

**MINUTES OF THE REGULAR MONTHLY MEETING OF  
THE TOWN BOARD OF THE TOWN OF NEW LEBANON  
HELD ON JANUARY 8, 2019**

**Present:** Colleen Teal, Supervisor  
Kevin Smith Sr., Councilmember  
Jesse Newton, Councilmember  
Mark Baumli, Councilmember  
Norman Rasmussen, Councilmember

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

**Others Present:** Ed Godfroy, LVPA  
Cissy Hernandez, CEO/ZEO/Building Dept Admin  
Jeff Hattat, Deputy CEO/ZEO  
Jeff Winestock, Highway Superintendent  
Ray Herrmann, Planning Board Member & Chair  
Greg Hanna, Planning Board Member  
Bob Smith, Planning Board & Ethics Board Member  
Tony Murad, ZBA Member & Chair  
Cynthia Creech, Court Clerk, CAC & ZRC Member  
Peg Munves, CAC Member  
David Farren, CAC & ZRC Member  
Thaddeus Flint, Reporter for the Eastwick Press  
Several members of the Public

**CALL TO ORDER:**

The meeting was called to order at 7:02 p.m. by Supervisor Teal. A moment of silence was followed by the flag salute. Supervisor Teal pointed out the emergency exits.

**MINUTES:**

The minutes of the **December 7, 2018 Special Meeting; December 11, 2018 Public Hearing – 2019 LVPA Contract; December 8, 2018 Regular Monthly Meeting; December 20, 2018 Year End Meeting;** and the **January 2, 2019 Organizational Meeting** were reviewed. A motion was made by Supervisor Teal, seconded by Councilmember Newton and approved unanimously to accept the above noted minutes as typed.

**FINANCIAL:**

***Supervisor's Report:***

Supervisor Teal provided the public and TB members with a copy of the Supervisor's Report as of December 31, 2018. A motion was made by Councilmember Smith, seconded by Councilmember Newton and approved unanimously to accept the Supervisor's report as typed.

**CERTIFICATE OF APPRECIATION:**

Supervisor Teal stated that Ray Herrmann joined the Planning Board on September 11,

1995 filling out the term of Diederik Van Renesse. He has served for over 23 years and for many of those years, he served as the Chairman. It is only with the volunteers that give so much of their time that we are able to fulfill the obligations of the town. We wish to express our tremendous appreciation and gratitude to Ray for his 23 years of dedicated and distinguished service to the Town of New Lebanon. Thank you Ray. Supervisor Teal presented Ray Herrmann with a certificate of appreciation.

**PRIVILEGE OF THE FLOOR:**

**Ed Godfroy** apologized that there are no fire reports this month from the LVPA. They had a medical issue with their Treasurer. They have a new accountant working with them. She is using Quickbooks for all the updates now. Once she has the new format with Quickbooks, he will show them to the liaisons and see if there are any changes needed. Then they will file the reports. Councilmember Smith stated they look really good so far.

**Cynthia Creech** stated that the CAC is co-sponsoring a panel this Saturday, January 12<sup>th</sup> from 10am to noon. It is a conservation panel discussion. She personally invited all Town Board members, the Town Clerk, the Town Supervisor and everybody in attendance at the meeting.

**OLD BUSINESS:**

***CAC Appointments:***

Supervisor Teal stated that the CAC interviewed 3 applicants and they have requested that the Town Board consider adjusting the number of members on the CAC to allow them to accept all 3 applicants. In reviewing the State law, we are allowed to set the numbers anywhere from 5 to 9 members. Our legislation allows us to set the membership numbers by resolution.

**TOWN OF NEW LEBANON**

**RESOLUTION # 9, 2019**

**AMENDING THE MEMBERSHIP OF THE CAC**

**JANUARY 8, 2019**

At the Regular Monthly Meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 NYS Route 22, New Lebanon, New York, duly called and held on the 8<sup>th</sup> day of January 2019, the following Resolution was proposed and seconded:

Resolution by Supervisor Teal

Seconded by Councilmember Baumli

***Amending the Membership of the Conservation Advisory Council***

WHEREAS, Chapter 9 of the Code of the Town of New Lebanon entitled Conservation Advisory Council sets forth that the Town Board shall set the membership number by resolution; and

WHEREAS, the Town Board can set the membership number at no less than five members and no more than nine members;

THEREFORE, be it resolved that the New Lebanon Town Board hereby sets the Conservation Advisory Council membership number at six members plus two student members.

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

Roll Call Vote:

Councilmember Mark Baumli	Aye
Councilmember Jesse Newton	Aye
Councilmember Kevin Smith	Aye
Councilmember Norman Rasmussen	Aye
Supervisor Colleen Teal	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.

Supervisor Teal made a motion to appoint Paul Rix, Steve Powers and Robert Gilson to the CAC for 2 year terms with all 3 terms to expire on 12/31/2020. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye
Supervisor Teal -	Aye
Councilmember Newton -	Aye
Councilmember Baumli -	Aye

***Recreation Commission Appointmnets:***

Supervisor Teal made a motion to appoint Tegan Joy Cook to the Recreation Commission to serve the remainder of a vacant term to expire on 12/31/2022.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye
Supervisor Teal -	Aye
Councilmember Newton -	Aye
Councilmember Baumli -	Aye

***Compensation Committee – next phase:***

Supervisor Teal stated that we have evaluation documents and some other follow up work to continue with the compensation committee. She asked if the compensation committee wants to continue as it is currently set or do we want to change the members. Councilmember Newton stated that the five people who are currently on it have a pretty good background. Supervisor Teal asked Councilmember Rasmussen, Town Clerk Houghtling and Highway Superintendent Winestock if they are willing to continue on the committee. All answered that they are wiling to continue. Supervisor Teal stated that Jack Lancto is the community member on the committee and if he does not want to continue, we can replace him. Supervisor Teal asked Town Clerk Houghtling to set up a meeting after January.

**NEW BUSINESS:**

***Highway 284 Agreement:***

Supervisor Teal stated that she and Highway Superintendent Winestock will work together to prepare the Highway 284 Agreement.

***Streetlight for Town Hall Parking Lot:***

Councilmember Smith stated that he, Councilmember Newton and Highway Superintendent Winestock went out and looked at the parking lot before the meeting. The best pole to place the light on is where they put the booster box over by the basketball court. Town Clerk Houghtling stated that is the pole that she had suggested and the pole number for that pole is in the proposed resolution she prepared.

Tony Murad asked if the light on the pole facing his building could be adjusted to point more at the parking lot and less toward his building. Councilmember Smith asked if there is a dimmer bulb. Town Clerk Houghtling stated that she spoke to NYSEG in detail about this. Currently in the parking lot we have two flood lights. The concern about flood lights is that they push the light very far. NYSEG was concerned about flood lights and recommended a cobra head streetlight for the new light as it will not be as bothersome to the neighbors and our parking lot is fairly small so the cobra head streetlight should provide plenty of lighting. The streetlight is cheaper per month than the flood lights. We could also switch the two existing flood lights to cobra head streetlights to eliminate the glare to the neighbors. Supervisor Teal stated she thinks we should make them all cobra head streetlights instead of flood lights.

Highway Superintendent Winestock asked if a streetlight will shine all the way around instead of the flood light that is directional. If the streetlight gives light off in all directions it may bother the neighboring houses more than the flood lights. Councilmember Baumli asked if they can put a shield on one side of the street lights so they don't give off light towards the neighbors.

**TOWN OF NEW LEBANON**

**RESOLUTION # 10, 2019**

**ADDITION OF STREETLIGHT IN TOWN HALL PARKING LOT**

**JANUARY 8, 2019**

At a regular meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 NYS Route 22, New Lebanon, New York, duly called and held on the 8<sup>th</sup> day of January, 2019, the following Resolution was proposed and seconded:

Resolution by Councilmember Smith

Seconded by Councilmember Newton

***ADDITIONAL STREETLIGHT IN THE TOWN HALL PARKING LOT***

WHEREAS, the Town Board of the Town of New Lebanon deems it to be in the public interest to have better lighting in the parking lot, especially near the basketball courts;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of New Lebanon hereby approves an additional cobra head streetlight to be installed on NYSE&G pole #L319-1 and

Tac Tel pole #107A-1 (in back side of parking lot by basketball court along Old Post Road) facing the Town Hall and to replace the two flood lights currently in the parking lot with cobra head streetlights with shielding on all three if necessary to prevent light from going outside of the parking lot.

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

Roll Call Vote:

Councilmember Norman Rasmussen	Aye
Councilmember Kevin Smith	Aye
Supervisor Colleen Teal	Aye
Councilmember Jesse Newton	Aye
Councilmember Kevin Smith	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.

**COMMITTEE/LIAISON REPORTS:**

***Assessor (Councilmember Rasmussen):***

No report.

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

No report.

***CAC & Environmental Management (Councilmember Rasmussen & Bruce Shenker):***

David Farren stated that they are meeting with Nan Stoltzenberg on the 15<sup>th</sup> and one of the focuses of the CAC will possibly be the revision of the comprehensive plan.

***Fire, Law Enforcement & Emergency (Councilmembers Smith & Baumli):***

No report.

***Highway (Superintendent Winestock & Councilmembers Smith & Newton):***

Councilmember Smith stated that PESH things are looking great. The tank may be done 2 weeks early. He had Millers come out today and do an estimate to put all the stuff on the tanks, the emergency shut-off, and electrical. Ballpark figure he thinks around \$2,600, which is not exact until he gives him a written quote. He has been having problems getting quotes on this. Supervisor Teal stated that we have asked multiple companies for quotes and they are not providing them so we have fulfilled our obligation. Councilmember Smith stated that at the next meeting we will have an estimate and can go forward with accepting the quote.

***Historian & LVHS: (Councilmembers Baumli & Rasmussen):***

No report.

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

No report.

***Parks & Recreation (Councilmembers Smith & Newton):***

No report.

**Seniors** (Councilmember Baumli & Judy Zimmer):

No report.

**Town Assets, Buildings & Property** (Councilmembers Smith & Newton):

No report.

**ANNOUNCEMENTS:**

**JANUARY:**

*Tuesday, January 15<sup>th</sup> ~ Year End Audit @ Town Hall @ 5:30 pm*

*Thursday, January 17<sup>th</sup> ~ Special Town Board Meeting – ZRC Recommendation Review plus any other matters of business @ Town Hall @ 6:00 pm*

**FEBRUARY:**

*Tuesday, February 12<sup>th</sup> ~ Regular Town Board Meeting @ Town Hall @ 7:00 pm*

**BUDGET AMENDMENT:**

**Budget Amendment #11 of 2018:**

**General Fund:**

\$368	from A-1010.4 (Town Board: Contractual Expenses)
\$2,669	from A-1990.4 (Contingency)
\$280	to A-1010.2 (Town Board: Equipment)
\$88	to A-1220.2 (Supervisor: Equipment)
\$75	to A-1110.2 (Justice: Equipment)
\$2	to A-1110.4 (Justice: Contractual Expenses)
\$2,488	to A-1620.4 (Buildings: Contractual Expenses)
\$85	to A-4020.4 (Registrar: Contractual Expenses)
\$19	to A-7110.4 (Parks: Contractual Expenses)

**Highway Fund:**

\$5,153	from DA-5110.4 (General Repairs: Contractual Expenses)
\$3,501	to DA-5130.4 (Machinery: Contractual Expenses)
\$1,652	to DA-5142.4 (Snow Removal: Contractual Expenses)

**Budget Amendment #1 of 2019:**

**General Fund:**

\$1,424	from A-1990.4 (Contingency)
\$497	to A-1910.4 (Unallocated Insurance)
\$927	to A-9055.8 (Employee Benefits: Disability Insurance)

A motion was made by Councilmember Smith and seconded by Councilmember Newton to approve both above noted budget amendments.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye
Supervisor Teal -	Aye
Councilmember Newton -	Aye
Councilmember Newton -	Aye

**AUDIT OF BILLS:**

**General Nos. 479 through 505, in the amount of \$22,736.19; and  
Highway Nos. 145 through 151, in the amount of \$17,772.93;  
As listed on Abstract No. 12B dated January 8, 2019;**

**General Nos. 1 through 19, in the amount of \$32,012.24; and  
Highway Nos. 1 through 5, in the amount of \$12,761.68;  
As listed on Abstract No. 1 dated January 8, 2019.**

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

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye
Supervisor Teal -	Aye
Councilmember Newton -	Aye
Councilmember Baumli -	Aye

**OTHER:**

Councilmember Baumli stated that a while back the Town Board discussed working on changing the terms of the elected officials that are 2 year terms to 4 year terms but we had missed the deadline for that year to get it on the ballot as it must go out to a vote by the residents. He would like to work on getting that vote on this November's ballot to make the terms of Town Supervisor, Town Clerk, Tax Collector and Highway Superintendent all 4 year terms with the Town Clerk and Town Supervisor being on different years from each other so we never have both those positions with a brand new person in them. He stated that the last time it went out to vote it was done with all the positions in one vote. This time he would like to see the extension to a 4 year term voted on for each position separately.

Supervisor Teal stated that we are the only Town in the County with a 2 year term for Town Clerk and one of only a few towns in the County with a 2 year term for Town Supervisor. Town Clerk Houghtling stated that when the board was discussing this last time the Attorney said we would need to start the process in January. Supervisor Teal stated that she will talk to the Attorney and see what we need to do moving forward.

**PRIVILEGE OF THE FLOOR:**

**Michael Deegan** stated that there is a guardrail missing on Main Street at the bottom of Old Mountain Road. Highway Superintendent Winestock stated that he will put a jersey

barrier up for winter and then put a new guard rail up next Spring.

**ADJOURNMENT:**

A motion was made by Supervisor Teal and seconded by Councilmember Baumli to adjourn the meeting at 7:32 pm.

Respectfully submitted,

Tistrya Houghtling  
New Lebanon Town Clerk