

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON SEPTEMBER 14, 2021**

Present: Tistrya Houghtling, Supervisor
Norman Rasmussen, Councilmember
Deborah Gordon, Councilmember
John Trainor, Councilmember
Jesse Newton, Councilmember

Recording Secretary: Marsha “Marcie” Robertson, Town Clerk

Others Present: Jeffrey Winestock, Highway Superintendent
Ted Salem, ZBA & ZRC Chair
Steve Powers, CAC Member & CSC Chair (Online)
Peg Munves, CAC & CSC & BEDC Member (Online)
Monte Wasch, BEDC Chair (Online)
Bruce Shenker, NL Rep to CC Enviro Mgt & CSC (Online)
Erminia Rasmussen, BEDC
Mary Young, NL Rep to CC Office for the Aging
Ed Godfroy, LVPA
Members of the Public

CALL TO ORDER:

The meeting was called to order at 7:00pm by Supervisor Houghtling.

A moment of silence was held in memory of all those involved with and the victims of 9/11 and in remembrance of John Casford and Christine Langlois, wonderful members of our community and who owned the Spirited Grape, and announced a gathering of love in their memory on Saturday, September 18th, 2021 at 1pm at Shatford Park Pavilion, followed by the flag salute. The meeting was held in person at the New Lebanon Town Hall, 14755 State Route 22, New Lebanon, NY 12125 and live streamed for the public at:

https://townhallstreams.com/towns/new_lebanon_ny

MINUTES:

The minutes of the **August 10th, 2021 Public Hearing and August 10th Regular Meeting** were reviewed. A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon and approved unanimously to approve the minutes as typed.

FINANCIAL:

Supervisor's Report:

Since this was an in person and live streamed meeting the Supervisor's Report as of August 31st, 2021 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 Newton.

Roll Call Vote:

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

PRIVILEGE OF THE FLOOR:

Jeffrey Winestock, Highway Superintendent made the announcement that John McLaughlin is retiring from the Town Highway Department. John worked for the highway for twenty years and was a very hard working and dependable employee and he will be greatly missed.

Highway Superintendent Winestock addressed the Town Board regarding the backhoe situation. He mentioned that the town-by-town comparison of equipment use is not an accurate comparison. Different town roads have different needs and different equipment is needed on a town-by-town basis. It bothered him that the board was asking for other towns equipment usage and highway equipment replacement information.

Supervisor Houghtling asked Highway Superintendent Winestock if he has been able to get the highway equipment maintenance records, mileage and hours that the Town Board has been asking him to provide? Winestock replied that he felt this information is irrelevant to what he is talking about in regard to the backhoe.

Supervisor Houghtling replied to Winestock, that this information is relevant to the Town Board. They are tasked at creating the Town Budget and making authorization for highway purchases. They need this information in order to make any purchase approvals.

Highway Superintendent Winestock responded that he will get that information to the Town Board shortly.

Highway Superintendent Winestock stated that he was in the Town Hall a few weeks ago for a meeting and the floor in the meeting room, by the furnace was soaking wet. He expressed concern that this hasn't been maintained and serviced therefore the filters are filthy and that is blowing unhealthy stuff into the air that we breath in the Town Hall.

Highway Superintendent Winestock brought up that he has been waiting for about a year for a furnace in the highway garage and that building is a town asset and houses the highway equipment. He cannot turn that furnace on, it is a hazard. He shouldn't have had to wait for Councilmember Newton to get around to it, it should have been taken care of before the need for heat in the garage came.

Highway Superintendent Winestock addressed the Town Board regarding the amount that the board approved him for spending on his trucks and repairs. He now has a truck at Marchese that they have to wait for the parts to come in.

Supervisor Houghtling commented that she did go to Marchese to let them know that the board will authorize the additional amount need to make the necessary repairs.

Highway Superintendent Winestock commented that he knows and agrees that the town does need a CDL Policy. He wants to have the drug testing done here in New Lebanon, not having his highway department traveling elsewhere for testing due to COVID safety concerns.

Highway Superintendent Winestock discussed his upcoming pay raises for his Highway employees.

Supervisor Houghtling responded to Winestock that his Highway employees signed up to be part of the Teamsters Union, once that happened, they are represented by a Union. There is something called the Taylor Law that the Town would be in violation of that law if anything happened with the Highway employee's pay while they are in Union negotiations. Supervisor Houghtling stated that the Town has a Labor Attorney, she is one of the best, when Supervisor Houghtling reached out to her regarding Highway Superintendent Winestock's request for pay raises, the Labor Attorney said absolutely not, it is illegal. The Labor Attorney gave Supervisor Houghtling a letter to give to Highway Superintendent Winestock and as far as any promises he may have made to his Highway employees, Supervisor Houghtling cannot speak to that because once the Union is involved, the Town Board may NOT give raises. The Union negotiations will also set part-time employee's rates even though those part-time employees are not part of the Union. She stated that all of his employee rates will be set via Union negotiations which they are currently in the middle of.

Highway Superintendent Winestock commented that it is not in stone whether they get the Union or not.

Supervisor Houghtling responded to Winestock that yes, once the Highway employees sign Union cards and they as the Town Board acknowledge them, because they have the Union Membership cards signed voluntarily by his employees, they are represented by the Teamsters Union.

Highway Superintendent Winestock commented, we will see about that.

Councilmember Rasmussen asked Highway Superintendent Winestock to explain what we will see about that means.

Highway Superintendent Winestock responded that the guys were obviously lied to if in fact what the Supervisor is saying. He continued, the Union representative explained to his Highway employees that this was to get things started, that the card they signed was to get things started, to notify the Town that they were interested in possibly joining the Union. He stated that at no time are they locked into this until there is a contract that they can read and agree with the Town as well as them and sign it to enter into the final thing.

Councilmember Rasmussen asked Highway Superintendent Winestock if he was asserting that his Highway employees, the two people that are now represented by the Union, have told Winestock that the Union Rep. told them that what they were signing when they sign those cards was just a notification of interest, not a card to join.

Highway Superintendent Winestock replied, absolutely.

Councilmember Rasmussen commented that this is a whole separate topic. There are a lot of laws involved, it is a delicate topic, but they need to pursue this, so tomorrow morning can he come over and talk about this. Councilmember Rasmussen stated that as of right now, given the documents that the Town has, it is cast in stone, they are members of the Union and the Teamsters represent them.

Supervisor Houghtling commented that the need to get on the phone right away with the Labor Attorney.

Highway Superintendent Winestock stated that he had an incident on Stonehouse Road, where the gentleman has been here multiple times throughout the years, he doesn't want the water going on his road. Winestock stated that he inherited that road, he started working on this road thirty-six years ago. Whatever was there was there, he has replaced culvert pipes from being rotted, but he has always maintained the run off down through there and you have to have that in order to have a highway. He stated that you can't have people just digging and doing whatever they want. Winestock stated that he drove down through there a few weeks ago and he had dug the road out, down alongside the road because he didn't want the water on his property. Winestock had Councilmember Newton put cones up for him. Winestock stated that he had the State Troopers follow him up and they said Winestock was right and they would get back to him. Winestock stated that he received a call from the State Trooper and that it is a civil case, the Town against this gentleman. Highway Superintendent Winestock stated that in the bills to be paid there is a \$500.00 charge to fix what the gentleman did and he wants that to be paid by the gentleman. Winestock stated that there are other instances where this gentleman has

blocked the culverts. Winestock stated that this will cause the road to wash out and cost the Town money.

Supervisor Houghtling stated that she will call the Town Attorney tomorrow, it will be similar to when the Town brings someone to court via the Building Department, where the Town Attorney is actually the prosecutor.

Supervisor Houghtling read the following email from Adelia Moore regarding the skatepark:

Dear Town Board:

I wrote an email in the past about my concerns about locating the skate park in grassy area by the tennis court, pavilion and playground. I would like to reiterate that concern now. Wrong place for all sorts of reasons: crowding, noise, loss of parking and play area, etc.

And while I don't have technical know-how, I hope all deference will be given to environmental risks when the foundation surface is chosen.

Thank you

Adelia Moore

CAC, CSC

BUDGET AMENDMENT #8 OF 2021:

Supervisor Houghtling stated that she tried her best to estimate what they need for Attorney fees for the remainder of 2021 as she would rather not do too many budget amendments, her best estimation is \$15,000 for the rest of 2021. Attorney Tingley has a retainer at \$1,800 a month whether or not we use 12 hours a month so Sept – Dec for him is \$7,600.

Other towns she spoke to spent between \$5,000 and \$30,000 on legal fees for their first union contract so she estimated \$8,000 for union negotiations for the highway contract and they have spent \$2,000 so far (and there is a bill for another \$2,000 for August that didn't arrive in time to make it in this month's bills).

A good portion of these bills were SYP issues that she needed labor counsel guidance on so it could be even more, so they need at least another \$6,000 there.

Stefanie is around \$1,800 a month and she asked the Planning Board Chair and the Building Department to be frugal with the Attorney usage through the end of the year. The PB Chair advised that while she will do her best to be frugal, they currently have two very contentious applications in front of the PB, so they definitely need legal counsel at their meetings.

The \$15,000 budget amendment only leaves \$1,400 for four months for PB and Bldg. Dept. and estimates on the low end for union negotiations so they may need to do more later in the year

Supervisor .4, she took too much out to give to Bldg. Dept. forgetting about her cell phone reimbursement and postage so she will need \$200 back to get her through the year.

Newsletter is over for some reason. Town Clerk Robertson and Supervisor Houghtling went through vouchers and think the extra cost is due to the Newsletter being larger creating extra printing and mailing costs. We still have a November 1st newsletter so we will definitely need to put more money in next month for that as well. For now, she is just putting the \$27 we need to pay this month's bills

EV charging station is just a pass through, we are increasing the revenues for the grant received and then increasing expenditures to pay for it. Once the voucher is paid, we will put in for reimbursement and get the money back via Grant reimbursement.

General Fund:

- \$ 16,451.00 from A-2770.3 (Revenues – EV Charging Station)
- \$ 7,727.00 from A-1990.4 (Contingency)
- \$ 7,500.00 from A-1440.4 (Engineer – Contractual Expense)
- \$ 16,451.00 to A-8797.4 (Climate Smart– Contractual Expense)
- \$ 200.00 to A-1220.4 (Supervisor – Contractual Expense)
- \$ 15,000.00 to A-1420.4 (Attorney – Contractual Expense)
- \$ 27.00 to A-1670.41 (Central Printing & Mailing – Newsletter)

A motion was made by Supervisor Houghtling and seconded by Councilmember Gordon to approve the above noted budget amendment.

Roll Call Vote:

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

AUDIT OF BILLS:

Supervisor Houghtling stated that the EV charging station was waiting for NYSEG to install a new pole and connect the power. NYSEG did complete this about two weeks ago, however the EV Charging system has not yet been installed, so we have to pull the voucher #367 for it.

2021 BILLS:

General Nos. 320 through 366, in the amount of \$65,678.48;
Highway Nos. 90 through 101, in the amount of \$23,887.85;
As listed on Abstract No. 9 dated September 14th, 2021.

A motion was made by Supervisor Houghtling to pay the bills. The motion was seconded by Councilmember Newton.

Roll Call Vote:

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

OLD BUSINESS:

Highway Asset Management Plan:

Supervisor Houghtling stated that Highway Superintendent Winestock indicated tonight that he will have this to the board very shortly.

Councilmember Newton stated to be clear that it will just be one portion, the inventory with hours, etc.

Supervisor Houghtling stated to Highway Superintendent Winestock that if he could get the rest of it to the board before snow falls, that would actually line out what is in his head for his vehicle replacement time schedule.

Cover for Highway Garage Fuel Tank:

Supervisor Houghtling stated that Highway Superintendent Winestock was very upset that this hasn't been done yet and needs to be a priority before snow falls. Supervisor Houghtling stated that they do have a crew of three volunteers plus Councilmember Newton and Park Maintenance Superintendent Sears that are going to put it up on a Friday in the next couple of weeks before the end of September.

Federal Funding for Towns – Schedule Public Input Session:

Supervisor Houghtling stated that she doesn't really have any more information. The lost revenue can be used for anything and there are very specific uses for the other ones. The board agreed to take this item off of the agenda and wait until next year when the new board is established.

Skatepark:

Supervisor Houghtling stated that she did reach out to a couple of local contractors to get a ballpark of the labor cost to install the concrete pad with the town purchasing the concrete. The verbal ballpark quote is around \$30,000 in labor. The materials will cost approximately \$15,000. This quote doesn't include prepping the site.

Supervisor Houghtling stated that she did reach out to the Town Engineer as requested but hasn't heard back. She also stated that they can use ARPA funds for this.

Councilmember Newton stated that this Friday, he plans on laying out a location and seeing what is involved in getting the site up to grade.

The Town Board held discussion on the skatepark and Councilmember Rasmussen stated that he is having sticker shock at the proposed costs. The \$50,000 estimate is if they paid someone to install the skatepark. Councilmember Newton still feels that it can be done with volunteers and only costing approximately \$15,000 for the material and nothing for labor. Councilmember Gordon expressed concern about having the project reviewed by the Town Engineer.

A motion was made by Supervisor Houghtling, seconded by Councilmember Rasmussen and approved unanimously authorizing Councilmember Newton to proceed with the preparation of the skatepark location at the old softball field with the cost of materials not to exceed \$15,000 pending review by the Engineer of the condition of the park.

Estimates for Highway Furnace:

Councilmember Newton reported that we went out for quotes for the new highway furnace and only received one back. A lot of places wouldn't agree to quoting something due to lack of availability. He stated that we do have an email from our HVAC Tech, Galusha HVAC LLC stating that the furnace he quoted was the only one that he could locate.

Councilmember Newton thinks they should accept this bid after having attempting unsuccessfully to get other bids.

A motion was made by Supervisor Houghtling to accept estimate #36-1 from Galusha HVAC, LLC in the amount of \$8,057.62. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

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

Bid for Power to the Mower Shed in Park:

Councilmember Newton stated that he spoke to a couple of electricians and they both told him not to contact them again until late October, they are swamped and electrical supplies are hard to get right now.

Supervisor Houghtling will leave it on the agenda, if it happens this year great, if not it will be bumped to the spring of next year.

Appointment of Deputy Court Clerk:

Supervisor Houghtling stated that we went out with letters of interest that were due on Friday, September 10th at 4:00pm and we did receive two letters of interest that were sent

to the judges. Supervisor Houghtling stated that as of this morning she had not heard from either of the judges. Supervisor Houghtling reached out to Judge Byrne via text and was informed that they haven't held interviews yet, no request for tonight.

Kerosene Bid:

Supervisor Houghtling stated that they had accepted fuel bids from Main Care and found out that they were unable to deliver kerosene to the Town. Town Clerk Robertson had reached out to John Ray & Sons to make sure that they will still honor their kerosene bid and they will.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to accept the bid on kerosene from John Ray & Sons in the amount of a \$.30 fixed add for August 1st, 2021 through July 31st, 2022 to replace the acceptance of the bid from Main Care.

CSC Letter of Interest Received:

Supervisor Houghtling stated there is a Climate Smart Task Force vacancy and we did receive a letter of interest. The Task Force is requesting that the board appoints.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to appoint S. Frieda Pearce to the Climate Smart Task Force.

Surplus Bid - Grader:

Supervisor Houghtling waived the reading of the notice and asked that it be included in the minutes.

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

NOTICE IS HEREBY GIVEN that the NEW LEBANON TOWN BOARD is seeking bids for the sale of the surplus item:

1988 Champion Grader 6X4 drive, front wheel tilt, 12ft. mold board, 5,379 hours, good operational condition.

The Grader is available for viewing at the New Lebanon Highway Department, please contact Highway Superintendent, Jeffrey Winestock at 518-794-8580 to schedule a viewing. Sealed bids must be in a PLAIN WHITE ENVELOPE with the item written on the front and must include a "non-collusive bidding certificate". Bids must be received in the office of the Town Clerk at the New Lebanon Town Hall, 14755 Route 22, P.O. Box 328, New Lebanon, NY, 12125 no later than 4:00 pm on Friday, September 10th, 2021. Bids will be

opened at the Office of the Town Clerk at 4:00 p.m. on Friday, September 10th, 2021 and will be considered by the New Lebanon Town Board at the regular monthly meeting on Tuesday, September 14th, 2021 to be held at the New Lebanon Town Hall at 7:00 p.m. The Town Board and the Highway Superintendent reserve the right to reject or accept all bids.

Marcie Robertson, New Lebanon Town Clerk
7/19/2021

Supervisor Houghtling stated that we did not receive any bids. We have gone to Auctions International before, do they want to try that again?

Highway Superintendent Winestock asked when the bid notice was sent? Supervisor Houghtling responded the bid notice went out July 19th, 2021 and it was given two months. Highway Superintendent Winestock asked what the thinking of the two months was? Supervisor Houghtling responded that Councilmember Newton requested that it go newspaper, the Register Star and the Eastwick Press and the two months was to give people more time to hopefully get more bids.

Supervisor Houghtling asked Highway Superintendent Winestock if he wanted to go out to Auctions International? Winestock replied that he didn't care what they did, whatever they want to do.

A motion was made by Supervisor Houghtling to go out to bid on Auctions International with bids due on Friday, October 8th, 2021 by 4:00pm. The motion was seconded by Councilmember Newton.

Roll Call Vote:

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

Property Donation:

Supervisor Houghtling reported that the attorney contacted her regarding the donation of property, that they are ready to go and the board did meet for legal council with the attorney. The town has done its due diligence and can move forward if they so choose.

A motion was made by Councilmember Trainor to authorize the closing of the Ceramtec property donation, subject to final review and approval of the Attorney for the Town, and authorizing the Town Supervisor to execute any and all documents associated therewith. The motion was seconded by Councilmember Rasmussen.

Roll Call Vote:

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

A motion was made by Councilmember Trainor to authorize the payment of title insurance premium and title examination costs to Chicago Title Insurance Services, LLC in an amount not to exceed \$1,000 upon the closing of the Ceramtec property donation. The motion was seconded by Supervisor Houghtling.

Roll Call Vote:

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

NEW BUSINESS:

ZRC Proposals – Site Plan, Special Permits, Special Events & Food Trucks:

Supervisor Houghtling stated our ZRC along with the Comprehensive Plan have been busy and thanked them. Ted Salem, ZBA and ZRC Chair emailed the Town Board the recommendations. Ted said that there may be details such as thresholds, # of events per year, etc. that may change after the ZRC meeting this month but the broad outline and substance and process have been approved by the ZRC. Since we have an extra 4.5 hours of the Attorney this month plus our regular 12 and they don't have much Town Board work for him, Supervisor Houghtling asked Ted to push this through for this meeting so we can get to the Attorney for Local Law format. The board can always make changes to the details if they disagree with any of the slight changes before they adopt the Local Law.

The Town Board held discussion on this matter.

A motion was made by Supervisor Houghtling to send the ZRC recommendations to Attorney Tingley to draft into Local Law format. The motion was seconded by Councilmember Gordon.

Roll Call Vote:

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

Councilmember Newton-

Aye

Policy Review – Procurement Policy & Pavilion Fee Waiver Policy:

Supervisor Houghtling stated all policies have to be reviewed on an annual basis.

Procurement Policy:

No one on the Town Board saw anything to amend.

A motion was made by Supervisor Houghtling, seconded by Councilmember Rasmussen and approved unanimously to mark the Procurement Policy as reviewed with no changes.

Pavilion Fee Waiver Policy:

No one on the Town Board saw anything to amend.

A motion was made by Supervisor Houghtling, seconded by Councilmember Newton and approved unanimously to mark the Pavilion Fee Waiver Policy as reviewed with no changes.

Adoption of New Policies – CDL Policy, Anti-Harassment Policy & FMLA:

Supervisor Houghtling stated that the **Policy & Complaint Procedure Regarding Discrimination and Harassment Policy (Anti-Harassment Policy)** will replace the current Sexual Harassment Policy, so this will be a review of that policy. Supervisor Houghtling explained that when the Town obtained labor council, the first thing she asked for was all of the Town's policies. The labor Attorney told Supervisor Houghtling that we were missing two policies that are important to have, one is the **Family and Medical Leave Act (FMLA) Policy** and the other is the **Commercial Driver's License (CDL) Drug and Alcohol Testing Plan and Policy** and that the Sexual Harassment Policy was too narrow and needed to be more encompassing of different types of discrimination and harassment other than just sexual harassment. All of these policies were typed by labor council and provided to the Town for adoption.

The Town Board held discussion on these new policies.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to adopt the Policy & Complaint Procedure Regarding Discrimination and Harassment as prepared by labor council to replace our current Sexual Harassment Policy.

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon and approved unanimously to adopt the Town of New Lebanon Family and Medical Leave Act

(FMLA) and the Town of New Lebanon Commercial Driver's License (CDL) Drug and Alcohol Testing Plan and Policy as drafted by labor council.

Resignation – 2nd Deputy Court Clerk:

Supervisor Houghtling stated that we received a resignation from the 2nd Deputy Court Clerk, Michelle Bienes. Supervisor Houghtling checked with Judge Byrne and the Court is not requesting a replacement for this position as the Sheriff can check in defendants now that we don't need to do all of the COVID screening.

A motion was made by Supervisor Houghtling, seconded by Councilmember Newton and approved unanimously to accept the resignation from Michelle Bienes as 2nd Deputy Court Clerk.

COVID Update – Online Meetings & Mask Requirements:

Supervisor Houghtling stated that covid numbers in Columbia County are very high, NYS is allowing us to go back to online meetings currently through Jan 15, 2022. Does the board want to do online meetings, hybrid meetings or continue meeting in person?

The Town Board held discussion on this with some of the board preferring to meet in person and some wanting to have the option of in person or online.

Supervisor Houghtling suggested that the Town Board meet in person but also have the option for any board members who wish to meet online to be able to do so.

Supervisor Houghtling updated the board that the Town has re-implemented a mask wearing requirement when indoors on town property per the strong recommendation of our director of health at the County.

Supervisor Houghtling reported that most of the cases are among the unvaccinated. Columbia County as a whole is pretty good on vaccination rates but New Lebanon is the second lowest in the County. While Supervisor Houghtling strongly believes that it is an individual's choice to be vaccinated or not and that it is not the governments places to mandate anything like that but she would urge community members to reconsider getting vaccinated if they haven't already.

Additional ARPA Funding:

The American Rescue Plan Act and United States Department of the Treasury guidelines provide that any "remaining funds" from any "non-responsive" municipalities should be distributed among the responsive municipalities in a "subsequent distribution." In New York State, very few municipalities were non-responsive. Supervisor Houghtling reported that the town will be receiving an additional allocation of \$897.47 in ARPA Funding bringing our total allocation to \$220,717.28.

The town did already receive the first half, \$109,909.91, we will be receiving half of the new amount \$448.74 shortly and then in the summer of 2022 the town will get an additional \$110,358.63.

Health Insurance Renewal:

Supervisor Houghtling stated that there is very minimal or no increases at all in the health insurance premiums. Assessor Kim Smith, Town Clerk Robertson and Supervisor Houghtling met with the health insurance broker to go over the renewal plans and discussed options. Kim, who is a self-pay for her health insurance plan, pointed out that the only option we have unless you are a highway employee who already has CDPHP is MVP. MVP is an HRA Plan, if the town is funding it and the HRA, it is a fabulous plan but if an employee is paying for their health insurance either in part or in full, they will have to pay the entire HRA, which is not very appealing. Kim suggested offering a third plan that was discussed, it is the CDPHP Triple Zero HMO Copay Plan, it is a traditional copay plan similar to the CDPHP Plan that the highway employees have but it is a step down and the premium is lower than the MVP Plan.

A motion was made by Councilmember Rasmussen to authorize Supervisor Houghtling to enter into the agreement for the MVP Plan, the two CDPHP Plans and the Delta Dental Plan as provided with the rates that were provided to the Town Board tonight. The motion was seconded by Councilmember Newton.

Roll Call Vote:

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

2023 Reassessment Process:

Supervisor Houghtling stated that the town wide reassessment is on schedule for 2023, it takes place every four years. The work will start in 2022. Kim Smith, Assessor met with Supervisor Houghtling and went over her proposal. If the board goes with the Assessor's proposal and does it at the same time as the Town of Canaan, the two towns will split the fee for the consultant, \$4,500 each. Kim is not asking for the additional \$3,200 she was paid last time (\$1600 in 2018 and \$1600 in 2019) as she feels her salary is sufficient to cover this work. If the Town Board all are in agreement, they would budget 2/3 of the cost of the consultant (\$4,500) in 2022 and the other 1/3 in 2023. If the board chooses to move forward with this proposal, Supervisor Houghtling would prepare a resolution for next month's meeting to do a town wide reassessment in 2023. Then, at the November or

December meeting, the board would motion to enter into a contract with the consultant to begin January of 2022.

The Town Board held discussion and no motions or action will take place tonight and Supervisor Houghtling will prepare the resolution for the October meeting.

COMMITTEE/LIAISON REPORTS:

Assessor (Councilmember Rasmussen):

Councilmember Rasmussen stated no news to report.

Building Department (Councilmember Rasmussen):

Councilmember Rasmussen reminded everyone that Town Clean-up Day will take place on Saturday, September 18th, 2021 from 8:00am to 2:00pm.

Business & Economic Development (Councilmember Gordon):

Monte Wasch, Chair reported the Business and Economic Development Committee met on September 8th at Town Hall. They received a report from the Outreach and Marketing Sub-Committee on the progress of the competition for a new Town Slogan. They received a report from Josh Young on the progress of the Farmers' Market and the Market Store which is operating Wednesdays through Saturdays in the Fisher Store at the corner of West Street and Route 20.

The Committee resolved to ask the Town Board to support the following expenditures in the 2022 New Lebanon Town Budget:

- The publication of two Business Directories concurrent with the Town Newsletters for February and August.
- Money to support the rejuvenation of the map that the Business & Economic Committee made years ago.
- An expenditure for the development of a "Welcome Packet" for new businesses and residents.
- An expenditure of legal fees to aid in the establishment of a Local Development Committee for the Town. An LDC is an economic development entity which can solicit and accept private funds and government grants, purchase or receive real property, and manage development plans for the economic welfare of the Town.

CAC & Environmental Management & Climate Smart Task Force

(Councilmember Trainor):

Peg Munves, CAC Member on behalf of the CAC reported the following:

Raptor Program – Sunny from the Sharon, Connecticut, Audubon Center presented a well-received raptor program to the Summer Youth Program on August 19. The CAC sponsored the program and looks forward to sponsoring such programs each summer.

Trees for Tribs – since Aug 1, there have been over 50 vol hours recorded and the volunteers are doing a great job. The plants are for the most part very healthy and growing well. We will present our plan for a two phased next-steps at next month's Town Board meeting. One phase will be this fall and one for spring 2022.

We have been asking for input from the public and so far, we haven't gotten any directly to the CAC. We asked Cassidy if he wants to help us design a new area closest to the HS, and we will see.

The Critical Environmental Areas training with once-monthly Zoom calls with the Hudson Estuary Program is continuing. We are focusing for now on the Warm Spring and identifying additional cool ravines in town. We will need to determine the appropriate buffer zone for each CEA we identify.

The Climate Smart Communities Task Force, with the CAC, has begun work on a Flood Mitigation Study.

We continue to submit written responses to proposals pending before the Planning Board and as needed before the Zoning Board of Appeals and participate in Public Hearings before both boards.

We are submitting a budget request for 2022 that includes the costs for sampling additional wells for PFOAs and PFOSs, representing the range of geological areas in town.

NYSRural Water Association study of New Lebanon by Steven Winkley is nearing completion. At our CC meeting last night, he shared that it is now called DRINKING WATER PROTECTION PROGRAM and NOT Source Water Protection Program. It is FAR more comprehensive than what he originally planned and it will have a lot of useful and good information. He informed us that the NYSDOH has done a number of PFOA/OS tests on “public water systems” in town, which includes the schools. We eagerly await results but Steve says there was very good news. So, this can inform the town as to whether or not we want to pursue more PFOA/OS testing.

As part of our ongoing look at the water in New Lebanon, we worked with our contacts at the NYSDOH and created a sheet on Well Water safety and testing that Marcie has started disseminating to the public via email and it will be in the Town Newsletter.

The CAC is very grateful to the Town Board members, and members of the community, who are so supportive of our efforts and the efforts of the Climate Smart Task Force.

Steve Powers, CSC Chair reported the following:

The task force purchased recycling bins for the September 5 Community Picnic. Bottles and cans were collected and recycled.

The second \$5000 NYSEDA grant was received, making a total of \$10,000 to the town plus we've had 32 residents sign up for Community Solar with Ampion, earning the town \$3200 and more to come.

215 pounds of batteries have been kept out of the waste stream and sent to be recycled thanks to the Green Box program. The library now also has a box and the indoor farmers' market has one along with Town Hall, the Post Offices and Country Squire.

CSC volunteers will be working the Electronics recycling on September 18 at the Town Cleanup.

Tistrya has updated the EV charging station status.

We have a new Cornell student researching a potential water storage tank for the LVPA and hopefully she will come up with grant availability.

Our Composting subcommittee is now collecting coffee grounds from restaurants in town to take to the compost pile at the community gardens.

Repair Café: is now has 5 neighboring towns sponsoring the October 23 event which will be held at LVPA subject to covid regulations.

Bike Program: The program is looking for long term storage for 50 bikes if anyone knows of a free available barn.

The Free Store will have a winter clothing give-away event sometime in the fall.

Since Deb Gordon is dropping off the CSC, we are asking that board accept her resignation and that John Trainor take her place.

A motion was made by Supervisor Houghtling, seconded by Councilmember Newton and approved unanimously to accept the resignation of Deb Gordon from the Climate Smart Task Force and appoint John Trainor in her place.

Also we would like the resolution that created the CSC to be amended so that it doesn't mention a specific person on the board or staff as being a member of the CSC. I have submitted the revised version and now that we have John and Frieda Pearce confirmed can the board approve the revised version, please.

TOWN OF NEW LEBANON

RESOLUTION # 24, 2021

RECREATION OF THE CLIMATE SMART COMMUNITIES TASK FORCE

SEPTEMBER 14, 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, NY, duly called and held on the 14th day of September 2021, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling

Seconded by Councilmember Gordon

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 staff and/or elected officials of the town and members of the public;
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

Peg Munves- CAC Rep

Kris Cottom – Member of the Public

Adelia Moore – Member of the Public

Frieda Pearce--Member of the Public

Elizabeth Poreba – Member of the Public

Sarah Steadman – Member of the Public

Cathy Wilkerson – Member of the Public

Josh Young– Member of the Public

John Trainor- - 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 Norman Rasmussen Aye

Councilmember Deborah Gordon Aye

Supervisor Tistrya Houghtling	Aye
Councilmember John Trainor	Aye
Councilmember Jesse Newton	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: September 14, 2021

Marcie Robertson

Town Clerk Town of New Lebanon

Bruce Shenker, Environmental Management Bruce reported the following:

Columbia Land Conservancy has an online series of 3 talks on community solar which in this case means siting a solar installation in your town.

First presentation is September 29 at 6:30pm entitled An Overview of Solar Energy Projects by Jen

Crawford, P.E., Crawford & Associates Engineering and Land Surveying. Link for event is <https://clctrust.org/event/solarone/>

County climate smart is doing benchmark on energy use in county buildings. Other projects considered:

- Electric Vehicles charging
- community greenhouse gas use being considered

County Climate Smart Communities to exchange information and collaboration of climate efforts and resources. The session will be held on September 30th from 5:30 p.m. to 7:30 p.m. Probably online

County planning a pilot composting program probably in Chatham and Copake transfer stations

Subcommittee formed to explore community outreach, education and social networking.

Locally Rail Trail section was opened between Lovers Lane and Tilden Plaza.

Unfortunately, signs were vandalized but will be restored and this has been reported to police.

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

Councilmember Trainor read the following activity summary:

8 Emergency Calls, 2 Drills and Training, 3 Other, 68 People and 142.7 Man Hours.

Councilmember Newton reminded everyone of the LVPA Fish Fry on Saturday, September 18th from 5:00pm to 7:00pm.

Ed Godfroy, LVPA updated everyone as to what they are doing at the Mill Road property. The LVPA is still interested in building a building in the future. In order to get a better idea of the layout and what size building they can put there and the cost of that, they are cutting down trees and cleaning up the area. They have already gone through the building with the Legion. Sometime in the future they will be tearing that building down, but for now they are just cutting trees and cleaning up the property to get a better outline so that they can carry on with their building project.

Highway (Superintendent Winestock & Councilmembers Newton):

Councilmember Newton stated that they mostly covered it. He mentioned that this year has been horrible with water and flooding.

Historian & LVHS: (Councilmembers Trainor):

LVHS:

Councilmember Trainor reported that the LVHS and the Town Historian are working well together. The LVHS has had three meetings in a row and they will be having another meeting sometime in October.

Historian:

Councilmember Trainor reported that Bitsy doesn't have a written report this month but submitted an email update as follows:

Here is what I have been working on.

Research at the DAR Chapter House in Hudson and the NL Library and on-line on Revolutionary War veterans from NL

Virtual attendance at the Association of Public Historians of NYS September 13-15.

Creating a budget

Met with Glenn and Sharon Moon

Justice Court/Constable (Councilmember Trainor):

Councilmember Trainor stated he talked with Samantha the other day, the judges have not recommended anybody for the vacancy and the Court is running just fine.

Library (Councilmember Trainor):

Councilmember Trainor reported that Michelle sends an email weekly on the activities to take place at the library.

Buildings, Parks & Recreation (Councilmembers Newton):

Councilmember Newton reported that they had a concerned citizen that was worried that the fruit trees in the park needed to be fertilized. Councilmember Newton stated that he did this last fall, this will become a scheduled thing. One of the trees that was donated has died due to rodent damage that will be replaced in the spring when Zema's has inventory in stock.

The bathrooms by the tennis courts will remain locked due to vandalism.

Supervisor Houghtling added that there was mention of missing plaques on the donated fruit trees in the park. The Town is unaware of any missing plaques, so if you are missing a plaque, please notify the Town.

Seniors (Councilmember Gordon):

Mary Young requested that the bathrooms are open during the food drive. Councilmember Newton said that he will make sure they are open for food drives.

Mary reported that the Office for the Aging will start in person meetings starting this Friday. The NL seniors are still meeting twice a month at the Lebanon Valley Fire House and they like that location. They have about thirty people coming to their meetings. They are participating with the upcoming craft fair that will be held at the firehouse in October. The seniors had to cancel their trip to Maine because of COVID concerns. This coming Friday the seniors are meeting at a restaurant in Averill Park to have their luncheon for deceased members. In October the seniors will be having a Halloween party. In November they plan to have a Thanksgiving Dinner, hopefully at Whitestone Café in Ghent and a Christmas Party in December.

Mary and Sarah plan to meet with the NL Seniors in October to get any concerns that they may have regarding the seniors in town.

Volunteers (Councilmember Rasmussen):

Councilmember Rasmussen reported no new requests this month.

If anyone is interested in volunteering, please contact Councilmember Rasmussen at: nrasmussen@townofnewlebanon.com.

Comparison Committee (Councilmember Trainor & Gordon):

Councilmember Trainor stated that he and Councilmember Gordon had discussion and he is aware of what is to be done and he is ready to get involved.

Compensation Committee (Supervisor Houghtling):

Supervisor Houghtling updated that the committee has been meeting weekly and making good progress and will have recommendations for the Town Board at the first budget meeting.

ANNOUNCEMENTS:

SEPTEMBER:

Saturday, September 18th, 2021 – Town Clean Up Day from 8:00am to 2:00pm at Shatford Park

OCTOBER:

Tuesday, October 12th at 6:00 pm – Budget Workshop at the NL Town Hall

Tuesday, October 12th at 7:00 pm – Regular Meeting at the NL Town Hall
Tuesday, October 19th at 6:00 pm – Budget Workshop at the NL Town Hall
Thursday, October 21st at 6:30 pm – Budget Workshop at the NL Town Hall
Wednesday, October 27th at 6:00 pm – Budget Workshop at the NL Town Hall

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 did receive one email during the meeting.

Dick Sime: Mr. Sime addressed the Town Board. He owns property going up Lebanon Mountain on Route 20 and it has been brought to his attention that there is going to be dogs housed next door to his property. He thinks they are going to train service dogs or something. He did not personally get a letter about it but people around there did. He is wondering how this is going to be handled so that people will want to live in that house that he owns.

Supervisor Houghtling responded that she doesn't have an answer tonight. She will get his contact information, follow up on this and get back to him.

EXECUTIVE SESSION:

A motion was made by Councilmember Rasmussen to enter into an executive session at 8:56pm to discuss the medical, financial, credit or employment history of a particular person/corp., or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension. The motion was seconded by Councilmember Newton.

Roll Call Vote:

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

A motion was made by Supervisor Houghtling to exit the executive session at 9:26pm. The motion was seconded by Councilmember Rasmussen.

Roll Call Vote:

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

ADJOURNMENT:

A motion was made by Supervisor Houghtling, to adjourn the meeting at 9:27pm. The motion was seconded by Councilmember Newton.

Roll Call Vote:

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

Respectfully submitted,

Marcie Robertson
New Lebanon Town Clerk