sole operator of Artemis Farm. In her farm and her everyday life, she models sustainability and environmental preservation. Cynthia is well known in the Agricultural world for single handedly saving a breed of cattle known as the Randall Cattle from extinction. Due to her efforts, the Randall Cattle breed is now alive and thriving not just on Artemis Farm, but many farms across New England and Canada. She uses all sustainable farming methods on her farm and her cattle are TRULY grass fed (grass in the summer, hay in the winter; that's it). In her local community of New Lebanon, NY Cynthia also has had an integral part in managing and running the local Farmer's Market. With a passion for clean, local food she works hard to provide it affordably to her community. Many times Cynthia has had opportunities to sell her grass fed beef in places like NYC for a higher profit margin, but has declined stating that she wants to provide clean, LOCAL food to the people in this community. She runs a CSA here so that people can purchase her ground beef at a decreased rate per pound by purchasing a share in advance. Cynthia has been instrumental in bringing other sustainable farming to New Lebanon and due to her efforts, we now have numerous sustainable farms ranging from vegetables to meat many of which offer shares in a CSA.

In New Lebanon Cynthia serves on many boards including the Conservation Advisory Committee where she puts in countless volunteer hours to ensure that our vast natural resources are preserved. She also serves as the Farmer Representative on our Zoning Re-Write Committee in our Right to Farm community to ensure that Farmers' rights are protected. She also serves as our Town's Deputy Supervisor. Cynthia recently put her farm and land into conservation through the Columbia Land Conservancy with a promise to ensure that the land is available for future generations of farmers to be able to farm it affordably.

Cynthia is one of the hardest working people that I know. She volunteers so much of her time and energy to help ensure that farming, sustainability and clean food are at the forefront of our decision making and she is consistently attending meetings and reminding decision makers in our community why sustainability is so important to our future. I think she should be recognized for her efforts because she works so hard for no pay and very little recognition. She does what she does because she loves it and she never looks for kudos or recognition for her actions. I think it would be so nice for us to officially recognize her for all that she does and all that she brings to our community.

Thank you for your consideration of my nomination of Cynthia Creech!

Ricoh USA Contract:

Supervisor Teal stated that Ricoh has been overcharging us for copies since December of 2013. They are currently doing the necessary research to provide a credit for this overcharge. It will be several hundred dollars. She will not accept a credit on our invoice as last time they credited us it took 6 months to get them applied. She would like the Town Board's approval to transfer this refund to the central printing account under the newsletter item and that would help fund the additional issues of the newsletter going out without having to transfer that money from somewhere else. She asked if the Town Board was okay with her transferring the refund money into that line item. Nobody spoke in opposition.

COMMITTEE REPORTS:

Assessor (Councilmember Evans):

Councilmember Evans stated that all new STAR applications will now be processed at the stated level. STAR renewals and all other exemptions will still be processed with the assessor. The website has been updated to provide information and links to apply. For grievance day there was a total of 3 stipulations by the assessor and 5 grievances that went before the Board of Assessment Review. Any changes from this have been entered on the roll. A statement of changes has been filed with the Town Clerk. The Final Roll for 2016 will be filed on July 1st.

The scanning project is moving along but does require a lot of time. They are currently able to scan around 5-7 files per hour. That's about 215 hours of work. This does not include moving previously scanned files. Those files will be moved to each individual folder after the scanning of the physical files is complete. The Assessor will begin the cycle of data verification again this summer. This will include a new photo on each property and verification of the Data we have on file. Most of this will be accomplished from the public right of way. This is part of our cyclical plan and one reason we were able to get the State aid we received this past year. We are currently set for a 2018 reassessment.

Broadband Committee (Supervisor Teal):

Supervisor Teal stated that 8 people have expressed an interest in serving on the New Lebanon Broadband Committee. She has asked Doug Banker to serve as the chair and to contact all of the interested parties and start some meetings with them. In addition, she is part of the steering committee for Connect Columbia, a community action network committed to bringing affordable broadband to all corners of Columbia County. It is comprised of citizens, supervisors, and broadband committee chairpersons from other communities. They all meet in Ghent and there is a Facebook presence. As they get working on different things they may ask the community to help support them to get messages out to our Assemblymen and Legislators.

Bruce Shenker asked what the relationship is between the Town committee and the County committee. Supervisor Teal stated that there are three different levels. There

is a New Lebanon Broadband Committee and they will be tasked with doing a lot of the foot work. The Connect Columbia is an intermediate group comprised of elected officials, residents and businesses. Last Wednesday the County Board of Supervisors formed a broadband advisory council. The hope is that all three groups will be working together to get what we need. She was appointed to the broadband committee on the County level so she is serving on all three groups.

All three groups will be working with Fairpoint and Charter. Each Town Supervisor that has Charter as a service provider will be checking their contracts as most contracts state that mapping of the service area is part of the contract but they have not been providing it to all of the communities. Supervisor Teal just got a notice on Sunday that the Attorney General has sent a letter to Charter because of the Time Warner merger. They are asking Charter to honor Time Warner's prior commitments regarding high speed internet for its customers. Since the Attorney General launched the investigation into broadband speeds in October of 2015, he has determined that Time Warner Cable misled customers on the speed and reliability of its internet service. In his letter he urges Charter to take advantage of this opportunity to provide quality internet service New Yorkers deserve. There are a lot of different things going on at a lot of different levels.

Building Department (Councilmember Geraldini & Councilmember Baumli):

Supervisor Teal asked ZBA member Ted Salem to update us on the email he sent with the proposals for changes to Zoning and Sign Laws. Ted Salem stated that the Zoning Rewrite Committee has been meeting since January and they are pushing forward to the full board a recommendation for 8 items to move forward. He stated that the committee consists of Councilmembers Chuck Geraldini and Mark Baumli; Deputy Town Supervisor and farming representative Cynthia Creech; Planning Board members Greg Hanna and Wes Powell; and ZBA members Tony Murad and Ted Salem. He stated that he won't go through all the recommendations but he just wanted to point out one or two items of particular interest and answer any questions the Town Board members may have.

One of the changes they are recommending relates to a change in when removal of violation for a zoning violation needs to be remedied. It was 10 days and they are recommending moving it to 30 days in conformance with recent court opinion and changes in the regulations of the Department of State. So we really have no choice on this. The benefit of it is now the zoning and building violations which frequently occur together will be on the same clock. The building department is quite pleased with this recommended change.

Another recommendation is something that squares with a recommendation that Town Attorney, Dan Tuczinski made to the Planning Board which is acknowledging that the Planning Board does have some discretion in what needs to be part of the site plan review application. They looked at the actual verbiage of that section and realized that it did not imply that the Planning Board does have some discretion to waive certain requirements. They tweaked the language a little bit to make it explicit that the Planning Board does have that discretion.

The third recommendation that he would like to emphasize is to address the fact that there is no provision for temporary signs within our code with the exception of real estate signs and construction signs. Our sign ordinance makes no reference to temporary signs for events that would warrant a need for temporary signs such as school or church events, farmer's markets, or other event specific signs. They have crafted some language to allow for temporary signs and drafted it for the Town Board consideration. They are proposing that temporary yard or garage sale signs would have a maximum size of no more than 6 square feet with only 2 permitted and must be removed within 3 days of the sale. Signs for temporary events they are recommending a maximum size of no more than 8 square feet with 4 permitted throughout the town and they must be removed within 3 days of the event.

Supervisor Teal asked if there was any discussion with how early signs were allowed to go up in advance of a temporary event. Ted Salem stated that they recommended 7 days in advance of the event for signs to be allowed to go up.

Supervisor Teal asked the Town Attorney Dan Tuczinski to advise how the Town Board would move forward to implement these changes. Dan stated that the Town's code does require the Planning Board to make a recommendation. He recommends that they take what the Zoning Rewrite Committee has disseminated and look at it, rework it, solicit input from the Planning Board. We will have to have a public hearing on it before it can be adopted anyway. He will put together a draft adding in some necessary language for the Planning Board to look over. Then it can be adopted by the Town Board as a Local Law.

Ted Salem stated that he would also like to summarize the piece on solar. The Zoning Rewrite Committee has in front of them a model from the State. They will be looking it over and the plan is to collaborate with the CAC and have one or more community forums to have input. There is a scope of what should be in the law but the decision points are ours to make so they would like community input. They will be holding the community forums sometime toward the middle of the summer and then they are hoping to have something before the full board by early to mid-fall.

Supervisor Teal asked if this will apply to commercial only. Ted Salem responded that it will apply to residential and commercial.

CAC & Environmental Management (Deputy Supervisor Creech):

David Farren asked about the resolution passed by the Town Board in 2015 designating the Wyomanock as an inland waterway. Supervisor Teal stated that she received a call this week from Assemblyman McLaughlin's office. They at the 11th hour realized that this bill was on the Senate floor, it had been passed. The Assembly needed to get it on the floor. Additionally we didn't have the proper paperwork to get it off the Senate floor and we didn't have the paperwork to get it on the Assembly floor. Supervisor Teal called a special meeting of the Town Board and cancelled it because she talked to Daphne Jordan at Kathy Marchione's office and asked her if we put this off until January what will we lose and will there be any black marks on us for having allowed this request to go this far, be adopted and then just let it die. She was assured that nothing negative would happen by waiting until January.

Supervisor Teal has made a promise to her board that they would not be handed items the 11th hour unless it truly was an emergency. In hearing that we were not going to lose anything by waiting, it made more sense to wait until January. Bruce Shenker asked why it has to wait so long. Supervisor Teal stated that January is the next time that they are meeting.

David Farren asked if the standing resolution from 2015 carry over. Supervisor Teal stated that there were a lot of steps skipped so this time we will make sure that we follow all the steps properly and pass a new resolution moving forward to be presented to the Senate and Assembly floor in January.

Fire, Law Enforcement & Emergency (Councilmember Smith):

In Councilmember Smith's absence, Councilmember Baumli read the LVPA activity report aloud. He stated that there were 14 calls with a total of 91 people involved and total man hours of 274.91. He stated that if anyone wants a copy of their activity report or monthly financial report, they can get one at the Town Clerk's office.

Highway (Councilmember Evans & Councilmember Smith):

Supervisor Teal stated that on the County Route 5 signage, Councilmember Smith reached out to Dean Knox with the County Highway Department who came out to look at the signs with him. He agreed that we are missing some and the signs are too small. It is being rectified.

Historian & LVHS: (Councilmember Baumli):

Steve Oberon stated that the LVHS is working together with Town Historian Kevin Fuerst and Deputy Town Historian John Trainor to put together some interpretive signage for the Mohican Blessing Fountain which they hope to have installed by September.

Justice Court/Constable (Councilmember Gerald):

No report.

Parks & Recreation (Supervisor Teal):

Supervisor Teal stated that the playground installation is done and we did come in a little bit over budget. She is anticipating that the final cost is going to be closer to \$8,500 than the \$5,000 we had originally hoped. The community day and ribbon cutting on Sunday was well attended in spite of the weather. We had our inspection today of the playground and we passed with flying colors. We also had the Summer Youth and full park inspection. There are two items that we need to take care of. We passed inspection but we need to cut down the Cherry Tree along the road into the pavilion. Councilmember Smith spoke with Pat Slattery today and he has volunteered to take it down for us. He will work with Kevin Smith and Don Sears to get the tree down. Also the ultraviolet system at the pavilion is acting up. Hatch worked on it yesterday. In the middle of the inspection it went off again. It will be fixed before the Summer Youth Program

starts. It is required because we have a public park and a public camp that we have to have this system in working order by state regulation.

Ed Godfroy stated that we need to make sure that the Cherry Tree is on our property as there was a boundary dispute along that property line when he worked in the park.

Supervisor Teal stated that for the new tennis courts contracts are signed, the old courts have been removed and the new courts will be completed by June 21st we hope. That is what the contract says. She stated that the basketball courts do need some work. There are some cracks in them. We will talk to HMA Contracting when they are out here for the tennis courts just to see what they recommend. The posts are crooked and we are going to see what we can do to straighten them out, possibly install some fence extension on the creek side and road side so the kids aren't always running out after the balls, and any repair needed on the hoops. We will start with volunteer work and anything that may cost money we will get a proposal together for the Town Board for the July meeting. When setting up for the event, she noticed that the pavilion needs some work on the floor and the sidewalk. There is no way it is going to be done this year but she has talked to Don Sears and they are going to do an entire inspection of the park and make a list of everything that work needs to be done on so we can start a plan for that for the Town Board. Town Clerk Houghtling, Supervisor Teal and Don Sears attended a workshop put on by NYMIR for summer camps and playgrounds. It was very informative and we have developed an inspection checklist for the park from NYMIR's templates and we are looking at our pavilion rental forms also.

Town Clerk Houghtling stated that a request has come into her office for a pavilion rental in July to have the fee waived because they are a church and a non-profit organization. They are the New Life Church located in Pittsfield, MA. A person living here in New Lebanon is a member of the church and would like to have an event at the pavilion for the church.

Supervisor Teal made a motion to waive the fee for the New Life Church to use the pavilion in July. Councilmember Baumli seconded that motion. The motion passed unanimously (Councilmember Smith Sr. absent).

Rocky Brown stated that he is concerned and asked if anything has been done about the seats at the pavilion. Supervisor Teal stated that nothing has been done. Rocky Brown asked if the Town is going to rent out the pavilion knowing that it is very dangerous. Rocky Brown stated that there has been an accident there and it should be taken care of before anybody is allowed to use those tables again. Supervisor Teal stated that she did some looking into it and they are within the specifications however they are going to work on expanding them.

She stated that right now we have the cafeteria tables under the pavilion and the picnic tables are out under the trees. Rocky Brown stated that he is very concerned for the Town since he got hurt already and he doesn't want to see somebody get hurt that will end up suing the town because the chairs on the picnic tables are not right.

Seniors (Councilmember Baumli & Phyllis Hulbert):

Phyllis Hulbert stated that she was put on a committee at the county level to go over new programs for seniors to see if we can find some out there and get the funding for them. They are doing a lot of work and they have a lot of new people there who are helping her push some of this stuff through. Phyllis Hulbert received her second certificate from Kathy Marchione for the work she has been doing for New Lebanon and Columbia County.

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

Town Clerk Houghtling stated that we have added a 95 gallon recycling container to our garbage service with Carmen Barbato for \$5.00 per month so we can recycle here at the Town Hall.

LVPA Building (Gerald):

No report.

County Updates:

Supervisor Teal stated that she got a report on population change in the past year and the county as a whole is down 8%, New Lebanon is down 6%, and every town in the county is down. She is a firm believer that one of the reasons for this decline is because of broadband. Columbia County is searching for a new director of health and a director of probation.

ANNOUNCEMENTS:

Saturday, June 18th ~ Town Clean Up Day @ Town Highway Garage
Tuesday, July 12th – Regular Town Board Meeting @ 7:00pm @ Town Hall

BUDGET AMENDMENT:

Amendment # 6 of 2016:

General Fund:

\$2,500	from A-511 (Appropriated Reserves: Shatford Park)
\$200	from A-1990.4 (Contingent)
\$200	to A-1010.4 (Town Board: Contractual Expense)
\$2,500	to A-7110.2 (Parks: Equipment – Playground Install)

A motion was made by Supervisor Teal, seconded by Councilmember Baumli, and approved unanimously (Councilmember Smith Sr. absent) to approve the above noted amendment to the 2016 Budget.

AUDIT OF BILLS:

**General Nos. 161 through 162 in the amount of \$728.53; and
Highway No. 55 in the amount of \$18,798.66;
As listed on Abstract 5A of 2016 dated June 14, 2016.**

**General Nos. 163 through 205, in the amount of \$71,378.33;
Highway Nos. 56 through 69, in the amount of \$86,752.65; and
Escrow Nos. E16-4 through E16-5, in the amount of \$580.00;
As listed on Abstract No. 6 of 2016 dated June 14, 2016.**

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

PRIVILEGE OF THE FLOOR:

Bud Godfroy addressed the Town Board and stated that the Episcopal Church/Church of Our Savior is having a citizen preparedness presentation on June 25th time to be announced. If anybody would like to be pre-registered they can email Bud at godfroysauto@fairpoint.net. They will do a presentation on preparing for natural emergencies.

He asked about the status of the sidewalks. Supervisor Teal stated that they are waiting to meet with DOT at the end of this month. They met with the engineers to get a feel of where we are at. We have some time and we also have an option of applying for an extension before we have to make a decision. Her first thought was that we had to figure out any way not to do the sidewalks but we have spent some money already and she would like to look at all our options and consider what is best for the town. Whatever we look at will be looked at with the public involvement.

He asked about sign enforcement and tickets for the signs that are illegal such as the flags and the flashing signs. Supervisor Teal stated that there were 10 violations originally out of 54 businesses. Out of the 10 she believes 4 have come into compliance and 3 have submitted applications for a variance and the other 3 are in limbo at the moment. We are making progress.

He asked about the liability on the town to have the tree in the park cut down by a volunteer. Supervisor Teal stated that she will check into it with NYMIR but she knows that we do it at the cemetery also and it's usually just a waiver that needs to be signed to allow volunteers to work on town property.

He asked about the Fire Contract for next year and Supervisor Teal stated that it is on her next to do list.

Kris Dreyfus stated that she is amazed at the new playground and gave a big thank you to all the people involved in making it happen.

ADJOURNMENT:

A motion was made by Supervisor Teal and seconded by Councilmember Geraldini to adjourn the meeting at 9:10 p.m.

Respectfully submitted,

Tistrya Houghtling
New Lebanon Town Clerk