

**MINUTES OF THE REGULAR MEETING OF  
THE TOWN BOARD OF THE TOWN OF NEW LEBANON  
HELD ON OCTOBER 11, 2016**

**Present:** Colleen Teal, Supervisor  
Kevin Smith Sr, Councilmember  
Mark Baumli, Councilmember  
Dan Evans, Councilmember  
Chuck Gerald, Councilmember  
Stephanie Ferradino, Attorney

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

**Others Present:** Cynthia Creech, Deputy Supervisor, Court Clerk,  
Rec. Commission, CAC & ZRC Member  
Ben Wheeler, LVPA  
Gregg Gilliland, LVPA  
Bobby Waters, LVPA  
Jeff Winestock, Highway Superintendent  
Robert Smith, Ethics Board Member, Planning  
Board Member  
Judy Zimmer, Cleaner  
Thaddeus Flint, Reporter for *The Eastwick Press*  
Ellen Gaydos, Reporter for *The Columbia Paper*  
Several members of the public

**CALL TO ORDER:**

The meeting was called to order at 7:04 p.m. by Supervisor Teal. A moment of silence was followed by the flag salute.

**MINUTES:**

The minutes of the **September 13, 2016 Regular Meeting** were reviewed. A motion was made by Supervisor Teal, seconded by Councilmember Evans and approved unanimously 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 September 30, 2016. A motion was made by Councilmember Smith, seconded by Councilmember Evans and approved unanimously to accept the Supervisor's report.

**PRIVILEGE OF THE FLOOR:**

**Al Belenchia** stated that he is the new executive director of The Abode of the Message. He wanted to come to the meeting to say hello and let people know that they are open for business. He invited the community to come up the road to The Abode. They have great things planned for revitalizing the campus over the next several months. They just announced a new logo and brand and a new strategy for building their business and bringing more people into New Lebanon and up Shaker Road. He invited everyone to come up for Sunday worship and Sunday brunch and to any of their sessions on Tuesdays and Thursdays.

**2016 TRUCK BIDS:**

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 one (1) 2016 4 wheel drive combination side dump with a 4-way 9 foot plow with a minimum GVW of 19,500 lbs. Truck must be complete and delivered within 60 days of notice of acceptance of bid. Specs are available at the office of the Town Clerk and/or the Town Highway Superintendent. Bids MUST be in a SEALED, PLAIN WHITE ENVELOPE (no logo); marked "TRUCK 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 FRIDAY, OCTOBER 7, 2016. The bids will be opened at the office of the Town Clerk at 5:00 p.m. on FRIDAY, OCTOBER 7, 2016. Bids will be reviewed by the Highway Superintendent and the New Lebanon Town Board at the Town Meeting Hall, 14755 State Route 22, New Lebanon, at 7:00pm on October 11, 2016. The Town Board reserves the right to accept or reject any or all bids.

Jeffrey Winestock  
Highway Superintendent  
9/20/16

Town Clerk Houghtling stated that we received one bid for the 2016 Truck from Marchese Ford at the purchase price of \$99,495.

Councilmember Baumli asked if the bid notice was sent to any dealerships. Town Clerk Houghtling stated that it was advertised in the newspapers, our bulletin boards and our town website but was not sent by her directly to any dealerships. Town Highway Superintendent Winestock stated that he went around to other dealerships and looked to see what they had. Councilmember Baumli stated that he would like to see emails and phone calls go out to other dealerships. He stated that the sticker price plus the custom work that Zwack is going to do comes to \$104,000 and we got a bid of \$99,000 and you usually don't pay that close to the sticker price when buying new vehicles.

Supervisor Teal stated that we did not go out to bid with the 2008 Dodge as a trade in as originally planned as Highway Superintendent Winestock felt that we could get more money for it by declaring it surplus and going out to bid on it than we would as a trade in.

Councilmember Smith made a motion to accept the bid proposal from Marchese Ford for the purchase of a 2016 Highway Truck at a cost of \$99,495. Supervisor Teal seconded that motion.

Roll Call Vote:

Councilmember Chuck Gerald	Nay
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Nay

Supervisor Teal stated that there are different funding options available that she presented to the Town Board at the last meeting. Councilmember Smith stated that he had proposed option #2 at the last meeting. Supervisor Teal stated that option #2 would be \$20,000 down out of the 2016 budget and financing the balance over 4 years with an estimated monthly payment of around \$20,000 annually for 4 years.

Supervisor Teal made a motion authorizing her to pursue funding for the 2016 highway truck using financing option #2 with a down payment of \$20,000 coming out of the 2016 budget and financing the remaining balance over 4 years. Councilmember Smith seconded the motion.

Roll Call Vote:

Councilmember Chuck Gerald	Abstain
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Aye

Supervisor Teal stated that she would like authorization for us to declare the 2008 Dodge surplus and to go out to bid to sell that. She asked Highway Superintendent if he can release the 2008 Dodge before the new highway truck is purchased. Highway Superintendent stated that he needs the new truck before he can give up the 2008 Dodge. The Town Attorney stated that we can let the bidders know that the 2008 Dodge will not be available until the replacement highway truck is delivered.

Supervisor Teal made a motion to declare the 2008 Dodge surplus and to go out to bid to sell it with the specification that it will not be available to pick up until the new highway truck is delivered. Councilmember Smith seconded that motion.

Councilmember Gerald stated that you will have a tough time getting people to bid on it that way because the truck could be fine today and you are telling people that they can't pick it up for 3 months and in 3 months it could have a bad transmission. The Town Attorney recommended waiting to go out to bid on the 2008 Dodge until the new highway truck has been delivered.

Roll Call Vote:

Councilmember Chuck Gerald	Nay
Councilmember Kevin Smith Sr.	Nay
Supervisor Colleen Teal	Nay
Councilmember Dan Evans	Nay
Councilmember Mark Baumli	Nay

The motion failed.

**BIDS FOR SALE OF 1999 INTERNATIONAL**

Town Clerk Houghtling read the following bid notice aloud:

TOWN OF NEW LEBANON  
BID REQUEST  
1999 INTERNATIONAL 2500 SERIES

NOTICE IS HEREBY GIVEN that the Town of New Lebanon is seeking to sell one (1) 1999 International 2500 Series single axle combination dump and sander “as is.” Further information can be obtained from the New Lebanon Highway Superintendent. If you would like to view the equipment, please contact the Town Clerk at 518-794-8888. Bids must be in a PLAIN WHITE ENVELOPE with “1999 INTERNATIONAL BID” written on the front. Sealed 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 p.m. on Friday, October 7, 2016. Bids will be opened publicly in the Office of the New Lebanon Town Clerk at 5:00 p.m. on Friday, October 7, 2016. Bids will be reviewed by the Highway Superintendent and the New Lebanon Town Board for acceptance or rejection at the regular monthly meeting of the New Lebanon Town Board at the Town Meeting Hall, 14755 State Route 22, New Lebanon, at 7:00 p.m. on October 11, 2016. The Town Board reserves the right to reject or accept all bids.

Tistrya Houghtling  
New Lebanon Town Clerk  
09/20/2016

Town Clerk Houghtling stated that we received two bids, one in the amount of \$3,600 and one in the amount of \$3,620.

Supervisor Teal stated that she spoke with Highway Superintendent Winestock about what he thought the value of the 1999 International is. She feels that these are very low bids and we do reserve the right to reject them all, however we have done that before and then we were left with a vehicle sitting in the back getting nothing but older. She asked Highway Superintendent Winestock for his opinion. He stated that the bids do seem low but he was

also honest with the people interested in the truck that the frame has been welded on. He would like to see more money for it but he also doesn't want it sitting and not going anywhere. Supervisor Teal stated that one thing we could do is see if we can sell it through an auction with the County and get better money for it.

Councilmember Smith made a motion to reject all bids received. Supervisor Teal seconded that motion.

Roll Call Vote:

Councilmember Chuck Gerald	Aye
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Aye

Supervisor Teal made a motion to allow her to do all actions necessary to put the 1999 International truck out to auction at the County. Councilmember Evans seconded that motion.

Roll Call Vote:

Councilmember Chuck Gerald	Aye
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Aye

**OLD BUSINESS:**

***Proposed Local Law Amending Sign Law:***

Supervisor Teal stated that the first thing we need to do is SEQR. Supervisor Teal made a motion to declare that the Town of New Lebanon is the lead agency. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Chuck Gerald	Aye
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Aye

Supervisor Teal stated that part one asks "Does the proposed action only involve the legislative adoption of a local law?" and she put yes and that piece she executed. We also need to complete the short environmental assessment form part two – impact assessment. Attorney Stephanie Ferradino stated that this is an unlisted action and read through each question on part two.

Upon review of the short form SEQR, Supervisor Teal made a motion to issue a negative

declaration under SEQR for the enactment of Local Law #3, 2016. Councilmember Evans seconded that motion.

Roll Call Vote:

Councilmember Chuck Gerald	Aye
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Aye

Supervisor Teal stated that the Town Board has the Planning Board recommendation from the County. The Columbia County Planning Board finds that this proposed action does not appear to have any significant County wide or intercommunity impacts associated with it therefore the Town of New Lebanon Town Board may take final action on this local law with a simple majority vote. She stated that we also have recommendations from the Town of New Lebanon Planning Board. They expressed concern with some of the terminology. In reviewing some of their concerns, the Town Attorney drafted a change on the back side of the letter from our local planning board under 205-17 section B K (b). Attorney Ferradino stated that the new language that they have drafted based on the local Planning Board's concerns is preferable to the initial language presented for review.

Supervisor Teal read the proposed new language aloud: "Subject to the below, the Town Board may require the removal of any nonconforming sign if the Town Board, in its judgment, determines the sign detracts from the general appearance of the community or endangers the public safety. All legal nonconforming signs at the time of adoption of this chapter may be maintained in their present configuration and without change until November 1, 2018 ("amortization date"). If however, the dismantling and removal of any sign by the end of the amortization date shall work an unreasonable hardship upon the owner thereof, the owner may make application to the town board for a reasonable extension of time upon proof of such hardship. Signs that are not legally preexisting shall not be entitled to the benefits of the amortization."

Attorney Ferradino stated that the local Planning Board was concerned that the term unamortized value could be interpreted in different ways so she did some research and determined that communities that were able to uphold their statute had language more similar to what the Attorney re-wrote. It allows for a short period of time in which owners of legal non-conforming signs (not something that is already an illegal sign, but anything that is legal prior to the enactment of Local Law #3, 2016 - and the burden to show that they had a legal sign is on the property owner) are given a period of time to realize the value for that investment. After that time, they need to bring the sign into compliance. She thinks it provides a balance to the property owners' rights with the interest in the Town in being able to enforce and improve their laws in regards to what some may see as visual blight caused by signs that are non-conforming.

Several members of the public asked questions regarding other pieces of the Town's sign law. Supervisor Teal stated that this local law is only addressing a few small pieces of the sign law and there is a lot more that we need to work on in the sign law.

**TOWN OF NEW LEBANON**

**RESOLUTION #19, 2016 – ENACTMENT OF LL #3, 2016 – AMENDING CHAPTERS §162 AND 205 OF THE CODE OF THE TOWN OF NEW LEBANON CODE ENTITLED “SIGNS & POSTERS” AND “ZONING”**

**OCTOBER 11, 2016**

At the Regular Monthly Meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall at 14755 Route 22, New Lebanon, New York, duly called and held on the 11<sup>th</sup> day of October 2016, the following Resolution was put forth for enactment:

**PROPOSED BY SUPERVISOR COLLEEN TEAL**

**SECONDED BY COUNCILMEMBER KEVIN SMITH SR.**

**ENACTMENT OF LOCAL LAW NO. 3 OF 2016: AMENDING CHAPTERS §162 AND 205 OF THE CODE OF THE TOWN OF NEW LEBANON CODE ENTITLED “SIGNS & POSTERS” AND “ZONING”**

**Section 1. Name of Local Law**

This local law shall be referred to as “A Local Law amending Chapters 162 and 205 of the Code of the Town of New Lebanon entitled “Signs & Posters” and “Zoning”

**Section 2. Findings and Intent**

The Town of New Lebanon seeks to relocate and modify provisions of the existing code in order to address needs within the town that have not already been adequately addressed by the code.

**Section 3. Authority**

This Local Law is enacted pursuant to the authority of Section 10 of the New York State Municipal Home Rule Law.

**Section 4. Enactment**

This Local Law supersedes and replaces Chapter 162 Signs and Posters in its entirety, inserts a new provision 205-17 Signs and Posters, and renumbers previous section 205-17 Definitions to new section 205-18. This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law. All provisions of the Zoning Code of the town of New Lebanon regarding legal requirements for the enactment of this Local Law to the extent inconsistent with the Municipal Home Rule Law are hereby superseded.

Be it enacted by the Town Board of the Town of New Lebanon that Chapters 162 and 205 of the Code of the Town of New Lebanon be hereby amended as follows:

**§205-17. Signs and Posters.**

*[HISTORY: Adopted by the Town Board of the Town of New Lebanon on October 11, 2016 by L.L. No. 3*

*Editor’s Note: This local law relocates, amends and supercedes former Ch. 162, Signs and Posters, L.L. No. 1-2011]*

A: Intent and Purpose. The intent of this section is to promote and protect the public health, safety and welfare of the residents of the town by regulation of advertising and signage.

**B: Rules and regulations.**

- (1). All exterior signs and posters must be constructed of durable materials, shall be lettered in a professional and workmanlike manner and shall be maintained in good condition and repair at all times. Exterior signs and posters made of cardboard, paper or similar nonpermanent material are prohibited except for conservation and no-trespassing signs.
- (2). In any residential district, a sign not exceeding two square feet in surface which announces the name, address or professional or home occupation of the occupant of the premises on which said sign is located is permitted.
- (3). A bulletin board not exceeding 24 square feet is permitted in connection with any church, school or similar public structure.
- (4). A temporary real estate sign not exceeding six square feet or a construction sign not exceeding 24 square feet is permitted on the property being sold, leased or developed. Such sign shall be removed promptly when it has fulfilled its function.
- (5). An exterior business sign located in a commercial, recreational commercial or industrial district shall be permitted in connection with any authorized business or industry located on the same premises and meeting the following requirements:
  - (a) Two signs are permitted with any legally established business; one freestanding, the other attached to the building, and neither to exceed 24 square feet.
  - (b) The primary purpose of the sign shall be for identification and may state only the owner, trade names, trademarks, products sold and/or the business or activity conducted on the premises on which the sign is located.
  - (c) Signs shall not extend above the roof or parapet of the building. The height of a freestanding sign shall not exceed 30 feet.
  - (d) Illuminated signs shall be shielded in such a way as to produce no glare, undue distraction, confusion or hazard to the surrounding area or to vehicular traffic. Illumination shall be properly focused upon or from within the sign itself.
  - (e) Signs which are animated, flashing or with intermittent illumination are prohibited.
  - (f) Signs shall not project over public rights-of-way or adjoining property lines.
  - (g) Lettering or symbols on the exterior structure of a business shall be considered a sign and shall be measured by connecting the extremities of the borders, lettering or symbols to be inscribed within a regular geometric form and, in addition, shall meet all the requirements of this chapter.

**C. Signs for multi-business complexes, shopping centers, malls, PCID, etc.**

(1) The owner of a business complex shall be permitted one freestanding sign which shall not exceed 24 square feet.

(2) One freestanding sign shall be permitted for the common use by all the businesses operating from the complex. Each business identification included on this sign shall not exceed 10 square feet, shall be measured as prescribed in the sign definition of this chapter and shall be uniform in design. (The total area of the signs permitted by Subsection C(1) and C(2) shall not exceed 75 square feet.)

(3) Such freestanding signs shall not exceed a height of 30 feet.

(4) In addition, within a shopping center, one sign for each individual business shall be allowed, such sign to be attached to the building, with a maximum projection of 18 inches off the face of the building wall. Such sign shall not exceed 24 square feet.

D. Any sign in disrepair or which becomes obsolete shall be removed, at the expense of the owner, upon order of the Town Board, if not repaired after 30 days' notice. Any replaced or repaired sign must conform to all regulations in this chapter.

E. Two signs off site may be permitted by the Zoning Enforcement Officer for business located in New Lebanon only, if necessary to direct customers to the place of business. The primary intent shall be directional and not for advertising. In every zoning district, the total square footage of each sign shall not exceed nine square feet.

F. A floral or stone sign may be permitted with a special permit as long as it conforms with other regulations of the sign chapter.

G. Mobile unit signs may be permitted by the Planning Board for businesses located in New Lebanon on a temporary basis only, not to exceed three months, and shall not exceed 24 square feet and shall meet all other provisions of this chapter.

H. None of the above provisions shall be construed to permit signs relating to businesses located out of the Town of New Lebanon.

I. Approvals. All signs require application for and issuance of a zoning permit from the Zoning Enforcement Officer and payment of any and all applicable application and permit fees. All sign permit applications shall be reviewed to ensure that the proposed signs will be erected, sited and constructed so as not to obstruct traffic, cause visual blight, nor detract from the value of adjacent properties.

J. Enforcement: Any person who constructs, erects or alters any sign without the required permit and approvals shall be in violation of this section and shall be subject to enforcement measures and penalties as defined in Chapter 205, Zoning.

K. Nonconforming signs. A lawful pre-existing, nonconforming sign may be maintained subject to the provisions of this section.

(a) Any existing on premises sign which was legally constructed and erected under the sign provisions or other regulations set forth in the Zoning Code, Town Code or which was granted a variance may be continued and maintained, provided, however, that such sign may not be moved, altered, enlarged or modified unless such sign is changed to a conforming sign. Once modified or changed, such sign may not be changed back into a nonconforming sign.

(b) Subject to the below, the Town Board may require the removal of any nonconforming sign if the Town Board, in its judgment, determines the sign detracts from the general appearance of the community or endangers the public safety. All legal nonconforming signs at the time of adoption of this chapter may be maintained in their present configuration and without change until November 1, 2018 (“amortization date”). If, however, the dismantling and removal of any sign by the end of the amortization date shall work an unreasonable hardship upon the owner thereof, the owner may make application to the town board for a reasonable extension of time upon proof of such hardship. Signs that are not legally preexisting shall not be entitled to the benefits of the amortization.

(c) All other signs in existence on the effective date of this chapter shall be made to conform to the standards herein or shall be removed within 60 days after receipt of written notice from the Zoning Enforcement Officer to the owner to comply.

L. Appeals. Any applicant aggrieved by an order, requirement, decision, interpretation, or determination made by the Zoning Enforcement Officer, the Planning Board, or its authorized representative pursuant to this chapter may appeal such order, requirement, decision, interpretation or determination and/or apply for a variance from the requirements of this chapter to the ZBA in accordance with the procedure set forth in Section 12 of the Town's Zoning Law.[1]

*[1] Editor's Note: For applicable Zoning regulations, consult Town officials.*

M: Sign schedule. The following sign schedule shall be read in conjunction with the rules and regulations set forth in this chapter:

Use	Zoning District	Maximum Size	Number Permitted	Comments
Name, address or profession or home occupation	Residential	2 square feet	1	---
Temporary real estate	All zones	6 square feet	1	Must be removed promptly after serving its purpose
Temporary construction sign	All zones	24 square feet	1	Must be removed promptly after serving its purpose

Business signs	C, C-Rec, C-I and C-R	24 square feet	2**	1 attached to building and 1 freestanding
Business complexes, shopping centers, malls, etc.	---	24 square feet	1*	For identification of the complex, center, mall, etc
Business complexes, shopping centers, malls, etc.	---	---	1*	10 square feet per business
Business complexes, shopping centers, malls, etc.	---	24 square feet	1	Attached to each business in shopping center
Bed-and-breakfast and boardinghouse	All zones, or where ZBA allows	2 square feet	1	Identification purposes
Directional/ identification signs	All zones	9 square feet	2	Off site, permit from Planning Board
Mobile unit signs	---	24 square feet	1	Temporary use, not to exceed 3 months duration

\* Maximum permitted area of composite (freestanding) sign shall be 75 square feet.

\*\* Height of individual freestanding signs shall not exceed 30 feet.

Signs attached to a structure shall not extend above the roof or parapet of the structure, nor shall the sign project more than 18 inches from the structure wall.

**§205-18 Definitions** *[Editor’s note: Definitions section renumbered.]*

SIGN – Any device, including but not limited to letters, words, numbers, figures, emblems, logos, pictures or any combination of these, used for visual communication intended to attract the attention of the public and visible to the public right of way and/or other properties. The term sign shall not include any official traffic signs or signals.

**Section 5. Severability**

If any part or provision of this local law is judged invalid by any Court of competent jurisdiction, such judgment shall be confined in application to the part of provision directly on which judgment shall have

been rendered and shall not affect or impair the validity of the remainder of this law or the application thereof to other persons or circumstances. The Town hereby declares that it would have enacted the remainder of this law even without such part of provision or application.

**Section 6. Effective Date**

This local law shall take effect immediately upon filing with the New York State Secretary of State pursuant to the New York State Municipal Home Rule Law.

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

Roll Call Vote:

Supervisor Colleen Teal	Aye
Councilmember Mark Baumli	Aye
Councilmember Dan Evans	Aye
Councilmember Charles Gerald	Aye
Councilmember Kevin Smith Sr.	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.

***Speed Limits on Town Roads - Update:***

Supervisor Teal stated that the speed limit requests have all been sent to the County. They have received it. It sits there until they get a big enough packet to send on to the State.

***Sidewalk Project - Update:***

Supervisor Teal stated that she has received a response back from Creighton Manning. They would like to get some directive and guidance from DOT. She is waiting for a call back from Martin Evans at DOT to speak directly as to what is the procedure. She thinks Creighton Manning may want to head down to Poughkeepsie for another meeting with DOT but she will address all of that as she gets more guidance from DOT as to the procedure.

***Crosswalk at Shaker Museum – Update:***

Supervisor Teal stated that the crosswalk is going to require a local law and an engineering review. She talked to a variety of different people at the County and State and she is thinking that we should pursue this by having the Town build the crosswalk with either an Escrow account set up by Shaker Museum or a contract for them to pay back the Town for all monies spent on this project. If we ask them to build it themselves it would be a lot more expensive and there is a liability as certain specs need to be followed and if we are building it we can oversee the project to be sure all specs are followed.

**NEW BUSINESS:**

***Newsletter:***

Supervisor Teal stated that the next edition of the Town of New Lebanon Newsletter will go out on November 1<sup>st</sup>, 2016. All submissions must be submitted to the Town Clerk’s office by October 21<sup>st</sup>, 2016. If you have information that you would like to be included in the Newsletter please email them to [townclerk@townofnewlebanon.com](mailto:townclerk@townofnewlebanon.com).

**LVPA:**

Supervisor Teal stated that there are a couple of phases that we haven't been doing historically that we need to correct. We have to hold a public hearing on the fire protection budget. It can be held on the same night as the public hearing on our regular budget. We also need to hold a public hearing on the fire protection contract. We have to have the contract finalized by the beginning of December with enough time to publish it and hold the hearing so that we can execute the contract by the end of December.

**Budget Workshops:**

Supervisor Teal stated that we currently have a budget workshop set up for Monday, October 17<sup>th</sup> to meet with the Chatham Rescue Squad and the LVPA. The Chatham Rescue Squad cannot make it that night and she needs more time to meet with the LVPA before they meet with the Town Board for a budget workshop. Supervisor Teal requested that the budget workshop be rescheduled to Wednesday, October 26<sup>th</sup> at 6:30pm. The Town Board was in agreement that the next budget workshop would be held on October 26<sup>th</sup> at 6:30pm. Supervisor Teal stated that we will need to set a public hearing on the budget. It needs to be opened no later than the Thursday following the election which is November 10<sup>th</sup> this year.

Supervisor Teal requested that they schedule a special meeting to hold an executive session to discuss a specific personnel issue on Wednesday, October 26<sup>th</sup> at 6:00pm. The Town Board was in agreement that a special meeting would be held on Wednesday, October 26<sup>th</sup> at 6:00pm.

**COMMITTEE REPORTS:**

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

Councilmember Evans stated that the Assessor is still working on field work/sales review before winter and still working on the sales book. She attended the NYS Assessors Association meeting which included strategies for taxation of fiber optic cable and a panel discussion "The meaning of market value". Her assistant has completed 1/5 of the scanning project. Our assessor is the President of the Columbia County's assessors association. They had a meeting last week and they discussed STAR changes, the conference, upcoming educational opportunities, upcoming exemption season, changes in staffing at ORPTS and shared information regarding ongoing assessment and valuation duties. Anyone with any questions about the STAR program should call the State DTF STAR unit at 518-457-2036.

**Broadband Committee** (*Supervisor Teal*):

Supervisor Teal stated that our local broadband committee has been wonderful about taking a step back and re-evaluating each time that they have changed direction at the County level so there is not a lot to update on that. She will update a little bit when we get to the County updates.

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

Councilmember Baumli stated that the Zoning Re-Write Committee is continuing to work on their solar recommendations and they made some progress on that at their last meeting.

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

Deputy Supervisor Creech stated that the CAC is continuing to visit local sites to note special

natural resources that we have here in town.

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

Councilmember Smith read the LVPA activity report aloud. There were 13 calls, 99 people and 240.79 man hours.

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

No report.

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

Supervisor Teal stated that the Lebanon Valley Historical Society is looking to work on the Tilden Monument and will be looking for the Town Board support via a resolution. They are also keeping their eye on the 200<sup>th</sup> Anniversary with a target date on that.

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

No report.

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

No report.

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

Town Clerk Houghtling stated that Phyllis Hulbert reported that the Columbia County Reach 2017 program is offering free home repairs to Senior citizens with low incomes who own their homes. It has also been extended to include mobile home owners who own their own mobile home even if they rent the land that it is on. Applications are in the Town Clerk's office and must be submitted by November 1<sup>st</sup>, 2016.

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

Supervisor Teal stated that she has received the insurance risk review which came back very good. There were one or two small things that need fixing and we are working on them now. Councilmember Smith asked Highway Superintendent Winestock if he could look at the culvert pipe where the driveway is falling in at the entrance to Shatford Park. He said he would take another look at it and he will try to get a guardrail up there.

***LVPA Building (Gerald):***

No report.

***County Updates:***

Supervisor Teal stated that the biggest thing they are working on is the broadband. Matt Murell, the chairman of the Board of Supervisors has designated the Columbia Economic Development Corp. as the project manager on the broadband. They have come up with some preliminary mapping which has helped a lot.

Columbia County is one of the only counties that does not allow the sale of sparklers. Because most of our surrounding counties do sell them, they end up in our community but we do not make any sales tax from the sale of them. This is the second time it has come to the County Board of Supervisors and they are hearing from a lot of different sides right now on this issue.

**ANNOUNCEMENTS:**

Wednesday, October 26<sup>th</sup> – Special Meeting of the Town Board at 6:00pm at Town Hall  
Wednesday, October 26<sup>th</sup> – Budget Workshop at 6:30pm at Town Hall  
Tuesday, November 8<sup>th</sup> – Regular Monthly Meeting at 7:00pm at Town Hall  
Tuesday, November 8<sup>th</sup> – Election Day

**BUDGET AMENDMENT:**

**Correction of Budget Amendment # 9 of 2016:**

**General Fund:**

\$1,300 from A-1680.2 (Central Data Processing: Equipment)  
\$1,613 from A-1990.4 (Contingent)  
\$1,000 from A-7020.4 (Recreation Administration: Cont. Exp.)  
\$741 from A-7310.1 (Youth Program: Personal Services)  
\$36 from A-1460.4 (Records Management: Contract. Expenses)  
\$300 from A-1603 (Vital Statistics Fees)  
\$1,300 to A-1410.2 (Town Clerk: Equipment)  
\$67 to A-1010.4 (Town Board: Contractual Expense)  
\$796 to A-7110.2 (Parks: Equipment – Playground Install)  
\$1,750 to A-7110.4 (Parks: Contractual Expense)  
\$741 to A-7310.4 (Youth Program: Contractual Expenses)  
\$36 to A-1460.41 (Records Management: CE – RM Grant)  
\$300 to A-4020.4 (Registrar: Contractual Expenses)

**Highway Fund:**

\$2,098 from DA-3501 (State Aid: Consolidated Highway)  
\$2,098 to DA-5112.2 (Improvements: Capital Outlays – CHIPS)

Supervisor Teal stated that at last month's meeting there was a typographical error on the budget amendment in that Records Management: CE – RM Grant was listed as account number A-1420.4 and should have been listed as A-1460.41. A motion was made by Supervisor Teal and seconded by Councilmember Smith Sr. to accept the above noted correction of budget amendment #9 of 2016.

**Roll Call Vote:**

Councilmember Chuck Gerald	Aye
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Aye

**Budget Amendment # 10 of 2016:**

**General Fund:**

\$1 from A-1410.4 (Town Clerk: Contractual Expense)  
\$5,000 from A-6326.4 (Other Economic Opportunity Programs)  
\$5,800 from A-2610 (Fines & Forfeited Bail)  
\$2,800 from A-1090 (Interest & Penalties on Taxes)

\$2,200 from A-1560 (Safety Inspection Fees)  
\$5,400 from A-3040 (S/A Real Property Services)  
\$880 from A-1440.4 (Engineer: Contractual Expenses)  
\$841 from A-2770.1 (Publication Reimbursement Fees)  
\$409 from A-1670.41 (Central Printing & Mailing: Newsletter)  
\$1 to A-1410.2 (Town Clerk: Equipment)  
\$18,719 to A-1420.4 (Attorney: Contractual Expense)  
\$330 to A-7110.2 (Parks: Equipment – Playground Install)  
\$500 to A-7110.4 (Parks: Contractual Expense)  
\$1,651 to A-7110.41 (Park: Tennis Courts)  
\$880 to A-1650.4 (Central Communications: Contractual Expense)  
\$1,250 to A-1670.4 (Central Printing & Mailing: Contractual Expense)

**Highway Fund:**

\$261 from DA-3501 (State Aid: Consolidated Highway)  
\$261 to DA-5112.2 (Improvements: Capital Outlays – CHIPS)

A motion was made by Councilmember Evans and seconded by Councilmember Smith Sr. to accept the above noted budget.

Roll Call Vote:

Councilmember Chuck Gerald	Aye
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Aye

**AUDIT OF BILLS:**

**General Nos. 313 through 345, in the amount of \$31,378.84; and  
Highway Nos. 107 through 114, in the amount of \$62,398.85;  
As listed on Abstract No. 10 of 2016 dated October 11, 2016.**

A motion was made by Supervisor Teal and seconded by Councilmember Smith Sr. to pay the above noted claims from their respective accounts.

Roll Call Vote:

Councilmember Chuck Gerald	Aye
Councilmember Kevin Smith Sr.	Aye
Supervisor Colleen Teal	Aye
Councilmember Dan Evans	Aye
Councilmember Mark Baumli	Aye

**OTHER:**

Supervisor Teal asked Highway Superintendent Winestock if he could re-surface and stripe the handicap parking area at the Town Hall. He stated that he can but it would be a lot cheaper if he can do it the next time he is re-surfacing a road anyway. It would cost a lot of money to bring the equipment and materials in just for that area but he can do it

easily the next time he is resurfacing the roads.

Councilmember Baumli stated that he is very grateful that they re-paved the Route 20/22 corridor and he is wondering when the white lines will be painted on the new road.

Supervisor Teal stated that she spoke with DOT about the painting and they need to re-do the entire paint job due to crooked lines and they will not do the white lines until they re-do the whole thing.

**PRIVILEGE OF THE FLOOR:**

**Judy Zimmer** stated that she had volunteered at the last meeting to speak with the Abode community about the speed limit issue. She posted a reminder to the community about what the speed limit is and asking people to please slow down. They will also put a reminder about the speed limit on the literature that goes out inviting people to visit the Abode.

**Jagat Pandey** stated that his name is on the email list for the Town Board and he receives all the information sent out for that but he used to receive emails about the Zoning and Planning Boards and he no longer receives them. Supervisor Teal stated that she would get his email back on that distribution list in the building department.

**Cynthia Creech** asked why on the budgeted revenues page, the fifth down, the sales tax was budgeted in at \$350,000 and we have only received \$193,000. Supervisor Teal stated that we have only received one payment out of four so far.

**Christine Dreyfus** asked what the tobacco payment is and for how long it goes on. Supervisor Teal stated that she recalls what her predecessor said was that the County was still paying that out but they were no longer receiving it. Somewhere along the way there was a settlement and the money was being sent to the County to then be distributed. She will find out more details.

**Patricia Laraway** asked what the \$1,000 in veterans' services is for. Supervisor Teal stated that we supply funding to put flags on all the graves of the veterans.

**ADJOURNMENT:**

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

Respectfully submitted,

Tistrya Houghtling  
New Lebanon Town