

**MINUTES OF THE YEAR END MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON DECEMBER 31, 2019**

Present: Margaret Robertson, Interim Supervisor
Kevin Smith Sr., Councilmember
Jesse Newton, Councilmember
Mark Baumli, Councilmember
Norman Rasmussen, Councilmember

Recording Secretary: Tistrya Houghtling, Town Clerk

Others Present: Marcie Robertson, Deputy Town Clerk
Jeff Winestock, Highway Superintendent
Steve Powers, CAC Member
Cynthia Creech, CAC Member & ZRC Member
Peg Munves, CAC Member
Robert Gilson, CAC Member
Sharon Moon, Board of Assessment Review Member
Georgette Tefoe, Ethics Board Member
Several Members of the Public

CALL TO ORDER:

The meeting was called to order at 9:03 a.m. by Interim Supervisor Robertson. A moment of silence was followed by the flag salute. Interim Supervisor Robertson pointed out the emergency exits.

MINUTES:

The minutes of the **December 10, 2019 Public Hearing on 2020 LVPA Contract, December 10, 2019 Regular Town Board Meeting and December 13, 2019 Special Town Board Meeting** were reviewed. A motion was made by Councilmember Baumli, seconded by Councilmember Newton and approved unanimously to approve the minutes as typed.

LETTER OF THANKS:

Interim Supervisor Robertson stated that we have a large lovely decorated tree and a small tree with lights next to it in Shatford Park and Terrienne Koepp who reminded us that we need to decorate the trees sent us a letter of thank you. Interim Supervisor Robertson read the thank you letter aloud. Interim Supervisor Robertson stated that thanks go out to Councilmember Newton, Councilmember Smith and Councilmember Baumli for getting the trees decorated. Councilmember Newton stated that thanks go out to Pete McCagg who helped as well.

BUDGET AMENDMENT:

Budget Amendment #11 of 2019:

General Fund:

\$3,310 from A-1990.4 (Contingency)
\$20,986 from A-3409 (Appropriated Fund Balance)
\$15,000 from A-873 (Shatford Park: Capital Reserve)
\$1,182 to A-1110.13 (Justice Clerk: Payroll)
\$3,442 to A-7310.1 (Youth Programs: Payroll)
\$6,277 to A-1420.4 (Attorney: Contractual Expense)
\$17,953 to A-7140.42 (Pavilion Bathrooms)
\$2,979 to A-9010.8 (State Retirement)
\$5,895 to A-9030.8 (Social Security)
\$1,568 to A-9055.8 (Disability Insurance)

Highway Fund:

\$7,842 from DA-5110.4 (General Repairs: Contractual Expense)
\$2,907 to DA-5130.4 (Machinery: Contractual Expense)
\$1,098 to DA-5140.4 (Brush & Weeds: Contractual Expense)
\$2,144 to DA-5142.4 (Snow Removal: Contractual Expense)
\$1,117 to DA-9010.8 (State Retirement)
\$326 to DA-9030.8 (Social Security)
\$250 to DA-9055.8 (Disability Insurance)

A motion was made by Councilmember Newton and seconded by Councilmember Baumli to approve the above noted budget amendment.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye
Interim Supervisor Robertson -	Aye
Councilmember Newton -	Aye
Councilmember Baumli -	Aye

AUDIT OF BILLS:

**General No. 451, in the amount of \$46,979.00; and
Highway No. 144, in the amount of \$17,617.00
As listed on Abstract No. 12A, dated December 30, 2019.**

A motion was made by Councilmember Baumli and seconded by Councilmember Newton to pay the above noted claims from their respective accounts.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye
Interim Supervisor Robertson -	Aye
Councilmember Newton -	Aye

Councilmember Baumli - Aye

**General Nos. 452 through 476, in the amount of \$24,300.38; and
Highway Nos. 145 through 153, in the amount of \$129,975.00;
As listed on Abstract No. 12B, dated December 30, 2019.**

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

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye
Interim Supervisor Robertson -	Aye
Councilmember Newton -	Aye
Councilmember Baumli -	Aye

PRIVILEGE OF THE FLOOR:

J.J. Smith stated that she has ethics complaints that have been hanging out in the wind for 4 months. They have not been handled. They have not been decided. No action has been taken. One includes a misdemeanor charge. One includes a felony charge. This has got to be done with this board who is familiar with what is going on and why it is not going forward and she is tired of getting jacked around and she wants action and results here.

Interim Supervisor Robertson stated that primarily and first and foremost that what the board could do is just put the heat to the ethics board to get going because it only comes back to the town board when there's a decision that has to be made. The town board can't do anything beyond that because they aren't the ethics board but being the overseer. J.J. Smith stated that she has gotten nowhere with the ethics board either they just keep saying they are working on it. Interim Supervisor Robertson stated that she will send out an email as her last action and say that time is running down. She asked J.J. Smith what time she had filed the complaints. J.J. Smith stated that it started in September and got more serious in October and it's been going on ever since.

Councilmember Baumli suggested that Interim Supervisor Robertson reach out to the chair of the ethics board to find out the status of the complaints. He stated that if nothing else they owe her a response to say they are looking at them, they are going to take action or they are looking at them and will have a decision by a certain amount of time, to get no correspondence he thinks is not okay. Town Clerk Houghtling stated that Interim Supervisor Robertson include the Town Attorney in her communication as he has been involved in all of the ethics complaints. Interim Supervisor Robertson stated that part of the issue is that we have realized that there isn't really a formal chairman of the ethics board. Town Clerk Houghtling stated that Rocky Brown is now the chairman of the ethics board. Interim Supervisor Robertson asked if he has been identified as the chairman because she thought Jeannine Tonetti was the chair. Town Clerk Houghtling

stated that Jeannine Tonetti was the chair but at the last ethics board meeting Rocky Brown was appointed officially as chair.

Cynthia Creech asked about the fridge and dryer for the highway garage. She stated that she read in the minutes that Home Depot had a sale on them which was cheaper than what we paid Hatch Mechanical for them. Councilmember Smith stated that the sale price was off the next day but we still did get it a lot less than the regular price from Home Depot. He stated that is why we did that. Cynthia Creech stated that she didn't see that the sale had disappeared.

Michael Deegan thanked NYSEG for working hard for 5 hours to restore electricity in Lebanon Springs. He stated that they were wonderful.

Sharon Moon stated that earlier this year we had Bitsy the Historian who couldn't do any of her activities until recently but the previous Historian returned a shoe box full of items and a scrap book after 16 years. She knows a letter was sent in April and she hasn't seen a single item returned from that Historian. Councilmember Smith stated because there was nothing documented, how do you prove that he has these items. Sharon Moon stated that she gave former Supervisor Teal the idea to put in the newsletter "if you have donated something to the Historian, would you please let us know". That is how you would find out. Councilmember Smith stated that he knows that Wayne Martin had donated some bottles and the previous Historian gave them back to him so he doesn't know if the previous Historian returned all the items back to the people. Sharon Moon asked if it could go in the next newsletter. Councilmember Smith stated that he would have no objection to that. Interim Supervisor Robertson stated that she believes it would be up to the incoming Supervisor and the current Historian to decide if they want to do that or not. Councilmember Baumli stated that the Town Attorney sent the previous Historian a letter and he responded stating he did not have any other items to return to the town. If there are people who gave him items as Town Historian and they will come forward and let us know, then he would suggest putting it in the next newsletter saying that if you have ever given anything to the past Town Historian, please let us know.

OLD BUSINESS:

Fisher Store – Engineering Work – Agreement with the Town from June 2019:

Interim Supervisor Robertson stated that unfortunately incoming Councilwoman Gordon is not here but the email that she had sent that invited her to come to the meeting and she responded that she had other obligation. She asked if any of the Town Board members reached out to her in response to that email. Councilmember Smith asked Interim Supervisor Robertson to read the letter received by Deb Gordon into the record.

Interim Supervisor Robertson read the following letter aloud:

To the Members of the New Lebanon Town Board,

I am writing in response to Meg Robertson's email of 12/13/19. While I cannot provide the documents she requested, I can let you know where the Perry House project stands.

I met with the project engineer in June at the Perry House. After inspecting the building, he told me that, although he certainly could design the repair to the building, performing the work would be vastly expensive (much more expensive than tearing the building down and building a new one that looked just like it), and in the end I would not have preserved very much. The building is too far gone.

I went through the five stages of grief but eventually accepted the idea that the house would have to come down. I did not apply for the NY Main Street grant. The money that the Phoenix Project has invested on the building will be lost. However, if the removal is managed carefully, the lot can still be productive. That is, it can be a tax-revenue-producing parcel. As I understand the zoning ordinance, the Perry House lot is non-conforming because of its small size. The lot and structure are grand-fathered in under its terms. Once the house is removed, the Phoenix Project or a future owner will have one year (from the date of the demolition) to replace it. If the owner does not replace it within a year, the lot becomes unbuildable. Another historic building in the center of town will be replaced by a parking lot.

I am in conversation with two local groups who may be interested in taking over the property for their purposes. Obviously it is important to provide them with as much time as possible (up to one year) to carry out their plans. It will be the town that eventually wins.

Best wishes for a merry Christmas to you all!

*Deb Gordon
President, the Phoenix Project of Eastern NY Inc.*

Councilmember Smith stated that back in June, Deb Gordon made an agreement with this board. She would come in, she would give us monthly updates on this property. As this letter states, and it's dated 12/20/19, she has known for quite some time and she has refused to come to this board to see if the board would work with her on any other options. He stated that it is very unsettling that an incoming board member has deceived this board and with her saying this house is grand-fathered. She has nothing in writing for this. She just put a septic in at the Fisher Store. Twenty feet away from the Perry House you have Liberty's. There is no place that DEC is going to let you put a septic in.

Councilmember Newton stated that the lot would be grand-fathered in. You could build the same size structure but even a new structure, Columbia County Department of Health is going to make you do a new septic system. Councilmember Smith stated and you have the set back for the wells. Now you have 3 wells sitting on that small piece of property. Councilmember Smith stated that he is encouraging the new board to set a date for her, which a few of us have talked about by June, to demo the building, do what she needs to

do, come in compliance like we are making every other constituent of this town do.

Councilmember Baumli stated that she has known about this for some time and in his past experience, she comes to town board meetings when she needs something. She was here looking for the town board's support for her grant application for the Fisher Store. He doesn't think we saw her in between that and this. She gets what she needs at the board meeting and then she leaves, she never stays for the rest of the board meeting. She has known for some time that this was not going to be salvageable, that building, that structure, she should have told us that. He stated that in talking to CEO/ZEO Hernandez, the Fisher Store was never completed, the sheetrock was never put on the walls and now the sheetrock is up and a final inspection was never done. He said that he would tell her to take the sheetrock down and CEO/ZEO Hernandez said that her only concern is the main carrying beam and she believes the architect has the information she will need and we won't have to take the sheetrock down, however from the approved layout of the structure, the bathrooms have been moved. He stated that CEO/ZEO Hernandez said that before she can get a certificate of occupancy, the bathrooms need to be moved back to where they were designed to be put. He stated that it seems to him that this individual is just taking upon herself to do what she wants to do, what is in the best interest of her. He stated that the letter states that someone may want to buy the building but how long will that take. We have been looking at this building for years. He has a building that may need to be torn down and he will have to re-build it in a year and here is an elected official coming in asking for special favors. He stated that he would like this board to take action today, giving her some time to do it. To say that we are going to give a newly elected town board member special treatment to allow a structure to stay there is insane to him.

Councilmember Newton stated that he thinks by doing something at the town board level we are circumventing our code enforcement officer. He thinks if it is brought to her attention that is the correct way to go. Councilmember Smith stated that it has been. Councilmember Baumli stated that we did that with Lindig, we said he could have 6 months to clean it up. Interim Supervisor Robertson stated that by doing this, the board is giving the code enforcement officer official, formal approval even though it is her job and she does her job very well, just know she has the backing of the town government that our backs have been up against the wall and it has been going on and on and on and by doing this formal motion she thinks it is probably a good idea just almost like protocol to then pass it on to CEO/ZEO Hernandez and Deputy CEO/ZEO Hattat that if there is an issue then we certainly encourage, this is what we would like to see by May and if she wants to extend or shorten that then it's up to her.

Councilmember Rasmussen stated that Councilmember Newton made a very good point. He stated that on the Lindig issue we acted on the CEO recommendation and he thinks the town board deciding before hearing any recommendation from the CEO is setting a really horrible precedent. He stated that we have an organization, we have an employee who is mandated to do these things and the board acting without having even an opinion from the CEO, other than a chat in the office, is a really poor precedent for us to set and he thinks it could come back and bite us. Councilmember Smith stated had she not made

an agreement with the town board months ago and throughout these last years, he would agree, but she has blatantly disregarded this town board, she has blatantly known the condition of this building, she has blatantly withheld it from this board. Councilmember Rasmussen stated that Councilmember Smith is speculating on her motives, speculating on whether she actually withheld anything. Councilmember Smith stated that she did, it's right her in her letter. Councilmember Rasmussen stated no, she did not say that, let's be fair, let's be honest, he thinks the character assassination is done for today. He stated that she came and said she was going to work on it, she did. At some point, we don't know when, she came to the extremely difficult conclusion that this project that she has put so much of her effort and her money into, is going to fail and she has to tear it down. Councilmember Smith stated there is no money in the building, what does she have in the building? Nothing. Councilmember Rasmussen stated that Councilmember Smith does not have access to her bank account to know whether or not she has put money into the building.

Interim Supervisor Robertson stated that it is not that the town board is ultimately making the decision, we are letting the building department know, that the town board that has been dealing with this and as she understands the Supervisor helped her write her grant which is not allowed, so it's just reaching a point of something has to be done and decided. She stated that there have been numerous invitations to come to this board and it hasn't happened so there is only so much that she can do, so she suggests by doing this motion, we are passing it on to the building department and let them take it. Saying it is now officially in your hands to do, which it would be anyway, but the board that was dealing with it all along, is now okay with whatever the building department needs to do because we have done everything that we can do. Councilmember Smith stated that he is not doing a character assassination, that it is not the person, he thinks she has done wonderful things with the Fisher Store, it is not the person it is the building.

Councilmember Newton stated that he is against the method. He thinks that it is cutting our CEO's legs out from underneath her and admittedly she was in a hard position before because we were all told it's a hands off issue because the grant was supposedly coming through. Councilmember Smith stated that was because we had a Supervisor that was excusing things that were not legal to do, and going ahead and doing them. Councilmember Newton stated that he agrees wholeheartedly but that is the position, unfortunately, that our CEO was put in. Interim Supervisor Robertson asked how this would be cutting our CEO off at the knee. Councilmember Newton stated that we are giving a time span for her, it is very open ended, we are giving until May. Councilmember Newton stated that this should be handled directly by our CEO, not by a motion from the town board. Interim Supervisor Robertson stated that it would still be to the discretion of the CEO if she feels it needs to be done sooner or later. Town Clerk Houghtling stated that when the town board makes a motion directing the CEO that she is not to do anything until May, you have just taken that discretion away.

Councilmember Baumli made a motion to give the Phoenix Project until May to remove the structure known as the Perry House and if not removed, the town board asks

CEO/ZEO Hernandez to move forward with citations. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Rasmussen -	Nay
Councilmember Smith -	Aye
Interim Supervisor Robertson -	Aye
Councilmember Newton -	Nay
Councilmember Baumli -	Aye

NEW BUSINESS:

Carport Approval for the Fuel Tank:

Councilmember Newton stated that we need a carport to cover the outdoor fuel tank and he got 3 written quotes, one from Ebay for \$1,330.00, one from Lowe's for \$1,149.00, and one from Home Depot for \$1,842.98. He stated that there is also additional bracing needed that adds \$200 to the cost. It will be put up in house by himself and park staff.

Councilmember Newton made a motion to purchase the carport from Lowes in the total amount of \$1,349.00, with the additional bracing. Councilmember Smith seconded that motion.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Smith -	Aye
Interim Supervisor Robertson -	Aye
Councilmember Newton -	Aye
Councilmember Baumli -	Aye

Encumber Funds from 2019 to 2020:

TOWN OF NEW LEBANON

RESOLUTION #31, 2019

ENCUMBER FUNDS FROM 2019 TO 2020 BUDGET FOR PAVILION BATHROOMS

DECEMBER 31, 2019

At a year end 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 31st day of December, 2019, the following Resolution was proposed and seconded:

Resolution by Councilmember Smith Sr.

Seconded by Councilmember Newton

***ENCUMBER FUNDS FROM 2019 BUDGET TO 2020 BUDGET
FOR PAVILION BATHROOM PROJECT***

WHEREAS, the Town of New Lebanon Town Board accepted a bid to build new pavilion

bathrooms in 2019; and

WHEREAS, the Town of New Lebanon Town Board budgeted for the new pavilion bathrooms in line item A-7140.42 in the 2019 budget; and

WHEREAS, the pavilion bathrooms will not be completed by December 31, 2019; and

WHEREAS, half of the pavilion bathrooms have been paid for in 2019 when the project was half completed; and

WHEREAS, the other half of the pavilion bathrooms will need to be paid for in 2020 from the money budgeted in the 2019 budget;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of New Lebanon hereby moves to encumber the remaining balance of line item A-7140.42 in the 2019 budget into line item A-7140.42 in the 2020 budget.

Town Board Members voted “Aye” or “Nay” for said Resolution:

Roll Call Vote:

Councilmember Mark Baumli	Aye
Councilmember Norman Rasmussen	Aye
Councilmember Jesse Newton	Aye
Councilmember Kevin Smith	Aye
Interim Supervisor Margaret Robertson	Aye

The Resolution, having been approved by a majority vote of the Town Board, was declared duly adopted by the Interim Supervisor of the Town of New Lebanon.

Building Fee Resolution:

TOWN OF NEW LEBANON

RESOLUTION #32, 2019

BUILDING DEPARTMENT FEE ADJUSTMENT

DECEMBER 31, 2019

At a year end 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 31st day of December, 2019, the following Resolution was proposed and seconded:

Resolution by Councilmember Newton

Seconded by Councilmember Baumli

INCREASE FEES FOR THE BUILDING DEPARTMENT

WHEREAS, the Town of New Lebanon has not increased their building permit fees in a long time; and

WHEREAS, the Town of New Lebanon building permit fees are significantly lower than in surrounding towns;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of New Lebanon hereby increases the building permit fees as follows:

Flat Fees:

Roofing Permit - \$50.00

Heating Appliances - \$50.00

New Electrical Svc. - \$50.00

Demolition Permit - \$35.00

Zoning App. Fee - \$25.00

C/O Search - \$50.00

Special Inspection - \$50.00

Driveway Permit - \$50.00

Building Permit Renewal - \$50.00 to renew the first time – good for one year

50% of the permit fee to renew for the second year with a \$50.00 minimum – good for one year

55% of permit fee to renew for the third year

60% of permit fee to renew for the fourth year

Plus a 5% increase each year thereafter

Construction Permits (based on estimated cost of the project):

\$50.00 for projects with an estimated cost of up to \$2,000 plus \$4.00 per \$1,000 after that (\$2,001-\$3,000 = \$54; \$3,001-\$4,000 = \$58; etc.)

Town Board Members voted “Aye” or “Nay” for said Resolution:

Roll Call Vote:

Councilmember Mark Baumli	Aye
Councilmember Norman Rasmussen	Aye
Councilmember Jesse Newton	Aye
Councilmember Kevin Smith	Aye
Interim Supervisor Margaret Robertson	Aye

The Resolution, having been approved by a majority vote of the Town Board, was declared duly adopted by the Interim Supervisor of the Town of New Lebanon.

Grader Bids Received:

Interim Supervisor Robertson stated that we have grader bids that have to be opened and read but the decision will be made in 2020.

Town Clerk Houghtling stated that we received one bid from Pittsfield Lawn and Tractor

for a 2015 John Deere motor grader with 2,850 hours in the amount of \$159,900.

Pavilion Bathroom Contract Amendment Resolution:

**TOWN OF NEW LEBANON
RESOLUTION #33, 2019
PAVILION BATHROOM CONTRACT AMENDMENTS
DECEMBER 31, 2019**

At a year end 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 31st day of December, 2019, the following Resolution was proposed and seconded:

Resolution by Councilmember Smith Sr.
Seconded by Councilmember Newton

PAVILION BATHROOM CONTRACT AMENDMENTS

WHEREAS, the Town of New Lebanon entered into a contract with Banker Enterprise to build new restrooms at Weisbuch Pavilion, contract #2019-001; and

WHEREAS, the total bid amount accepted by the Town of New Lebanon for this project was \$66,720.00; and

WHEREAS, two change orders were needed, one for the installation of propane lines under the slab in the amount of \$1,071.00 and one for the installation of hot water lines and upgraded faucets in the amount of \$1,882.00; and

WHEREAS, the original date for work to be done was October 31, 2019; and

WHEREAS, due to the add ons and unforeseen weather conditions, the contractor needs additional time to complete the project;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of New Lebanon hereby increases the total project amount to \$69,673.00 and extends the deadline for the project to be completed to April 15, 2020.

Town Board Members voted "Aye" or "Nay" for said Resolution:

Roll Call Vote:

Councilmember Mark Baumli	Aye
Councilmember Norman Rasmussen	Aye
Councilmember Jesse Newton	Aye
Councilmember Kevin Smith	Aye
Interim Supervisor Margaret Robertson	Aye

The Resolution, having been approved by a majority vote of the Town Board, was declared duly adopted by the Interim Supervisor of the Town of New Lebanon.

COMMITTEE/LIAISON REPORTS:

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

Councilmember Smith stated that he is very glad that we have gotten the fire company contract down to what he feels 90% of the people feel comfortable with. It has been a pleasure working with them. They are thinking very smartly for future plans which they'll announce whenever they get to it. He hopes this incoming board has the same enthusiasm to work together as he and Councilmember Baumli have.

ANNOUNCEMENTS:

JANUARY:

Wednesday, January 1st ~ Swearing-in of Town Government Officials @ Town Hall @ 10:00 am

Thursday, January 2nd ~ Organizational Meeting of the Town Board @ Town Hall @ 7:00 pm

PRIVILEGE OF THE FLOOR:

Peg Munves stated that regarding the motion about the building, CEO/ZEO Hernandez is the expert in building codes, not the town board and she thinks it should have been left to the CEO with a recommendation from the town board because if it was her, she would be upset with the town board. She stated that she appreciates the work the town board has done over the last few years. She is looking forward to a bit less bullying and bad language and more community working together. She feels this board has done a lot for the town, a tremendous amount but she does feel there has been quite a lot of bullying, talking about people that aren't here. She would ask them to put themselves in other people's position, they may be perfect and never make mistakes, but people do make mistakes, people get intimidated and she would like to be given the same courtesy as every body else and have her say and not be spoken about behind her back. She stated that she does appreciate everything the outgoing board has done. She has been to most of the meetings and she looks forward to next year.

J.J. Smith stated that Deb Gordon has not been to a town board meeting since June and that night she was here to ask for the Main Street Grant support which she now admits she never applied for. She stated that she sat right there and she knitted while these guys hashed over what she wanted to do, what her plans were, and they had to keep calling her to attention so she could look up from her knitting with enough respect to respond to them. They told her that night she had to put up a banner or a wooden sign in front of that building that said this building is awaiting restoration or something so that passersby would see that and know why the town was allowing that eyesore to sit there. She said okay and then did not do it. She stated that someone who never comes to a board meeting except when she needs something and then immediately walks out and doesn't care about anything else that goes on at the meeting has the nerve to run for office. Is she going to show up for the swearing in? It should be interesting.

Interim Supervisor Robertson stated that it is anybody's prerogative to run for office. You could have somebody coming out of nowhere to just run for office and get elected but it's

not for us to say. That is the whole process of democracy. Anybody who wants to run for anything should be able to do it for whatever elected office they want to. She stated, for the record, that she reached out numerous times by email and she shouldn't have even had to reach out once, but just for the record she did communicate.

Interim Supervisor Robertson stated, in response to Peg Munves comment that she intended the motion to be a recommendation, that it is up to the building department to deal with it. Peg Munves stated that is not what the motion stated. Interim Supervisor Robertson stated that it was misinterpreted.

Sharon Moon asked if town board members have to attend a certain number of meetings. Interim Supervisor Robertson stated that if a board member gets elected and they so choose to never attend, it is on them and four years later they would be out and they still collect a paycheck. Councilmember Smith stated that all elected positions do not have to show up for work.

Councilmember Newton thanked Councilmember Smith, Councilmember Baumli and Interim Supervisor Robertson for all of their hard work.

OTHER: Supervisor Robertson's closing comments:

Interim Supervisor Robertson stated that it has been tough because there were a lot of hurt feelings that she was put in here when people thought something else should have happened and it didn't and souring of relationships that she didn't promote. She thinks it worked out for the best. She appreciates the town board's support in that because the democratic process played out the way it is supposed to play out. She stated that unfortunately, in the democratic process it stops being democratic when another town tries to influence an election in another town and that is what she understands happened this past time. She was shocked and appalled. She stated that Stephentown tried to influence the election in New Lebanon. The Stephentown rail trail association sent a letter out to various voters, she was not on the receiving end, encouraging voters in New Lebanon to not vote for Councilmember Smith and Councilmember Baumli and also to announce that Councilmember Newton needed to go. She stated that it is not up to another town to influence an election. Cynthia Creech asked for clarification that this was the Town of Stephentown that sent the letter. Interim Supervisor Robertson stated that the Stephentown Rail Trail Association sent the letter. Cynthia Creech stated that is not the Town of Stephentown, that is a private organization. Interim Supervisor Robertson stated that the Stephentown Rail Trail Association is part of Stephentown even though it is part of New Lebanon if it is signed Stephentown. Audience members stated that is a non-profit organization and it is not a part of the Town of Stephentown. Interim Supervisor Robertson stated that the point is that it also wasn't signed, which is cowardly because 8 years ago, two letters went around town signed by people, it doesn't matter, people are able to do what they want to do, but this was an organization that was trying to influence the election in this town and she is objecting to that. Cynthia Creech stated you do understand that organizations all over the country try to affect elections. Interim Supervisor Robertson stated if the name Stephentown was on it, that to her is a

concern even if it is not the Town of Stephentown, if it says Stephentown Rail Trail it's Stephentown's Rail Trail. Councilmember Smith stated that it is what it is, there were, separate from that, there were people in town who were getting letters from residents of Stephentown and these letters said we are a registered Stephentown voter and we would appreciate you taking your vote and voting for. Cynthia Creech stated that is not the Town of Stephentown.

Interim Supervisor Robertson stated that this building as the town government building is special that it is not available to anybody and everybody unless they are town staff here. With regard to people going in and out when there is nobody here, that kind of needs to be adjusted. She understands totally that the free store that is totally overflowing with great stuff, that if somebody is going in there to work in the free store that they do so during town time when there is somebody else here who is an official town person. She stated that keys should not be given out to anybody who needs them or wants them even for a couple of hours at a time. It is a safety thing and a security thing because this building is the town's government building and we would expect it to be treated with respect.

Town Clerk Houghtling stated just to clarify when she came into the Town Clerk's office 4 years ago it had been a long standing policy. There is a key that has been in her office that is to be signed out to any group. There are many groups that use the town hall over the weekend that are not town organizations. If the town board wanted to change that policy they can, but that has been a long standing policy that any group or person can use the town hall. Interim Supervisor Robertson stated that the Historical Society has programs here frequently. Town Clerk Houghtling stated that the Historical Society and many other groups that are not town employees have used the town hall. She stated that the NL Democrats meet here, the NL Republicans have had their caucus here, the LV Seniors meet here. We have always had this as a community building. There is an extra key in the town clerk's office labelled "to be signed out". Interim Supervisor Robertson asked where they put that key when they are done with it. Town Clerk Houghtling stated in the town clerk's mailbox. Interim Supervisor Robertson stated that is the issue that she has because if it's in the town clerk's mailbox, maybe we could drill a hole in the town clerk door and have them drop it in a drop slot, because if it's in the mailroom, even though we have security cameras all over the place, all the other mail slots, there is paperwork in the other mail slots, not that they would be able to do anything with them, but people's paychecks if they don't pick them up, and get access to people's personal, private information. It is her strong suggestion that we do that because the mail room is not a secure place and it probably should be, even with the door closed to keep it better protected. If an issue arises we don't want to say would have, should have, could have. Town Clerk Houghtling stated that there is also a camera in the mail room that shows everything that goes on in there.

Interim Supervisor Robertson stated that she does have a confession. She knows gossip travels fast. She stated that two weeks ago she had to write out a large check for NYS Retirement and it had to be in the mail by a certain time. She forgot to do the money

transfer and by the time the state cashed the check there was not enough money in the account to cover it and some checks bounced. The bank covered it and did not penalize us for it and it is all set now.

Interim Supervisor Robertson thanked everyone for their patience and she certainly appreciates everyone who consistently showed up for the meetings and listened to everything that had to be said. She stated that her suggestion, she still has to hear back from them, she thinks she has a solution for the free store. We can certainly install one of those stair chairs. They aren't built into the wall, they are attached to the stairs, so that anybody coming down with two bags in one hand can have a safe way to do it.

ADJOURNMENT:

A motion was made by Councilmember Smith and seconded by Councilmember Newton to adjourn the meeting at 10:32 a.m.

Respectfully submitted,

Marcie Robertson
New Lebanon Town Clerk