

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON FEBRUARY 9, 2021**

Present: Tistrya Houghtling, Supervisor
Norman Rasmussen, Councilmember (online)
Deborah Gordon, Councilmember (online)
John Trainor, Councilmember

Absent: Jesse Newton, Councilmember

Recording Secretary: Marsha “Marcie” Robertson, Town Clerk (online)

Others Present: Ted Salem, ZBA Member, ZRC Chair & Comp Plan (online @ 7:21pm)
Steve Powers, CAC Member & CSC Chair (online)
Bruce Shenker, NL Rep to CC Enviro Mgmt (online)
Monte Wasch, BEDC Chair (online)
David Farren, CAC Chair (online)
Marc Anthonisen, CSC Advisor (online)

CALL TO ORDER:

The meeting was called to order at 7:01 pm by Supervisor Houghtling. A moment of silence was held followed by the flag salute. The meeting was held in person at the New Lebanon Town Hall, 14755 State Route 22 North, New Lebanon, NY 12125, online via google meets and live streamed for the public at:

https://townhallstreams.com/towns/new_lebanon_ny

MINUTES:

The minutes of the **January 1, 2021 Annual Organizational Meeting, January 12, 2021 Annual Year End Audit and January 12, 2021 Regular Meeting** meetings were reviewed. A motion was made by Councilmember Trainor, seconded by Supervisor Houghtling and approved unanimously except Councilmember Newton who was absent to approve the minutes with the date in the header being amended on the January 12th, 2021 regular meeting minutes to the date of the meeting.

FINANCIAL:

Supervisor's Report:

Since this was an in person and live streamed meeting the Supervisor's Report as of January 31, 2020 was available to the public via the Town Clerk's email and the Town website and the Town Board was emailed the Supervisor's Report by Supervisor Houghtling. A motion was made by Councilmember Trainor to accept the Supervisor's report as typed. The motion was seconded by Councilmember Rasmussen.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Newton -	Absent
Councilmember Trainor -	Aye

PRIVILEGE OF THE FLOOR:

Supervisor Houghtling stated that she has received three emails before the meeting and will read them into the record:

Supervisor Houghtling read the following: (this was received just after the January Meeting):

I totally understand if it's too late for tonight's board meeting. But things have been crazy like everyone else.

I have lived on Canaan rd. for 40 plus years and have been going up this road for many more. I wanted to address the speed limit on Canaan rd. to 35 mph. While we are not opposed a limit, 35 is a bit much. I now speed every day I go home up our hill just to be able to make the hill. Not to mention when there is ice or snow to be able to make it home. As far as a study being done, they must have it with a drone and not driven it in all seasons. We would like to see it 40 mph. Maybe we can address the county, state or whoever did the study. (I would be willing to make the calls) To say nothing of more signs then route 20. See them littering our country road is sad enough but there are 9 signs in roughly 4 miles maybe? I have not clocked it.

I think we have more of a safety issue with people walking in the wrong side of the road and not facing traffic. We are not objecting to people walking on the road just do it safely. Although we are getting invaded with people that don't live on the road. One was parked on the corner by Baumli's. People have referred to our road as a Nature trail not a road.

Also, people putting branches all over the road to slow traffic is a safety concern. The position of how close your house is to road isn't what determines a speed limit.

I appreciate your time and attention in this matter.

Thank you

Sincerely,

Patrica Mittnacht-Metzler

Supervisor Houghtling stated that she did have a conversation with Mrs. Mittnacht-Metzler and explained that the town has no authority over what the speed-limit is, that the Town Board, three years ago, requested a speed limit study for Canaan Road and they did

determine that the safe speed limit was 35 MPH. The town does not have discretion or jurisdiction over what the speed limit should be.

Supervisor Houghtling read the following:

Hi Tistrya,

I am emailing you to request speed limit or SLOW DOWN signs for my stretch of Cemetery Road. This is a very popular stretch of road for bikers and walkers, including students walking home from the high school. There are no sidewalks. Cars, trucks and busses regularly fly down this road at dangerous speeds. It's terrifying.

*Thank you,
Monica Bliss*

Councilmember Trainor asked what the current speed limit is now?

Supervisor Houghtling stated that she will have to look into that she thinks that when the last speed limit study was done, she and Councilmember Rasmussen think it was 30 MPH. This may be another issue of needing signage, which is something Highway Superintendent Winestock can do. Supervisor Houghtling stated that she will look into this.

Supervisor Houghtling read the following:

Supervisor Houghtling and Town Board Members,

As I expected, one month after promising that "he absolutely will take care of it", Mr. Winestock has not removed the old guard rail beams from the side of Main Street at the foot of Pool Hill Road. I assume he has not attended to the others mentioned by Mr. Deegan in a letter to the board on January 12, 2021. I can't conceive what might be preventing the timely completion of this task. Please convey to the Highway Department the sincere hope of Lebanon Springs residents that the junk metal will be removed.

As I suggested last month, if the metal is not removed let's say by the time the weather warms up, the town board should scrap the beams in place and authorize the residents to dispose of them.

*Respectfully,
Doug Banker*

Supervisor Houghtling stated that she thinks they should revisit this at the March meeting, but if it is not done by then and Attorney Tingley okays it, is anyone opposed to the Town Board declaring them scrap and having Park Maintenance Sears get them or letting the residents expose of them? No one disagreed.

CERTIFICATE OF APPRECIATION:

Supervisor Houghtling stated that she has a very special certificate of appreciation to present tonight. We have lost a stellar employee, community member, farmer and volunteer.

Cynthia Creech has worked for the Town of New Lebanon as Deputy Court Clerk, then Court Clerk since the beginning of 2012. She exemplifies what a committed, dedicated employee looks like always going above and beyond to serve the town in her position. In addition to her employment with the town, she served: as Deputy Town Supervisor under Supervisor Teal; as a CAC member for years, helping to create the NRCP; as a member of the ZRC bringing a very important farming perspective to our zoning; as a member of the BEDC focused on ensuring all our residents have access to fresh, healthy food; as a member of the Recreation Commission for years; as an integral part in the NL 200 committee and in the creation of the farming booklet; and as a volunteer for Town events such as the community picnic, music in the park, town clean-up day and more recently helping to coordinate the food giveaway.

Outside of her tremendous volunteerism on town boards and committees, Cynthia also tirelessly volunteered in our community as a member of Grow the Valley, an active member of the New Lebanon Democrats and an integral part of the New Lebanon Farmer's market for years.

As a farmer and small business owner, Cynthia went out of her way to ensure people had fresh, healthy grass-fed beef here in New Lebanon. She declined offers to sell her beef for much higher rates in NYC as she was focused on helping to feed people healthy beef right here in her community.

Cynthia will be sorely missed in our community and we all wish her well in her new endeavors down south where her girls, the cows, can enjoy fresh grass to graze on year-round. Thank you, Cynthia, from the bottom of our hearts for all you have done and for all that you have brought to our Town!

Supervisor Houghtling stated that per Cynthia's request she waited to present this Certificate after Cynthia had gone, she was not present in person but watching via live stream.

AUDIT OF BILLS:

2021 BILLS:

General Nos. 24, in the amount of \$378.37;
As listed on Abstract No. 1A dated February 9, 2021.

General Nos. 25 through 58, in the amount of \$18,413.54;
Highway Nos. 3 through 13, in the amount of \$46,774.12;
Escrow Nos. 1 through 4, in the amount of \$1,200.00; and
SF-1 LVPA No.1, in the amount of \$37,052.50;
As listed on Abstract No. 2 dated February 9, 2021.

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

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Newton -	Absent
Councilmember Trainor -	Aye

OLD BUSINESS:

Highway Asset Management Plan:

Councilmember Rasmussen stated that he didn't really have any update on this. He stated that he did correspond with Councilmember Newton, who is waiting for some data from Highway Superintendent Winestock. Once Councilmember Rasmussen receives that data, he will input into the spreadsheet and move on.

Maintenance Records Request:

Supervisor Houghtling stated that at the last meeting a motion was made by her and seconded by Councilmember Gordon and they inadvertently did not vote on it.

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon to require the Town Highway Superintendent to submit a written report to the Town Board on a monthly basis setting forth a summary description of the maintenance and repair tasks performed on and approximate total fuel consumed by each piece of highway equipment during the prior month and the total mileage and total operating hours as of the end of such prior month for each such piece of highway equipment that tracks such information and further to direct and authorize the Town Supervisor to transmit a written notice to the Highway Superintendent advising of this requirement.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Newton -	Absent
Councilmember Trainor -	Aye

Comprehensive Plan Grant Received – RFP for Proposals:

Town Clerk Robertson read the Notice To Bidders:

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the Town of New Lebanon, NY is seeking bids for A CONSULTANT FOR THE TOWN'S COMPREHENSIVE PLAN REWRITE. The Town of New Lebanon invites sealed proposals for a consultant

to assist the town in the revision of our Comprehensive Plan. All details are laid out in the RFP which may be examined free of charge at the Town Clerk's office during the Clerk's business hours of Monday, Wednesday, Thursday, and Friday from 9:00 am to 5:00 pm. You may also request the RFP be emailed to you by contacting the Town Clerk at townclerk@townofnewlebanon.com. The RFP contains a non-collusive bidding certification and a proposal form.

No bid will be accepted unless a signed non-collusive bidding certification is submitted with the bid. All bids must be submitted on the proposal form provided by the town. All bids must be submitted in a blank unmarked envelope labeled "CONSULTANT BID".

Bids will be received by the Town Clerk of the Town of New Lebanon, NY, Town Hall, 14755 Route 22 North, New Lebanon, NY 12125. until 4:00 PM on or before Friday, February 5, 2021 at which time and place they will be publicly opened and read aloud, with the contract being awarded, if acceptable, on February 9, 2021, at the Regular Meeting of the Town Board at 14755 Route 22, New Lebanon, NY 12125.

The Town of New Lebanon Town Board expressly reserves the right to waive any irregularities in or to accept any bid or to reject any and all bids or to award on any or all items. No bidder may withdraw his/her bid within twenty-five (25) days after the actual date of the bid opening.

By order of the Town Board, Town of New Lebanon, New York.

By: Marcie Robertson
Town Clerk
Town of New Lebanon, NY

Bids Received:

Supervisor Houghtling stated that we did receive one bid from Nan Stolzenburg ACIP, Certified Environmental Planner of Community Planning and Environmental Associates in Berne, NY. This is who worked on our first Comprehensive Plan and her bid came in at a rate of \$110.00 per hour.

Ted Salem, Comprehensive Plan Committee Chair stated that he submitted the proposal to the rest of the committee and hasn't heard anything to the contrary back. He stated that there will need to be a little tweaking of the proposal, there are some things proposed to do that have already been done. He thinks the rate proposed makes sense and overall, the proposal addresses most of what they want to do and he believes the committee will endorse his recommending acceptance and filling in the contract. Ted stated that per his discussion with the attorney, the provider should submit a contract for review, they can work with them to tweak it at that time and submit to the board for approval.

Councilmember Trainor made a motion to accept the bid from Nan Stolzenburg at the rate of \$110.00 an hour and authorizing Supervisor Houghtling to enter into a contract for such work. The motion was seconded by Councilmember Rasmussen.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Newton -	Absent
Councilmember Trainor -	Aye

CAC Letters of Interest – Appointment & Resolution Increasing # of Members:

Supervisor Houghtling stated we received two letters of interest, one from Adelia Moore and one from Donald Lamonaca. The CAC did interview both applicants and their request is that the board appoints both applicants. Supervisor Houghtling stated that they are allowed to increase the membership of the CAC via resolution up to nine members, they currently have seven. The request from the CAC is to appoint Adelia Moore to the vacancy and appoint Donald Lamonaca as the new member via the resolution.

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon and unanimously approved with the exception of Councilmember Newton who is absent to appoint Adelia Moore to the vacancy on the CAC with her term ending 12/31/2021.

Supervisor Houghtling read the following resolution:

TOWN OF NEW LEBANON

RESOLUTION #13, 2021

INCREASING THE NUMBER OF CAC MEMBERS TO 8

FEBRUARY 9, 2021

At the regular monthly meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 State Route 22, New Lebanon, New York and online via google meets and viewed by the public via live stream, duly called and held on the 9th day of February 2021, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling

Seconded by Councilmember Trainor

INCREASING THE NUMBER OF CAC MEMBERS TO 8

WHEREAS, the Town of New Lebanon established a Conservation Advisory Council in 2010 with Local Law #1 of 2010; and

WHEREAS, the Local Law stated that the Conservation Advisory Council shall consist of not less than 5 members; and

WHEREAS, the Local Law stated that the Town Board shall set the membership number of the Conservation Advisory Council by Resolution; and

WHEREAS, the Conservation Advisory Council has recruited two potential new members for one current vacancy; and

WHEREAS, the Conservation Advisory Council has requested that the Town Board set the membership number to 8, an increase of 1 member from the current membership number of 7.

IT IS HEREBY RESOLVED that the Town Board of the Town of New Lebanon increases the membership number of the Conservation Advisory Council to 8 and appoints Donald Lamonaca as the 8th member with a 2 year term to expire 12/31/2021.

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 Deborah Gordon	Aye
Supervisor Tistrya Houghtling	Aye
Councilmember Jesse Newton	Absent
Councilmember John Trainor	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.

Dated: February 9, 2021

Marcie Robertson

Town Clerk

Town of New Lebanon

Planning Board Letters of Interest:

Supervisor Houghtling stated that we have received three letters of interest for one vacancy on the Planning Board. There was a Special Meeting held at 6:00pm tonight where the Town Board interviewed all three applicants. Supervisor Houghtling stated that all three applicants were wonderful, it was a very hard decision to make between the three and she strongly encourages the two who did not get chosen to apply for any other position that opens in the town that interests them.

A motion was made by Supervisor Houghtling, seconded by Councilmember Rasmussen and approved unanimously with the exception of Councilmember Newton who is absent to appoint Brent Gawron to the town Planning Board vacancy which expires 12/31/2022.

Recreation Commission Letters of Interest:

Supervisor Houghtling stated that she is excited that we have received two letters of interest for the two vacancies that we had. We have since received a resignation creating one more vacancy.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to appoint Joanna Ezinga to the Recreation Commission vacancy expiring 12/31/2022 and that they appoint Allen Phelps to the Recreation Commission vacancy expiring 12/31/2021.

Sign Regulation Extension:

Supervisor Houghtling stated the additional signage for businesses due to Corona Virus expires in the middle of the month. Does the board want to extend this?

Councilmember Trainor stated that he would extend for two months.

Councilmember Gordon asked if any business have taken advantage of these allowances? If businesses are not taking advantage of this, we may not need to continue extending.

Monte Wasch, BEDC Chair does not know the specifics on this.

Supervisor Houghtling stated that they could look into this further.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to extend the current sign regulations due to COVID to April 15th of 2021.

Cover for Highway Garage Fuel Tank:

Supervisor Houghtling stated that she is going to keep this on the agenda until it is resolved. Supervisor Houghtling stated that she has gotten five volunteers that are willing to help plus Councilmember Newton and Donnie Sears. Councilmember Newton will coordinate with the volunteers to get this taken care of.

EV Charging Station Grant:

Supervisor Houghtling stated a few years ago we were approved for an EV Charging Station Grant. The charging station was supposed to go behind the Gallup Inn but for various reasons this did not work out.

Supervisor Houghtling stated, NY state was willing to put the Grant on hold until we found another location. The Rail Trail in conjunction with a property owner are willing to host an EV Charging Station on Tilden Lane behind the library. The Grant we were approved for is open again and funding is available. Supervisor Houghtling stated she will work with the Attorney to see if we can move forward with the previous bid we accepted or, if not, what the next steps are.

Pavilion Bathrooms:

Supervisor Houghtling stated that William Banker, Banker Enterprises has signed the agreement that we agreed to at the last meeting. Part of that agreement is that Banker agrees to start purchasing materials for the renovation as they are available and storing them on town property. Due to Banker being a small business owner and the effects of COVID he has asked the town if they will front the money of purchasing these materials, with the cost of said materials coming off of what we pay him.

A motion was made by Councilmember Rasmussen, seconded by Councilmember Gordon and approved unanimously with the exception of Councilmember Newton who is absent to

authorize an amendment to the contract for the Pavilion Bathrooms at Shatford Park with William Banker Enterprises to amend the payment for one payment to go to the vendor for the materials and a second payment to go to the contractor with the over all cost to remain the same upon the approval of the Town Attorney.

NEW BUSINESS:

Town Logo:

Supervisor Houghtling stated the BEDC was tasked at a town logo/ branding/ etc.



WRAP OUR HILLS AROUND YOU



Supervisor Houghtling stated these are just rough draft ideas. The town budgeted \$1,000.00 for a professional logo designer, so if the town board approves, we can send concept ideas to a professional for development. We do not have to go out to bid for \$1,000.00.

Supervisor Houghtling stated that whatever is chosen has to look good in black and white and color, as well as in different sizes (larger or smaller). She stated they wanted to invoke a feeling of coming home and that New Lebanon is your home, your community, the natural beauty of our resources, etc.

The Board held discussion regarding the purpose and use of a logo. Councilmember Gordon stated she is not overly thrilled with the whole idea of a logo. Councilmember Rasmussen stated that he is indifferent to the whole thing. Councilmember Trainor stated that he is fine moving forward. Supervisor Houghtling stated that she agrees with removing the town seal.

BEDC Mailer with 5/1 Newsletter:

Supervisor Houghtling stated that they already budgeted for two mailers from the BEDC, the first one was the Business Directory. She stated that the BEDC thought about a coupon book of sorts, a coupon or possibly a loyalty card, as well as a full calendar of events from May 1st through September 30th.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to put out a coupon book with a full calendar of events for all of the New Lebanon businesses with the May 1st Newsletter.

CSC Resolution – Adding a Town Board Member to Task Force:

Supervisor Houghtling stated that Councilmember Gordon has been the liaison for the CSC acting as a Town Board member on the Task Force. On the first resolution where they appointed a task force, they did not explicitly list her as a Town Board member, so we need to modify the resolution.

Supervisor Houghtling read the resolution:

TOWN OF NEW LEBANON

RESOLUTION 14 2021

RECREATION OF THE CLIMATE SMART COMMUNITIES TASK FORCE

FEBRUARY 9, 2021

At the regular monthly meeting of the New Lebanon Town Board, held via video and teleconference, duly called and held on the 9th day of February 2021, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling
Seconded by Councilmember Trainor

RECREATION OF THE CLIMATE SMART COMMUNITIES TASK FORCE

WHEREAS, the Town of New Lebanon took the Climate Smart Communities Pledge in February of 2020; and

WHEREAS, the Town of New Lebanon created a Climate Smart Communities Task Force in April of 2020; and

WHEREAS, the Climate Smart Communities Task Force includes members of the Town's Conservation Advisory Council, the NL Representative to the Columbia County Environmental Management Council, a member of the Town Board and members of the public; and

WHEREAS, Deborah Gordon, the Task Force member who is an elected Town Board member was not explicitly listed on the resolution creating the Climate Smart Communities Task Force in April of 2020 but has been acting as the liaison between the Town Board and the Task Force since its inception; and

WHEREAS, the NL Representative to the Columbia County Environmental Management Council and 3 members of the Town's Conservation Advisory Council have agreed to serve on the Climate Smart Task Force with the NL Representative to the Columbia County Environmental Management Council serving as the Climate Smart Communities Coordinator and a member of the Town's Conservation Advisory Council serving as the Chair; and

WHEREAS, the Climate Smart Communities Coordinator position shall serve as the single point person to serve as liaison among the governing body and chief executive and shall have a commitment to local climate action, good communication and organizational skills, demonstrated ability to motivate volunteers and the ability to manage relationships among elected officials, municipal staff and volunteers; and

WHEREAS, the Climate Smart Communities Chair position shall function as a liaison among task force members and chair all climate smart task force meetings and shall have a commitment to local climate action, good communication and organizational skills, demonstrated ability to motivate volunteers and the ability to manage relationships among volunteers.

IT IS HEREBY RESOLVED that the Town Board of the Town of New Lebanon hereby reestablishes the Climate Smart Task Force with the following members and positions:

Bruce Shenker – CSC Coordinator and NL Rep to CC Enviro Mgt Council

Steve Powers – CSC Chair and CAC Rep

Marc Anthonisen - Advisor

Robert Gilson – CAC Rep

Jenna Barbary – CAC Rep

Elizabeth Poreba – Member of the Public

Cathy Wilkerson – Member of the Public

Adelia Moore – Member of the Public

Sarah Steadman – Member of the Public
Peg Munves – Member of the Public
Josh Young– Member of the Public
Open – Member of the Public
Deb Gordon- - Elected Town Board Member

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

Roll Call Vote:

Councilmember Rasmussen	Aye
Councilmember Gordon	Aye
Supervisor Houghtling	Aye
Councilmember Trainor	Aye
Councilmember Newton	Absent

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.

Dated: February 9, 2021

Marcie Robertson

Town Clerk

Town of New Lebanon

Personnel Policy Resolution – Overtime for Highway Department:

Supervisor Houghtling stated that we had a request from the Highway Department for overtime, that the board designates that they get time and a half on weekends and evenings when they get called in to plow. Historically that is how they have done it, but it is not officially listed in personnel policy. The amendment is on page three of the policy.

Overtime Pay for Nonexempt Employees and Non-Standard Hours Pay for Highway Employees

[Amended 9-13-2016 & 2-9-2021]

Non-Standard Hours Pay for Highway Employees: With respect to Highway Department employees only, any hours worked at the direction of the Highway Superintendent between the hours of 5pm and 5am on any Monday through Friday, as well as any hours worked at the direction of the Highway Superintendent on a Saturday or a Sunday (collectively, “non-standard hours”) will be paid at a rate of one and half times the employee’s regular rate, regardless of whether or not the employee has worked over forty hours in that workweek. Highway Department employees that work non-standard hours shall not be entitled to compound the overtime rate and non-standard hours’ rate. Compensation for non-standard hours that also constitute overtime hours shall not exceed, and shall be limited to, one and a half times the employee’s regular rate. All non-standard hours worked must be at the direction of and first be approved by the Highway

Superintendent.

**TOWN OF NEW LEBANON
RESOLUTION #15, 2021
PERSONNEL POLICIES
FEBRUARY 9, 2021**

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 9th day of February 2021, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling

Seconded by Councilmember Gordon

PERSONNEL POLICIES

[HISTORY: Adopted 12-13-2004; amended 2-14-2011, 9-13-2016, 11-13-2018, 1-1-2021 & 2-9-2021.]

Purpose; applicability.

This description of employee benefits is presented to all Town and highway employees of the Town of New Lebanon (the "Town") for informational purposes only. This description is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the Town's general policies and procedures governing employee benefits. The Town reserves the right to modify, revoke, suspend, or discontinue any of the procedures, practices, policies, and benefits described herein. Moreover, the language used in this description of employee benefits does not confer any contractual right, either expressed or implied, to remain in the Town's employ or guarantee any fixed terms and conditions of employment. Employment with the Town is on a voluntary at-will basis and is not for a specific time, and either the employee or the Town may at any time terminate the employment relationship with or without cause. Finally, some of the benefits described herein are covered in more detail in Town policies and procedures or written insurance policies and/or plan documents. This description of employee benefits is only designed as a brief guide and summary of policies and benefits.

Equal employment opportunity policy.

The Town is committed to equal employment opportunities for all. Employment and promotion are based upon personal capabilities and qualifications without regard to race, color, religion, sex, age, national origin, disability, sexual orientation, genetic predisposition or carrier status, marital status or any other protected characteristic as established by law. This equal opportunity policy applies to all terms and conditions of employment.

Americans With Disabilities policy statement.

The Town is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"). It is the Town's policy not to discriminate against any qualified employee or applicant with regard to any terms and conditions of employment because of such individual's disability or perceived disability so long as the individual can perform the essential functions of the job. The Town will provide reasonable accommodations to a qualified individual

with a disability, as defined by the ADA. who has made the Town aware of his or her disability, provided the accommodation-floes not constitute an undue hardship to the Town.

Civil service; part-time employment.

Pursuant to the Columbia County Civil Service Commission's Rules, positions within the Town are classified as exempt, noncompetitive, competitive, labor, or unclassified. For purposes of applying civil service rules only, part-time employment is considered employment where an individual works less than 20 hours per week.

Work schedule.

The standard workweek for the Town is 40 hours per week (not including lunch breaks). Employees will be informed of their work schedule at the time of hire. Every effort will be made to maintain this schedule. However, it is sometimes necessary to adjust schedules to cover vacation periods, weather conditions and/or unscheduled absences.

Description of employment. [Amended 11-13-2018]

The Town will classify employees as full-time, part-time eligible (20-34 hrs/wk), part-time ineligible (less than 20 hrs/wk), or temporary employees.

- A. Full-time: Employees who are not assigned temporary employment and who are regularly scheduled to work a minimum of 35 hours per week or more on an indefinite, continuing basis. Employees who hold multiple positions within the Town and work a total of more than 35 hours per week among the multiple positions will be considered full-time employees. Full-time employees are eligible for all benefits described herein, unless provided otherwise.
- B. Part-time eligible: Employees who are not assigned temporary employment and who are regularly scheduled to work at least 20 hours per week and less than 35 hours per week on an indefinite, continuing basis. A part-time employee is eligible for limited benefits as described herein, or to the extent required by provision of state and federal laws.
- C. Part-time ineligible: Employees who are not assigned temporary employment and who are regularly scheduled to work less than 20 hours per week on an indefinite, continuing basis. A part-time ineligible employee is not eligible for benefits described herein, unless stated otherwise, or to the extent required by provision of state and federal laws.
- D. Temporary: Employees who are hired for a specific period of time or for the completion of a specific project. The job assignment. work schedule and duration of the position will be determined on an individual basis. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees are not eligible for benefits described herein, unless stated otherwise. or to the extent required by provision of state and federal laws. Examples of a temporary employee include, but are not limited to, a camp counselor hire for the summer or a snowplow operator hired for the winter season.

Probationary period.

Generally, pursuant to the Columbia County Civil Service Commission's Rules, every permanent appointment from an open competitive list and every original appointment to a position in the noncompetitive, exempt, or labor class shall be for a probationary term of 12 weeks. However, a returning employee who has already successfully completed the probationary period is not required to serve another probationary term. The probationary term

for promotion shall be 12 weeks. During the probationary period, the employee will have the opportunity to evaluate his or her new position and the employee's supervisor will evaluate the employee's performance and suitability for the position. Successful completion of the probationary period is not intended to create a contract of permanent employment.

Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ANNIVERSARY YEAR

The one-year period beginning on the date an employee commences employment.

CALENDAR YEAR

The period beginning January 1 of any year through December 31 of the same year.

Overtime Pay for Nonexempt Employees and Non-Standard Hours Pay for Highway Employees

[Amended 9-13-2016 & 2-9-2021]

Overtime: The Fair Labor Standards Act (FLSA) provide that nonexempt employees under FLSA who work more than forty hours in a workweek receive overtime pay of one and a half times an employee's regular rate. Only hours actually worked count in the overtime calculation, unless an employee is required to work on a holiday. In that event, the employee will get credit for those hours. Therefore, holidays not worked, vacation days and sick days are not counted even though the employee may have received holiday, vacation, or sick day pay. The Town reserves the right to require employees to work overtime and will make every effort to provide employees with adequate notice. Any overtime hours worked, however, must first be approved by the employee's supervisor.

Non-Standard Hours Pay for Highway Employees: With respect to Highway Department employees only, any hours worked at the direction of the Highway Superintendent between the hours of 5pm and 5am on any Monday through Friday, as well as any hours worked at the direction of the Highway Superintendent on a Saturday or a Sunday (collectively, "non-standard hours") will be paid at a rate of one and half times the employee's regular rate, regardless of whether or not the employee has worked over forty hours in that workweek. Highway Department employees that work non-standard hours shall not be entitled to compound the overtime rate and non-standard hours' rate. Compensation for non-standard hours that also constitute overtime hours shall not exceed, and shall be limited to, one and a half times the employee's regular rate. All non-standard hours worked must be at the direction of and first be approved by the Highway Superintendent.

Ethics and conflicts of interest.

The Town expects its employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the Town and avoid appearances of impropriety. The Town recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to Town business; however, the employee must first disclose possible conflicts so that the Town may assess and prevent potential conflicts of interest. Conflicts of interest occur when employees engage in a business or transaction or professional activity, or incur an obligation of any nature, which is in substantial conflict with the proper discharge of their duties in the public interest. For more information, the *Town's Code of Ethics* sets forth standards of conduct for Town

employees and provides for penalties for employees who knowingly and intentionally violate such standards of conduct. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact the Board of Ethics for an advisory opinion.

Employee conduct; discipline and discharge.

Employees are expected to report to work as scheduled and to perform their job responsibilities to the best of their abilities and in a professional manner at all times. Civil Service Law § 75 governs the procedures the Town will follow in disciplinary actions involving employees covered by § 75. Civil Service Law § 75 provides that a covered employee may not be removed or otherwise subjected to disciplinary penalty except for incompetency or misconduct shown after a hearing on stated charges. Such employee is entitled to representation and to summon witnesses to testify on her or his behalf at the hearing. If the employee is found guilty of any charges, the Town may take disciplinary action ranging from a formal letter of reprimand to a fine, a temporary suspension, demotion, or dismissal from service. The disciplinary action taken against an employee shall be based on the nature of the disciplinary violation and/or the employee's employment record with the Town.

Leave policies.

A. ***Bereavement leave:*** In the event of a death occurring in the immediate family of any full-time employee, an unpaid leave of absence shall be granted to attend the funeral, for up to two scheduled workdays. For the purposes of this bereavement leave policy, "immediate family" shall mean mother, father, spouse, sister, brother, child, mother-in-law, or father-in-law.

B. ***Holidays:***

(1) The Town recognizes 12 holidays for which most of the Town's business operations will be closed:

New Years Day	Martin Luther King Day	Presidents Day
Memorial Day	Independence Day	Labor Day
Columbus Day	Veterans Day	Election Day
Thanksgiving	Day after Thanksgiving	Christmas

(2) Full-time employees are entitled to the above 12 paid holidays, plus one paid floating holiday, which is to be approved by the employee's supervisor. In the event that a recognized holiday falls on a Saturday, it will be observed on the preceding Friday, and a recognized holiday that falls on a Sunday will be observed on the following Monday. Part-time eligible employees do not receive paid holidays. Part-time eligible employees may use sick/personal or vacation time for pay for holidays that fall on a normal work day; they will be paid for their normal work hours for that day.

- C. ***Military leave:*** Employees are entitled to a leave of absence to perform ordered military duty as set forth in New York Military Law. Town employees are entitled to receive their regular pay for a period of such service not exceeding a total of 30 days or 22 working days, whichever is greater, in any calendar year and in any continuous period of absence. Employees who are members of the organized militia or of the U.S. reserves are entitled to a leave of absence for initial full-time training duty or initial active duty for training with the U.S. armed forces. To be reinstated, employees must apply within the first 90 days after discharge. Time spent performing military duty will not be considered an interruption of continuous service.
- D. Sick and personal time: **[Amended 9-13-2016, amended 11-13-2018]**
- (1) Full-time employees: After completing the probationary period, full-time employees will receive 8 hours of sick and personal leave for every one month of full-time employment. Thereafter, at the start of each calendar year, full-time employees will be credited with 96 hours of sick and personal leave. Unused sick and personal time will accrue to a maximum limit of 288 hours and will be carried over from one calendar year to the next.
 - (2) Part-time eligible employees: After completing the probationary period or upon becoming eligible for part-time benefits, part-time eligible employees will receive 4 hours of sick and personal leave for every one month of part-time eligible employment. Thereafter, at the start of each calendar year, part-time eligible employees will be credited with 48 hours of sick and personal leave. Unused sick and personal time will accrue to a maximum limit of 144 hours and will be carried over from one calendar year to the next.
 - (3) Upon termination of employment, employees will not receive any compensation for unused sick and personal time.
- E. Vacation leave: **[Amended 9-13-2016; amended 11-13-2018; amended 1-1-2021]**
- (1) Upon successful completion of the probationary period, full-time employees will become eligible for paid vacation. Full-time employees will receive 40 hours of paid vacation after one year of service. After two years of service, full-time employees will be eligible for 80 hours of paid vacation. Thereafter, full-time employees will receive 8 additional hours per year of service up to a maximum of 160 paid vacation hours per year. Up to 40 paid vacation hours may be rolled over into the next calendar year upon request from the employee and approval by the Town Board, but those vacation hours must be utilized by June 30 of that year.
 - (2) Upon successful completion of the probationary period or upon becoming eligible for part-time benefits, part-time eligible employees will become eligible for paid vacation. Part-time eligible employees will receive 20 hours of paid vacation after one full year of service or upon obtaining part-time eligible status if they have already fulfilled one full year of service. After two years of service as a part-time eligible employee, they will be eligible for 40 hours of paid vacation. Thereafter, part-time eligible employees will receive 4 additional hours per year of service up to a maximum of 80 paid vacation hours per year. Vacation

time for part-time eligible employees may not be rolled over into the next calendar year.

- (3) Upon leaving Town service, an employee will be compensated for unused vacation time. Employees leaving employment with the Town before June 30 will be eligible for 50% of their earned but unused vacation time. If the departure occurs after July 1 through the end of the year, the employee will be entitled to 100% of the vacation time; however, any employee terminated for cause will be automatically disqualified from receiving any payment for accrued vacation time.

Employee benefits.

A. Health insurance: **[Amended 2-14-2011; amended 11-13-2018]**

- (1) Full-time employees who have worked full-time and completed the probationary period of 12 weeks are eligible to elect coverage for themselves and dependents in the Town's group medical plan. Full-time employees hired prior to January 1, 2011, are eligible for 100% paid health insurance by the Town; full-time employees hired after January 1, 2011, are eligible for health insurance with 80% paid by the Town and 20% paid by the employee.

Effective January 1, 2019, only full-time employees currently enrolled in the CDPHP plan with the Town paying the premium or a portion thereof will be eligible to continue with this plan. An alternative plan will be available as an option for these current full-time employees and all other eligible employees.

- (2) Part-time eligible employees who have worked at least 20 hours per week for the probationary period of 12 weeks or who successfully completed the probationary period prior to becoming eligible are eligible to elect coverage for themselves in the Town's group medical plan with 40% of the employee only premium paid by the Town and 60% paid by the employee on a bi-weekly basis as a payroll deduction. Part-time eligible employees may elect coverage for spouses, children or family but part-time eligible employees will pay 100% of the insurances premium(s) over the 40% of employee only premium on a bi-weekly basis as a payroll deduction.
- (3) Paid part-time ineligible employees who have completed the probationary period of 12 weeks are eligible to elect coverage for themselves and dependents in the Town's group medical plan. Part-time ineligible employees will pay 100% of the insurances premium(s) on a bi-weekly basis as a payroll deduction.
- (4) Buy-back option: Full-time employees eligible for health insurance can choose a buy-back option in lieu of health insurance at the following annual rates; with proof of insurance; and upon execution of the signed employee agreement noting their desire to participate in the health insurance buy-out and the details of the buy-back option, including that the buy-back will be included as part of each regular paycheck during the calendar year and that opting in or out of the buy-out will be available on a monthly basis with the amount of buy-back prorated: **[Amended 11-14-2017]**

Buy-Back Option	Annual Rate
Individual	\$2,500*
Employee plus child(ren)	\$4,100*
Employee plus spouse	\$4,800*
Family	\$7,000*

NOTES:

*The buy-back will be reduced by 20% for employees required to pay 20% of the insurance premium. The buy-back option is not available for part-time eligible employees.

- B. Health insurance benefits continuation (COBRA): The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Town's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements. Under COBRA, the employee or beneficiary pays the full cost of coverage of the Town's group rates plus an administration fee.
- C. New York State retirement: All employees may join the New York State Retirement System and will be offered information about joining when they are hired. The standardized workday, for retirement purposes only, is a six-hour workday.
- D. Workers' compensation benefits. The Town complies with the provisions of the New York State Workers' Compensation Law and provides benefits to any employee who is injured while working. Any employee who sustains an on-the-job related injury or illness must immediately report the injury or illness to his or her supervisor. Workers' compensation benefits cover replacement income and medical expenses.

Additional Resolutions and Laws related to Personnel Policies

- Approved Travel Policy
- Code of Ethics
- Compensation Plan
- Data Breach Notification Policy
- Defense & Indemnification
- Key Policy
- Sexual Harassment Policy

Workplace Violence Prevention Policy

NOW, THEREFORE, BE IT RESOLVED by the New Lebanon Town Board that the above amended personnel policies is adopted by the Town and shall take effect on **February 10, 2021**.

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 Jesse Newton	Absent
Supervisor Tistrya Houghtling	Aye
Councilmember Deborah Gordon	Aye
Councilmember John Trainor	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.

Dated: February 9, 2021

Marcie Robertson

Town Clerk

Town of New Lebanon

Resignation – Deputy Court Clerk:

Supervisor Houghtling stated that they have an official resignation from Cynthia Creech as Deputy Court Clerk effective January 29th, 2021.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to accept the letter of resignation of Cynthia Creech as Deputy Court Clerk.

Resignation – CSC Task Force:

Supervisor Houghtling stated that Marsha Kessler has resigned from the CSC.

A motion was made by Supervisor Houghtling, seconded by Councilmember Rasmussen and approved unanimously with the exception of Councilmember Newton who is absent to accept the letter of resignation of Marsha Kessler from the CSC.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to go out for letters of interest for the Climate Smart Task Force with letters of interest to be received by the Town Clerk’s office on March 5th, 2021 at 4:00pm.

Supervisor Houghtling stated that depending on how many letters of interest we receive; we may need to hold a special meeting on March 9th before the regular town board meeting.

Town Reopening Safety Plan – Clarification Addendum:

Supervisor Houghtling stated that there is an addendum that she would like to adopt, it is not really saying anything different, it is just clarifying, so that it is crystal clear as to when board members and employees need to wear masks when they are in the Town Hall or doing Town Board or Committee business in person.

The first bullet point of Part I, Section A of the Town of New Lebanon Reopening Safety Plan is amended to read as follows:

- *Ensure 6 ft. distance between personnel, unless safety or core function of the work activity requires a shorter distance. Except as otherwise provided below, any time personnel are (1) in a building on Town property, (2) outside on Town property where social distancing of at least 6 feet is not, or not likely to be, maintained, or (3) in attendance at any Town function (e.g., in a meeting), whether on or off Town property, where other Town personnel or members of the public are physically present, personnel must wear acceptable face coverings if they are medically able to tolerate doing so. Notwithstanding the foregoing, when one or more employee(s) are in their own office and are socially distanced from any other employee(s) who normally use the same office, such person(s) may choose not to wear a face covering, provided no other persons are present in the office and the office door is closed. Immediately upon entry of any person who does not regularly work in such office, all persons in such office must immediately don a face covering.*

The fourth bullet point of Part I, Section A of the Town of New Lebanon Reopening Safety Plan is amended to read as follows:

- *Limit in-person gatherings as much as possible and use tele- or video-conferencing whenever possible. Essential in-person gatherings (e.g. meetings) should be held in open, well-ventilated spaces with appropriate social distancing among participants. All attendees who are medically able to tolerate doing so shall wear a face covering during such in-person gatherings.*

The seventh bullet point of Part I, Section A of the Town of New Lebanon Reopening Safety Plan is amended to read as follows:

- *All employees must wear a face covering at all times when:*
 - *in a building on Town property (except when in his or her own office with the door closed, by him or herself or socially distanced from other employee(s) who also normally work in such office, and with no other persons present);*
 - *outside on Town property where social distancing of at least six feet is not, or likely will not be, maintained; or*
 - *in attendance at any Town function (such as a meeting), whether on or off Town property, where other Town personnel or members of the public are physically present.*

So much of that portion of the fourteenth bullet point of Part I, Section A of the Town of New Lebanon Reopening Safety Plan as relates to the Highway Department is amended to read as follows:

Highway Department:

All employees will maintain a 6 foot distance whenever possible. If employees are in a truck together, or are doing a job inside the highway garage or another building, or are outside doing a job that results in less than 6 feet between them, such employees shall wear masks.

The fifteenth bullet point of Part I, Section A of the Town of New Lebanon Reopening Safety Plan is replaced with the following:

- *How will you manage engagement with customers and visitors on these requirements (as applicable)?*

We will put 6 foot markers in all public spaces in the town hall including bathrooms, hallways, kitchen, and mailroom and all staff and visitors to the building will be required to maintain 6 ft distances from others whenever possible.

All persons medically able to tolerate doing so must wear a face covering at all times when:

- *in a building on Town property (except that an employee may choose not to wear a mask while in his or her own office with the door closed, by him or herself or socially distanced from other employee(s) who normally work in such office, provided no other persons are present in such office);*
- *outside on Town property where social distancing of at least six feet is not, or likely will not be, maintained; or*
- *in attendance at any Town function (such as a meeting), whether on or off Town property, where other Town personnel or members of the public are physically present.*

All offices will be kept under 50% maximum occupancy and whenever possible only one employee will work from an office at one time. All business will be conducted via phone and electronically whenever possible, with a drop box and pick up box outside the front door of the town hall for customers to drop payments and applications and to pick up permits and products sold. The front door of the town hall will remain locked with a bell to ring when someone arrives to conduct business. There will be 6 ft markers outside the front door to designate where people should wait if more than one person is waiting at the same time. If business cannot be conducted remotely using the drop and pick up boxes, before entry into the town hall the visitor will be entered into a log book with a health screening conducted and logged and will be required to wear a mask upon entry and the entire time they are in the building.

The sixteenth bullet point of Part I, Section A of the Town of New Lebanon Reopening Safety Plan is amended to read as follows:

- *How you will manage industry-specific physical social distancing (e.g., shift changes, lunch breaks) (as applicable)?*

To the extent practicable, staff will split shifts so no more than one person is in each office at a time. All staff who are medically able to tolerate doing so will wear a mask as set forth in this Reopening Plan. Staff will disinfect all offices and shared spaces by spraying and wiping down surfaces in between shifts with disinfectant cleaner and wipes. Signage will be posted in all common areas regarding maximum occupancy of areas (one in bathroom, one in kitchen, one in mailroom at a time).

The seventh bullet point in the Court Night Safety Plan, annexed as an addition to the Town of New Lebanon Reopening Safety Plan is amended to read as follows:

- *All members of the public and all town employees who are medically able to tolerate doing so must wear a mask in accordance with the Town's Reopening Plan.*

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon and approved unanimously with the exception of Councilmember Newton who is absent to adopt the clarification addendum for our Safety Plan prepared by Attorney Tingley.

Pandemic Plan Required by NYS:

Supervisor Houghtling stated that Columbia County included us in their process so we didn't have to write our own Pandemic Plan required by NY State. She stated that there is legislation that every Municipality must adopt a Pandemic Plan and file it with New York State by April 1st, 2021. Columbia County has done a great job developing theirs and we are able to make a few edits to customize it to our town to be adopted. Supervisor Houghtling stated that she will work on ours for the March meeting to be adopted.

Code Amendment Request by DCO:

Supervisor Houghtling stated that DCO, Maggie Banker is requesting we amend Chapter 71, Section 9.1-B, addressing barking dogs. The way it is currently written it reads "it shall be unlawful for any owner of or any person harboring any dog in the Town of New Lebanon to permit or allow such dog to engage in habitual howling or barking or to conduct itself in such a manner so as to habitually annoy any person. The term "habitual" shall mean on more than two occasions." While she understands why it is in here and there should be a law against habitual barking or howling, to define it as more than 2 occasions without even a time frame (2 times in 24 hours, 2 times lasting more than 15 minutes each time in 24 hours, etc) means likely every dog owner in town is breaking this law – dogs bark when people knock on the door, walk by a window, etc to say that 2 times in the lifetime of a dog for it to bark breaks the law seems impossible to comply with the law.

Supervisor Houghtling stated that DCO, Maggie Banker is asking that we amend the definition of "habitual". If the Town Board is open to amending it, the Attorney would draft a Proposed Local Law, it would be presented at the March meeting, hold a Public Hearing at

the April meeting and could be adopted after that. The Town Board agreed.

Sales Tax Update:

Supervisor Houghtling stated that county wide sales tax in 2020 was up by around 3% from 2019. Per PJ Keeler, NYS has a very complicated sales tax distribution formula that is based on % of prior years' distribution until the end of the quarter at which time it is reconciled to reflect the true sales that actually occurred in our county – because of this NYC received a larger proportion than was earned until reconciled at the end of each quarter at which point more was distributed upstate – we suspect that internet sales attributed to our growth (second home owners purchasing from here year round instead of shopping at both houses likely contributed).

Contract with CCSO for Court Security:

Supervisor Houghtling stated that she needs authorization to sign the 3/1/2021 – 2/28/2022 contract with Columbia County Sheriff's Office for court security, the current contract ends 2/28/2021.

A motion was made by Councilmember Trainor, seconded by Councilmember Gordon and approved unanimously with the exception of Councilmember Newton who is absent to authorize Supervisor Houghtling to sign the 3/1/2021 – 2/28/2022 contract with Columbia County Sheriff's Office for court security.

Alternate Town Engineer Appointment:

Supervisor Houghtling stated that a current application has a conflict with our town engineer. Attorney Tingley suggested having an alternate on call for when conflicts occur. Supervisor Houghtling reached out to Paul McCreary, our past Town Engineer and he has agreed to fill in when needed.

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon and approved unanimously with the exception of Councilmember Newton who is absent to authorize Supervisor Houghtling to appoint Paul McCreary as a secondary Town Engineer for the year 2021.

COMMITTEE/LIAISON REPORTS:

Assessor (Councilmember Rasmussen):

Councilmember Rasmussen stated that he has no news to report at this time.

Building Department (Councilmember Rasmussen):

Councilmember Rasmussen stated that he has no news to report at this time.

Business & Economic Development (Councilmember Gordon):

Monte Wasch stated that The BEDC met on February 1st. Sub-Committee Reports:

CAD Committee presented by Rita Carver:

The committee is moving on some ideas, going forward with the architecture competition - will meet later on proposal to architects and will send that to Zach Pierson of Ghent and get his reactions to it. Hope to distribute it by this summer.

A Rural Communities Grant might be appropriate to assist with this - the deadline is sometime in mid-March (earliest) and most likely later than that. The committee hopes to hold its meetings at 5pm on the same evening the BEDC meets from now on.

Food Committee presented by Josh Young

The virtual market is working on a report for the Berkshire Agricultural Adventures - for the grant for \$15,000 they received from them. They used the funds to supplement SNAP and related benefits. The money was a booster for the demand side of the marketplace, a way to promise producers that they wouldn't be wasting their time. Now working on a group of people for the subcommittee - not formal yet. Monte said he can and is encouraged to ask others to join as well. Tistrya asked how the town and Farmers Market can work more together - Josh indicated that he has not worked on this yet - didn't see it as a priority but still interested. Tistrya suggested there are things the town could help with such as emails from the Town clerk, offsite insurance - suggested that someone needs to see what others towns do with their farmers' markets. New Lebanon can't use taxpayer money to promote a private entity

The Committee voted to approve this list of working priorities for 2021:

Food Issues

- Continue to expand reach and volume of the Virtual Farmers Market
- Relaunch Community Meals program of food distribution in the Spring, and support the Bi-Regional Food Bank and Rolling Grocers programs

Outreach & Marketing

- Launch new Town logo
- Develop "Welcome" packages for new residents and businesses
- Develop "Buy Local" initiatives and marketing materials
- Improve communication with existing businesses and get their buy-in for BEDC priorities

Community Appearance & Design

- Continue development of a design competition for the appearance of the Town central business district
- Explore location and siting of a proposed second business district for future development
- Launch Veterans' banner project. (This is also a priority for the **History** sub-committee)

Town Codes & Business Simplification

— Work with the Town Code Enforcement Officer, the various Boards, and the Zoning Rewrite Committee to produce materials that help businesses navigate the establishment, permitting, zoning and other legal requirements

Infrastructure

— Take immediate steps to make New Lebanon more attractive to new businesses, especially to encourage home-based businesses: Internet improvements are crucial, working with the Town Broadband Committee.

— Explore water/sewer improvements possibly for Town center, but also look at potential other locations to the West of Town center.

A number of items mentioned in last year's priority targets were placed on hold, including an Arts project and acquisition of the Hess station as a Visitors/Welcome Center. It was agreed that development of a Community Center was outside the purview of BEDC.

CAC & Environmental Management & Climate Smart Task Force (Councilmember Gordon):

David Farren, CAC Chair stated that the CAC met last night for its monthly meeting. All members were present as were guests Deb Gordon, Bruce Shenker and Marc Anthonisen. The members met a half hour ahead of the usual 6:30 start via Google Meet to interview two candidates for Cynthia Creech's unexpired term. Since the Google Meet connection proved unstable, we switched at 6:30 at the start of the regular meeting to Peg Munves's Zoom account and had better success with it.

We reached consensus that both candidates be appointed. We then discussed in some detail how the CAC can best coordinate with goals of the Climate Smart Community Task Force, whose membership has heavy overlap with CAC membership. We would like our goals for 2021 to closely parallel CSC goals whenever possible.

We also plan to submit the Trees for Tribs application for Shatford Park later this week, requiring Tistrya's signature, and will reevaluate the current Hazard Mitigation Plan for the town. We would likely recommend changes, especially regarding floodwater management. We understand that FEMA requires the plan to undergo regularly scheduled revisions and our recommendations could be incorporated at the required time. Marc Anthonisen pointed out that New Lebanon has had 47 flood insurance claims filed, many more than elsewhere in Columbia County over a comparable period, and from just 5 properties with an average claim of \$175,000. A town-wide culvert study is also possible courtesy of the Cornell Cooperative Extension Service. Based on the evidence and our extensive floodplain, New Lebanon is doubtlessly at higher risk for flooding than elsewhere in the county.

We then discussed whether it makes sense for CAC to spearhead a new floodwater mitigation approach for the town. This would require an outside consultant or consultants funded in all probability by grants. We could refer to an approach currently underway in

Rensselaer County for the Poestenkill watershed.

Steve Powers, CSC Chair stated the CSC is planning to officially launch our community solar program virtually via the library's website on Feb 16 at 6pm. We are still waiting for the blessing of NYSERDA which runs the program. If we don't have it by then we will have to postpone because it could jeopardize our ability to get grants from them by starting before they approve.

I have mentioned during past Town Board meetings that there was potential for a collaboration between the New Lebanon CSC and Cornell students on a project that would be mutually beneficial for the town and them. We have proposed a review to assess New Lebanon's vulnerabilities to climate change following up on Marc Anthonisen's recent study. If approved, the course would have Marc as the supervisor and I would meet with them briefly each week. In the end we would have a presentation as well as a written report that the town and the county could use for planning purposes and the CSC could use toward Silver.

We should know by February 17 whether enough students have decided they are interested. So, I don't know if the town board needs to approve it. Cornell doesn't need that approval as I already agreed to work with them if they got enough students.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to authorize the Climate Smart Task Force to work with Cornell University on the program that Steve Powers, CSC Chair described.

Bruce Shenker, Environmental Management stated that there is not a lot.

Michael O'Hara of Hudson has replaced Ed Simonsen of Kinderhook as chairman. We began with a direction of future direction of council. Discussion of possible consulting with Jolene Race, Director, Columbia County Solid Waste Management, on solid waste distribution and its status in the County. Nothing specific was decided but that was an area identified as a place EMC can try to provide direction.

The other main area was the County Climate Smart community. A list of possible task force members will be sent to the board of supervisors. This includes New Lebanon residents Bruce Shenker, EMC rep, Tistrya Houghtling, Supervisor and Steve Powers, Chairman of Climate Smart Task Force.

Possible plans for a country open space inventory was discussed, this will hopefully be approved in March.

Fire, Law Enforcement & Emergency (Councilmembers Newton & Trainor):

Councilmember Trainor stated that he and Jesse attended the LVPA

meeting. The accountant was present. Discussion: finances, firehouse and the replacing (through sale and purchase) of a larger, less practical truck with a smaller, more practical one at a savings.

Highway (Superintendent Winestock & Councilmembers Newton):

Councilmember Newton notified Supervisor Houghtling that he had nothing to report for highway.

Historian & LVHS: (Councilmembers Trainor):

Councilmember Trainor stated the historian's report has been submitted:

**Annual Report of the Town Historian
Prepared for the New York State Historian
Office of State History**

Name: Elizabeth Sheffer-Winig

Date Report Prepared: February 4, 2021

Annual Report for the Year: 2020

Name of Municipality: Town of New Lebanon

Estimated Population: 2,172 (2018)

Address: P.O. Box 328, New Lebanon, NY 12125

Date Appointed Historian: January 1, 2020

Phone Number: 518-794-8880

Email Address: historian@townofnewlebanon.com

Website/Social Media: <http://www.townofnewlebanon.com/town-offices/town-historian/>

Office Hours: By appointment because of COVID restrictions

Office Hours: 6 hours

Annual Salary: \$750.00

Total Budget (excluding salary): \$250.00

Number of Office Visits (Estimated): 20

Number of Phone/Email Inquiries Received/Answered (Estimated): 40

Number of Municipal Meetings Attended (Town/Village Board, County Legislature, Zoning, Planning, etc.): 0

Exhibits: NA

School Classroom Lectures/Presentations: NA COVID restrictions

Public Lectures/Presentations: NA COVID restrictions

Historical Research:

- Lebanon Springs - warm springs output and history
- Franklin and Eleanor Roosevelt's connection to New Lebanon
- The schools of New Lebanon Stockbridge-Munsee Indians Samuel J. Tilden, born and buried in New Lebanon

Historical Publication:

- *Interview by WTEN on Samuel J. Tilden. History in Bronze: The 25th Governor of New York Samuel Tilden*
<https://www.news10.com/video/history-in-bronze-the-25-governor-of-new-york-samuel-j-tilden/5982962/>
- *Interview for the Albany Times Union on Samuel J. Tilden and the Election of 1876*
<https://www.timesunion.com/news/article/Former-NY-Gov-Tilden-can-t-escape-theft-in-life-15690320.php>

Historical Events/Celebrations: NA COVID restrictions

Historic Preservation Projects: NA COVID restrictions

Heritage Tourism Projects:

- *Installation of signage identifying the final resting place of Samuel J. Tilden in the Cemetery of the Evergreens, Lebanon Springs,*
- *NY Installation of signage on town property recognizing the Marquis de Lafayette's stop in Lebanon Springs in 1825 as part of the Lafayette Tour Trail.*

Conference/Workshops Attended:

- *Virtual conference of the Association of Public Historians of New York State, September 21 - 22, 2020*

Other:

- *Met with local residents to assist them with research using the archives of the Lebanon Valley Historical Society.*
- *Met with a local researcher six times to discuss local history and areas of research.*

LVHS activities are still limited. Members are doing individual research. More information on plans will come as spring approaches.

Justice Court/Constable (Councilmember Trainor):

Councilmember Trainor stated that he talked with Samantha, and she reports very limited activity, but the court still operates.

Library (Councilmember Trainor):

Councilmember Trainor stated that the Library is open by appointment and for curbside pick-up. Virtual readings continue. Moriah has chosen four fairy tales this time. Show time is the 23rd at 7 pm.. There is much information in the town newsletter and on the library web site.

Buildings, Parks & Recreation (Councilmembers Newton):

Supervisor Houghtling stated that Councilmember Newton did put the frame and liner out. It just needs to be filled, which will hopefully be done soon.

Seniors (Councilmember Gordon):

Councilmember Gordon stated that the seniors are not meeting to her knowledge.

Volunteers (Councilmember Rasmussen):

Councilmember Rasmussen stated that he is following up with everyone who did not respond to our initial request to include them on our list Volunteers for NL. He has shared the list with the Town Clerk and the Town Supervisor for their use. Although we may not yet use it to send email blasts to the volunteers, by consolidating several different lists of participants in NL activities we should be able to more easily identify potential candidates for future needs.

While he continues following up, Marcie and Tistrya are also able to update the information found in the list.

Comparison Committee (Councilmember Rasmussen & Gordon):

Supervisor Houghtling stated that they are waiting for her information, she will make it a priority to get them the information.

ANNOUNCEMENTS:

March:

Tuesday, March 9th at 7:00 pm – Regular Monthly Meeting

PRIVILEGE OF THE FLOOR:

In addition to an in-person privilege of the floor, Supervisor Houghtling will read all comments, questions and concerns emailed to supervisor@townofnewlebanon.com during the meeting. Supervisor Houghtling stated she has not received any emails from anyone online.

David Farren stated that he heard very positive feedback on the Town Newsletter and all that we are doing here in New Lebanon.

ADJOURNMENT:

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton, who was absent to adjourn the meeting at 8:25 pm.

Respectfully submitted,

Marcie Robertson
New Lebanon Town Clerk