

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON MARCH 16, 2023**

Present: Tistrya Houghtling, Supervisor
Marianna Anthonisen, Councilmember
Britt Buckenroth, Councilmember
Deborah Gordon, Councilmember
John Trainor, Councilmember

Recording Secretary: Ashley Saviano, Deputy Town Clerk

Absent: Marsha "Marcie" Robertson, Town Clerk

Others Present: Sharon Powers, IT Website Support, BEDC & QOL Com.
Member
Steve Powers, CAC & ZRC Member & CSC Chair
Josh Young, Planning Board, QOL, Shaker Preservation
Comm Member, & BEDC Chair (arrived 6:12pm)
Ted Salem, ZBA Member & ZRC Chair
Mary Young, NL Rep to CC Office for the Aging & Traffic
Safety
Ed Godfroy, LVPA
Members of the Public

CALL TO ORDER:

The meeting was called to order at 6:00pm by Supervisor Houghtling. The meeting was held in person at the New Lebanon Town Hall, 14755 State Route 22 North, New Lebanon, NY 12125 with members of the public also being able to view the meeting at the following link: https://townhallstreams.com/towns/new_lebanon_ny.

A moment of silence was, followed by the flag salute. The emergency exits were pointed out.

MINUTES:

The minutes of the **February 13, 2023 Special Meeting, February 14, 2023 Public Hearing (LL#1 of 2023), and February 28, 2023 Special meeting** of the Town Board were reviewed.

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon, and approved unanimously, to accept the minutes as typed.

FINANCIAL:

Supervisor's Report:

The Supervisor's Report as of February 28, 2023 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 for February as typed. The motion was seconded by Councilmember Gordon.

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

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 read the emails that she received into the record.

Courtney Gilardi read the following to the Town Board:

Good evening esteemed New Lebanon Councilors, Board Members, Town Clerk, and viewing members of the public. Thank you so much for allowing me to speak tonight and letting me share my experience with you.

My name is Courtney Gilardi, I was displaced from my Pittsfield Massachusetts home and am speaking on behalf of myself as someone injured by wireless radiation from an improperly sited cell tower.

I speak to you as someone who loves, uses, and relies on technology and who recognizes the need of the town to have service and that it must be balanced with the needs of safety, compliance with the ADA and fair housing act, and that there must be safeguards so what happened to my children and my neighbors does not happen elsewhere.

In late summer of 2020, a Verizon cell tower was made active in my neighborhood. My young daughters, along with at least 20 others reported experiencing symptoms such as headaches, nausea, dizziness, palpitations, insomnia, vomiting, skin rashes, tinnitus, hormonal changes, daytime fatigue, memory loss and others. Neighbors who were in remission from cancer, after living

next to the tower, had their cancer returned. The Board of Health conducted an investigation and issued an emergency cease and desist against the Verizon cell tower for being a hazard, nuisance and rendering our homes uninhabitable. It is currently in litigation.

There is a health and safety cost to wireless connectivity that we can no longer ignore. And it is the job of every single person who is responsible for the wellbeing of their community to get involved in this conversation. Doctors have identified that RF/ EMF exposure has profound effects on children, pregnant women, the elderly, and those with preexisting health conditions. Science shows that RF/EMF has broad effects on the body and negatively affects nearly every system in the body. RF/EMF exposure also leads to debilitating neurological effects. These negative effects contribute to the growing epidemic of chronic diseases and the increased awareness of certain health risk behaviors.

This technology has a medical impact. Myself and my neighbors are the living proof of that. Amelia, my daughter, will tell you more about her experience. She wrote a story called, Amelia's Terrible, Horrible, No Good, Very Bad Cell Tower Day and it went viral, not because what we were saying was new, but because people had their own story, or knew someone, or could relate. Parents started contacting us, and other kids, and now they have their own network of those who have been harmed. We speak up because we were blessed enough to have a safe place to relocate to until we can safely go back home, but not everyone is as fortunate. We were able to heal enough so that we can go out in public and speak on behalf of those who cannot. Some people have been so injured they cannot be in a room like this, simply because of the wireless radiation present.

State and local boards of health and city leaders are hearing from those who have been harmed and those who want their health protected. Doctors and health care professionals are advising people to hardwire at home to reduce their exposure. Our pediatrician was able to share with us the 2014 American Academy of Pediatrics position statement on cell towers and wireless harm. The studies showed the same symptoms my children and neighbors had. Even our Massachusetts Department of Public Health tells us we can reduce exposure by hardwiring our technology, turning it off, using it on airplane mode or creating distance between you and the radiating object, like a router. But in the case of a macrocell tower outside your door, you can't turn it off or place it on airplane mode. To create distance, you have to move. We had to move.

There is no pre or post market safety testing, and no central registry of harm to record injury for those who become injured. Tower companies do not provide insurance when people are harmed, even if they have a documented medical diagnosis. We are working on legislation in Massachusetts to change this so leaders have better data to make better decisions. But until then, towns can take action to make a difference now. No one should be forced to leave their homes or shelter in their cars or stay in experience debilitating symptoms. These injuries are a source of not just injury and disability but of job loss, homelessness, and helplessness.

New Lebanon residents need your help in maintaining our homes as a sanctuary from the non-consensual exposure to RF/ EMF radiation we are being advised to avoid by our doctors. You have the right under the telecommunications act to choose where cell towers and antennas can be sited within your community. You can say NO to these towers near homes and schools. These industrial

structures do not belong in neighborhoods. Constituents are pushing back and we need you as our representatives and leaders to do the same.

Please put this on your agenda for further discussion. Consult your new Technology team, there are experts who write durable bylaws that protect the town and the residents and allow for the appropriate siting of installations where needed. Thank you so very much for listening, for your care, and for your support.

Amelia Gilardi read the following to the Town Board:

Hi, my name is Amelia, my home is on Alma Street in Pittsfield but I can't live there because of getting sick from the cell tower. I haven't lived there in 746 days. Tonight, marks two years and sixteen days since I have slept in my own bed and two birthdays I have not celebrated at home and 955 days of being sick or displaced. My only wish is for the nightmare to end. Thank you for your listening to what happened to me and working on your telecom code to ensure what happened in my neighborhood of Shacktown doesn't happen here in New Lebanon.

In five months, it will mark three years of becoming ill, of countless doctors' appointments, of wondering if I would ever feel healthy again, of worrying if short term health effects would become long term. It marks depending on the kindness of others because mom had such debilitating migraines that were days she couldn't even drive a car, or take care of us kids. As you know, because you have heard our story, it wasn't just us. Our neighbors became as sick as well. One neighbor whose cancer was in remission returned, and another who had a clean bill of health developed cancer. She recently died. Some of my neighbors who experienced symptoms moved because they had been asking for help for so long. Some cannot afford to leave, so they sleep in their car, away from the tower when the symptoms get so bad that they can't sleep in their own homes- or they stay, and experience symptoms in their own homes.

When finally, the matter reached our Pittsfield Board of Health, they treated us with dignity and respect. They listened to the doctors, meeting with the subject matter experts, learning from the lawyers whose work is in telecommunications, environmental, health and safety laws. They took action on our behalf. There is nothing in the TCA that states the town can't take action when people are actively being made ill by an on-air transmitting cell tower. Public health and safety laws, hazard and nuisance laws require action. Health and public safety are your job, too. It is the job of every single person at every level of government.

Please, as someone with a medical diagnosis of harm due to non-ionizing radiation, as someone with Microwave illness who lost her health, home, neighbors, and childhood to this, please, take the extra time needed to get all the information before passing your new telecom code. Listen to the experts. Look at model telecom codes. Please, let your new Technology Committee weigh in on this. Each and every one of you residents deserve careful deliberations and due process.

*I promise you, the time it takes to do this right is worth it.
Thank you.*

Supervisor Houghtling read the following email into record for POF:

Dear Tistrya and Marcie,

To make things easier all around, I have revised and consolidated my previous remarks into this single e-mail, which supersedes and replaces all other remarks previously submitted. I have read it out loud, several times, and it comes in at just over 4 minutes when I deliver it. Please enter these remarks into the public record for the Town of New Lebanon. Please read them during 1st Privilege of the Floor at the upcoming Town Board Meeting on March 14th. Thank you for your patience, your time, and your kind attention to this communication. May you stay safe and warm during the snowstorm.

Michael

1st Privilege of the Floor

Madame Supervisor and Honored Councilors,

*I urge you to wait for a final vote from the Town Board on moving forward with the Telecom rewrite until after all decision-makers have a chance to attend "The Rights of Citizens In The Placement of Wireless Infrastructure" webinar **in 10 days time**. Everyone should make the most educated and informed decision possible. There is a **duty of due care and a duty of due diligence** when the health, safety, and welfare of our people is at stake. There is a legal, ethical, and moral duty to get this right.*

The current Telecom draft is not going to disappear into a black hole, never to be seen again, if the Town Board stands by its February 14th decision to give the Technology Committee a chance to respond. I expect an immediate turn-around. I am working on it now.

In the interim, the Town Board should direct the ZRC to revise the current draft to include specific language for a mandatory evidence-based gap analysis and an expansion of setbacks from the 500 feet currently proposed to 600 feet, and for the Chairman to come back with the additional changes in one month's time, at the April meeting of the Town Board.

*Please do not push this draft through without **the inclusion of language in the revised code which requires the applicant's submission of a map showing the current coverage areas and gaps of the applicant's system, and certified drive-test data demonstrating the existence, location, and geographic boundary of the claimed gap in coverage which the proposed antenna is intended to remedy, and if demonstrating telephonic capacity deficiencies, the actual dropped call records from the carrier, and the location and geographic boundary of the carrier deficiency.***

*You would be leaving the Town without the protection provided by this requirement, **pending the next draft Telecom proposal from the Zoning Rewrite Committee in 2025**, during the very*

two-year period when we will be making a concerted effort to expand coverage. **This seems negligent to me.**

An evidence-based gap analysis should be an absolute legal requirement, not subject to an arbitrary or capricious decision from the Planning Board, always uncertain and shifting from application to application.

The application process must be equally fair to all applicants. A requirement unfairly and unequally applied would be illegal and subject to a challenge from an applicant. The process should also be consistently protective of the Town of New Lebanon and its rights.

We are making law here. There is something terribly wrong about this process being so hurried.

The language for setbacks in the current draft Telecom Code, which I support as a bare minimum of protection, is for 500 feet.

These are legal since they do not make it impossible for the siting of wireless telecommunications infrastructure within the Town of New Lebanon. I am confident that they were vetted by the Town Attorney before Chairman Salem released the current draft.

500-foot setbacks are beyond legal challenge. They exist in several other communities in New York State. We have enough open space. Please do not permit anything less than the 500 feet which have been vetted. Lesser setbacks are simply not protective.

Lastly, as improved defense against fires, falls, and the failings of the FCC, the precautionary principle argues for an expansion of the proposed setbacks from 500 feet to 600 feet.

Let's do the very best we can for our Town when it comes to our Telecommunications Code. This is our last opportunity to do so before we invite in the telecom companies and service providers. It will not wait until 2025. Please send the draft Telecom code back to the ZRC for improvement and please stand by your decision giving the Technology Committee the time and opportunity to participate in the current process.

*Respectfully,
Michael Muadin*

Supervisor Houghtling read the following email into record for POF:

Greetings all,

I am a resident of New Lebanon with Electrical Hypersensitivities (EHS). I recently had the opportunity to review the Draft 3.0 - 2/7/2023 of the proposed changes to chapter 189. Telecommunication Facilities. Following are my preliminary comments:

1. The following two provisions of the current Telecom Code went missing in the Draft:

Sec. 189.6 - Exclusions

Paragraph E. Facilities exclusively for providing unlicensed spread spectrum technologies [such as IEEE 802.1, la, b g (Wi-Fi) and Bluetooth] where the facility does not require a new tower.

Sec. 189.28 Periodic regulatory review

Paragraphs A, B and C (The entire section)

2. The term, "Town" in the following sessions should be clarified to mean the Town Board or the Planning Board to avoid any confusion:

Sec. 189-8 Paragraphs C, D and F

Sec. 189-9 Paragraph A

3. Gap Analysis. The Town of New Lebanon can learn from the experience of our neighboring City of Pittsfield by requiring an application, among other things, to demonstrate legitimate need for coverage through a Gap Analysis. Emissions from telecommunications towers are not benign. It is clear from the experience of the Verizon cell tower in Pittsfield that current FCC regulations are not protective of public health. A Gap Analysis would at least help determine where there is a legitimate need for telecom service and thereby avoid unnecessary expense and exposures.

Thank-you for your attention to these important matters. Feel free to respond with any questions or comments.

Sincerely,

Dorothy Dooren

Supervisor Houghtling read the following email into record for POF:

Dear Supervisor,

Please accept the following as my comments to be read by you during "The First Privilege of the Floor" at tonight's meeting of the Town Board. I wish to be heard on the issue of setbacks in the proposed draft Telecom Code. My remarks timed out at 4 and a half minutes when I read them out loud. Thank you.

Alia Muadin

Madame Supervisor, Honored Councilors, Concerned Citizens,

My husband and I reached out to a friend of ours who is a telecom attorney for some words of wisdom that might help illuminate the issue of setbacks.

He responded to our question as a personal favor, but we think that the substance of his answer is important enough that we need to share it with the Town Board and concerned citizens of New Lebanon.

This Telecom Attorney wrote: "500 foot "setback" is fairly short for small cells. Should be 1000' at least. I've had to deal with the practical effect of distances like these, and arguments against them – such as there will not be any location that would work in the entire city. (or town)

The conclusion that the city (or town) would get sued (and presumably lose) is misdirection. But even if true (there is) an easy solution:

- Have a presumptive setback (500 or 1000 or even better 1600 feet like the NH Commission recommended).

- Insert terms allowing the applicant to seek a waiver from the presumptive setback distance. Require the applicant to prove with clear and convincing evidence that denial of a permit at the specific place they seek for the facility – e.g., a particular place that would otherwise be denied because of the presumed setback - would result in an effective prohibition.

If they carry that burden of proof (clear and convincing evidence of effective prohibition) you give them a waiver and grant the permit.

If they do not carry that burden, you can deny the permit.

The key is the high burden of proof: "clear and convincing evidence." Very hard to meet, but not impossible. Most wireless companies won't even try.

This will work, and not be overturned by a court. The only exception is "exempt facilities" (a/k/a "eligible facilities") covered by [FCC rule 1.6100](#). Applications that prove they meet that category are "shall approve" and a city cannot impose a burden of proving "need."

But they do work for "small cell" (a/k/a "small wireless facilities" as defined in [FCC rule 1.6002\(l\)](#)) applications that are not eligible facilities."

(End of quote.)

The "burden of proof" placed on the applicant brings our focus back to the need for specific language in our code requiring a mandatory complete Gap Analysis including Drive Tests measuring signal strength, Mapping of coverage, and a record of Dropped Calls.

Scarsdale utilizes 500-foot setbacks, but has a tiered system giving levels of priority to placement, coupled with an "escape clause", an Exceptions Rule already reviewed by Telecom attorneys, which protects Scarsdale from any suits because it prevents the Town from "effectively prohibiting the placement of wireless facilities" under the 1996 Telecommunications Act.

The Town of New Lebanon needs more clarity in the establishment of setbacks, including a wireless overlay (like a conservation or historic overlay) which specifies preferred zones for the placement of different types of facilities. The setbacks should be tailored to this overlay.

The Technology Committee should have the opportunity to offer input on this process.

Nothing about setbacks should be "moot" because of a few discussions with a consultant who was the Vice President of a Telecommunications Company, particularly when no attorney, neither the Town Attorney, nor a more experienced Telecom Attorney, has had the chance to vet this draft for setbacks, specific language describing requirements for a gap analysis, et cetera.

The people of the Town of New Lebanon need to have the strongest possible code, most protective of our property and our rights, with language enshrining those protections in Local Law. We should not omit protections just because someone has assured us that we won't need them. If we didn't need them, they wouldn't exist. Some of our people, including some of you, do live at higher elevations close to where an applicant may want to site a tower. Need we remind everyone what just happened with the placement of the 911 tower?

For now, there have been too few eyes on this and too few voices being heard.

We can do an even better job, without a huge effort, in a short period of time.

Please hold off on moving forward with the current draft of the Telecom re-write until there has been time for due process, consultation with qualified legal experts, and additional improvements for stronger protection under law.

*Thank you for your time and attention,
Alia Muadin*

BUDGET AMENDMENT #2 OF 2023:

Supervisor Houghtling stated we need to bring money in from ARPA revenue funds received into the ARPA expenditure lines for the pharmacy and non-profit set up as those vouchers are in the bills for approval this month. We need to move some money around within the building department budget lines for the cloud permit invoice however their department is staying budget neutral. We forgot to budget for the EV charging station electricity which is fully reimbursed by the grant through 6/30/2023 usage.

General Fund:

\$ 13.00	from A-1990.4 (Contingent)
\$ 300.00	from A-02770.3 (Misc. Revenue – EV Station)
\$ 100.00	from A-8020.4 (Planning – Cont. Exp.)

\$ 4,290.00	from A-8020.1 (Planning - Payroll)
\$ 40,435.00	from A-04900 (Federal Aid - ARPA)
\$ 40,435.00	to A-6410.4A (ARPA – BEDC)
\$ 4,390.00	to A-8664.4 (Code/Zoning Enforcement – Cont. Exp)
\$ 300.00	to A-8797.41 (CSC EV Electricity)
\$ 13.00	to A-9050.8 (Unemployment Ins.)

A motion was made by Supervisor Houghtling to approve the above noted budget amendment #2 of 2023 as typed. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

PHARMACY AGREEMENT:

Supervisor Houghtling stated the she is placing this before paying the bills, because in the bills is the voucher for the pharmacy. The MOU needs to be approved first before paying the voucher. She stated that she sent it to the ARPA consultant, the first draft did not have language specifying a need for a pharmacy in New Lebanon, the consultant encouraged her to add some language to the document stating the need for a pharmacy, so she added two whereas clauses at the top and one therefore be it resolved clause at the bottom. These are the only changes since the last version she sent to the Town Board for review a few weeks back.

Supervisor Houghtling read the following:

CONSENT TO AUTHORIZE EXECUTION OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF NEW LEBANON AND WELLNESS RX, LLC

WHEREAS, the Town of New Lebanon is a health care desert, having no health care access in New Lebanon; and

WHEREAS, it is in the best interest of all New Lebanon residents to have some healthcare access in New Lebanon; and

WHEREAS, the Town of New Lebanon is a municipality located within Columbia County, NY with offices at 14755 Route 22, PO Box 328, New Lebanon, N.Y. 12125; and

WHEREAS, Wellness Rx, LLC is a pharmacy management company (Company)

with offices at 5980 Main Street, Tannersville, NY 12485 that operates a successful Wellness Center Pharmacy at said location and will soon open a second store at 53 Main Street, Phoenicia, NY 12464 (Pharmacy For The Public Good, Inc.); and

WHEREAS, the Company filed a Certificate of Formation with the Secretary of State to conduct business in the State of New York on April 27, 2012; and

WHEREAS, both Parties wish to proceed forward with the establishment of a nonprofit Wellness Center Pharmacy for the Town of New Lebanon to be located within the Tilden Plaza (3,000 sq. ft.); and

WHEREAS, the Town of Lebanon has authorized the allocation of \$40,000 of ARPA Funds to assist with the development of a necessary 5-Year Business Plan, Operational & Construction Implementation Plans, Site Plan, Regulatory Approvals, Operating Manuals, Staff Recruitment & Training, Community Networking and fundraising activities (herein defined as pre-operational activities); and

WHEREAS, the Company has completed an assessment of the current market conditions for an independent pharmacy and has agreed to complete defined pre-operational activities for the \$40,000 allocated ARPA Funds and has further agreed that if, for whatever reason, the Company is unable to open a Wellness Center Pharmacy in the Town of Lebanon within a twelve (12) month period of time commencing on the execution of this MOU by the parties, the Company will reimburse the \$40,000 allocation back to the Town of New Lebanon.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of The Town of New Lebanon deems it in the best public interest of all residents to do whatever possible to bring a pharmacy to New Lebanon.

NOW, THEREFORE, BE IT RESOLVED, that the Town of New Lebanon and Company hereby wish to proceed forward with the establishment of a Wellness Center Pharmacy at the Tilden Plaza and that the Town of New Lebanon has agreed to allocate and pay \$40,000 of ARPA funds to Company for completion of necessary pre-operational activities with the understanding that if, for whatever reason, a Wellness Center

pharmacy is not opened in the Town of New Lebanon within twelve (12) months of the signing of this MOU, that the Town of New Lebanon reserves the right to request from Company a full return of the \$40,000 allocation of ARPA Funds.

Dated this day the 16th of March, 2023.

Edward A. Ullmann
CEO/Member Manager
Wellness Rx, Inc.

Tistrya Houghtling
Town Supervisor
New Lebanon, NY 12125

A motion was made by Councilmember Trainor to authorize the Supervisor to sign the MOU on behalf of the Town. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

AUDIT OF BILLS:

2023 Bills:

General Nos. 65 through 102, in the amount of \$108,163.46; and

Highway Nos. 25 through 41, in the amount of \$56,634.56; and

Escrow No. 5, in the amount of \$987.75;

As listed on Abstract No. 3 dated March 14, 2023.

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

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

COMMITTEE/LIAISON REPORTS:

Supervisor Houghtling stated that they are trying a different format of presenting committee reports in an attempt to shorten the meetings. All the committee reports were emailed to the Town Board and the public in advance of the meeting. Supervisor Houghtling asked the Town Board if they had any questions or clarification needed from any committees on committee reports? The board had none.

Supervisor Houghtling asked the committee chairs that are present, do any of the committee have any action that is needed by the Town Board?

Business & Economic Development (Councilmember Gordon):

Josh Young, Chair reported the following:

Updates:

- 1. *Wastewater - We voted (unanimously) to recommend that the Town Board publish the attached wastewater RFQ we drafted with consultant Candace Balmer of RCAP Solutions. The RFQ has all the details. We are happy to answer questions about it by email, in person before the Board meeting or at the Board meeting, or all of the above.*

Supervisor Houghtling stated to clarify for the Town Board, an RFQ (Request for Qualifications) is going to give them an idea of how much a feasibility study would cost so that the town can then apply for the grant funding to cover it with knowing what it will cost.

A motion was made by Supervisor Houghtling that they issue an RFQ for Engineering Planning Services for a feasibility study as prepared by the BEDC and presented to the Town Board tonight and ask that the Town Clerk publish it in the newspaper and other appropriate locations. The motion was seconded by Councilmember Anthonisen.

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

- 2. *Childcare - We heard from an ARPA consultant that the Town should implement a public process for the ARPA funds that the Board approved for a new childcare service. We recommend that the Board publish an RFP for childcare services and to direct the Supervisor to author the RFP. That RFP should require proposers to list qualifications & experience, provide a description of*

the proposed service, and include a business & financial model. It should also direct the childcare subcommittee of the BEDC to review proposals and select the best one or set up some other selection process.

Supervisor Houghtling stated that she thought the BEDC was going to get something for the board to look at regarding the childcare RFP. Josh stated that he thought the Supervisor was going to do it. Supervisor Houghtling stated she thought Josh and Eileen were going to work on it and get it to her before this meeting so the board could review it. She then stated that it is kind of in Josh's report with what the RFP should require.

The Town Board and the BEDC Chair held conversation regarding the Childcare RFP.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to issue an RFP for Childcare Services with a list of qualifications to be determined by the Childcare Sub-Committee and approved by the Town Supervisor with letters of interest due to the Town Clerk's office by Wednesday, April 5th, 2023 at 4:00pm and with the Childcare Sub-Committee of the BEDC being authorized to hold and conduct interviews and make an official recommendation to the Town Board whenever they may be ready to do so.

CAC & Environmental Management & Climate Smart Task Force

(Councilmember Gordon):

Steve Powers, CSC Chair reported the following:

The CSC is requesting the Town Board to allow them to go out for bid for RFP for the solar panels on Town Hall. Steve has asked for a sample RFP from Kinderhook.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor, and approved unanimously to go out to bid for solar panels at the Town Hall with bids due by 4:00pm on Friday, April 7th, 2023 with the total cost not to exceed \$70,000 and full specifications to be provided to the Town Clerk's office by the Chair of the CSC and ask that the Town Clerk publish it in the newspaper.

Supervisor Houghtling stated that she received a request from one of the town committee chairs that the board reconsider the new way that they are doing committee reports and potentially allow committees a set, smaller amount of time, who wanted to speak. Supervisor Houghtling stated that she agreed with Councilmember Anthonisen, she likes this method, she thinks if there are committees that need action from the board, they have a time to speak. The board discussed.

Supervisor Houghtling stated that next meeting, the board will allow up to two minutes for a committee to speak, she will still ask that committees get her their reports by Friday at noon before the meeting, if that is not possible, they can send it whenever they send it and it will get forwarded to the Town Board for review before the meeting but not to the public.

Steve Powers stated that the CAC meetings are the Monday before the board meeting, the allowed two minutes to present would be good for them.

OLD BUSINESS:

Historic Overlay/Preservation Approach Comparison:

Supervisor Houghtling stated that this was tabled at the last meeting for further discussion. The Supervisor stated that she wants to make sure she understands what is being presented. Supervisor Houghtling stated that if the board is going to impose things onto people's personal property, she needs to weigh out the pros and cons. She stated that she is all for historic preservation for existing buildings, but when they talk about new construction or buildings that are not historic that might need to be renovated, she needs to clearly understand what is being presented. She stated that if all the existing owners of these properties that they are talking about including, are all actively on board and then a future owner would know that these things are in place when they bought the property, that makes it an easier sell for her personally, as opposed to the town forcing it on the owners.

Supervisor Houghtling stated that she knows they notified the property owners about the Public Hearing on the moratorium of the demolition of structures, there were some that might not have gotten the notice or they did not have an address for them. She stated that she thought the committee needs to solidify more of what they are asking for because she felt what was written was very different from what is being interpreted. She stated that before the Town Board weighs in, the committee needs to get on the same page with what is being recommended to the Town Board. The board held discussion and agreed that they need more clarification before making any final decisions. Supervisor Houghtling stated that they will keep it on the agenda to be discussed when the Shaker Preservation Committee has a more defined request of the Town Board.

ZRC Updates:

Supervisor Houghtling thanked Ted Salem and the ZRC. She stated that they had put housing on hold and they sent it to Chris Brown who thought the ZRC did a tremendous job at the housing proposals. Supervisor Houghtling stated that Chris Brown had a few small suggestions that were incorporated into the last draft that the Town board received.

Ted Salem stated that the Solar changed from the last draft by significantly expanding the scope of the territory that would be eligible for large-scale solar systems.

The board reviewed and held discussion with Ted Salem, ZRC Chair on the proposed changes. Supervisor Houghtling stated that she thinks they should pull out the Telecommunications (Chapter 189) on the proposal because there is more work to be done on that and not to hold up the other changes that are ready to go and somewhat time sensitive. She spoke to Ted Salem earlier and he agrees that they send everything onto the Town Attorney through the ZRC and come back to the board in Local Law form, pulling the Telecommunications out for now.

Supervisor Houghtling stated that she did reach out the Telecommunications lawyer that had reached out to her, it is a flat fee of \$8,500 for him to do Telecommunications for the town. Supervisor Houghtling reached out to Attorney Tingley and he does not feel that he has a focused expertise in Telecommunications and that we should look at other options. Councilmember Anthonisen was tasked at taking the lead on reaching out to other potential Telecommunications attorneys.

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon, and approved unanimously to authorize the Zoning Rewrite Committee to continue working on all proposals in the most recent draft provided to the Town Board, minus the section on Telecommunications and authorize Ted Salem, ZRC Chair to work with the Town Attorney to draft a local law to implement all these provisions minus Telecommunications.

Ted Salem, ZRC Chair stated that their conversation was about the frequency with which the ZRC would update zoning. Supervisor Houghtling stated that the town has never had anything official or in writing, but that they do a lot of zoning updates. When Supervisor Houghtling and Councilmember Anthonisen met with the building department, it was realized that it puts a lot of extra work on the building department to continuously learn new zoning and the expenses spent on Attorney fees and Code updates when we do zoning updates so frequently. Supervisor Houghtling stated that many towns only do zoning updates every ten years, which she thought was way too long. She stated that there will be time sensitive things that come up, that may require updates. She stated that they thought every two years might be a good compromise to allow the zoning to change. She stated that there are things that the Comprehensive Plan tasked the ZRC with that are due before two years from now. Supervisor Houghtling wanted to have discussion with the Town Board, if they think they will be doing Telecommunications at some point soon, they will have the ZRC continue with the Comprehensive tasks, but it is important for the ZRC committee and the Chair to know what their due dates are so they can task themselves accordingly. Supervisor Houghtling stated that she looked through the list that Ted Salem had sent on

what the items are that they agreed to work on in 2023 and she did not see anything that was a top priority or could not get an amendment to the Comprehensive Plan's due date but she wanted to check in with the rest of the board.

The board held discussion and Councilmember Trainor suggested updating every four years instead of two, to save the town money and the amount of work on the ZRC. Supervisor Houghtling stated that as she understands from Ted Salem, that there are only two more Comprehensive Plan tasks, the wind turbines due in 2022 and to implement the 2025 Comprehensive Plan overlays due June of 2023, Ted agreed. Supervisor Houghtling suggested that since they will most likely do another code update with Telecommunications, that for now the board asks the ZRC for those two Comprehensive Plan tasks to be a priority in the next four to six months and then a two-year time frame for everything else the ZRC is working on and then the ZRC can create their own timeline. The board held further discussion. Supervisor Houghtling suggested January of 2025 for the first proposed update draft to be presented to the Town Board with whatever tasks that the ZRC is working on unless the board or the ZRC has a matter to be addressed that may be time sensitive before that date. The Town Board and Ted Salem, ZRC Chair agreed on this.

Pavilion Kitchen Renovations – Bids Received:

Supervisor Houghtling stated that they received one quote for the pavilion kitchen renovation project that came in at \$63,547.00, much higher than they budgeted for. She stated that they budgeted \$40,000.00 and there was a provision in the bid that the town was going to purchase the cabinets and counters and the contractor was going to install them, thinking that would save money. The engineer thought the town would spend \$5,000 to \$8,000 on the materials and the bid would be in the \$30,000 to \$35,000 range. The Supervisor stated that she feels that it is important to renovate the kitchen and the old unusable bathroom spaces, there are rat holes and it is the kids camp. She stated that she would have liked to see a lower bid but they have gone out to bid three times now, just to receive one bid. Supervisor Houghtling stated that if they move forward with this bid, they will need to move an additional \$30,000 into the budget which is almost double what they budgeted for the kitchen. Supervisor Houghtling stated that the contractor talked to her about the board discussing other door options to save money, the door written into the specs of the bid was very expensive. If the board accepts the bid, they can do an addendum to the contract and connect the engineer with the contractor to discuss any changes and the contractor did feel that he could save a little money with a less expensive garage door than what was in the specs. The board agreed to accept the bid. Supervisor Houghtling stated that if they accept the bid, she will prepare a budget amendment for the next meeting to bring \$30,000 in from the unallocated fund balance into the pavilion kitchen budget line.

A motion was made by Supervisor Houghtling to accept the bid from Galusha General Contracting in the amount of \$63,547.00. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

Walkable Downtown Public Input Meeting:

Supervisor Houghtling reminded everyone that next Monday at 6:00pm at the Town Hall there will be a public input session on a walkable downtown, they want to hear from the public on different ways that they think the downtown could become walkable. She stated that Creighton Manning will be there to discuss the different options and there will be a survey at the meeting and that will go out afterwards. Supervisor Houghtling stated that at the last meeting they discussed having the official meeting called to order at 6pm, doing the business portion of it, introducing the engineer and have a short presentation, end the official meeting, and then hold a workshop with interactive stations with presentation boards, surveys, and comment cards. Supervisor Houghtling stated that she thought it would be nice to offer refreshments and Creighton Manning offered to split the cost of refreshments with the town. Supervisor Houghtling got a quote of \$350 from Mavericks which the engineer would pay for half. The board agreed to do this.

A motion was made by Supervisor Houghtling to spend \$175.00 on refreshments for the public input session with Creighton Manning spending the other half. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

Noise Ordinance Request:

Supervisor Houghtling stated that she is keeping it on the agenda, no action taken at this time. She stated that she thinks they left off discussing the particulars of enforcement on such an ordinance. The board held further discussion on the enforcement of a noise ordinance. The board agreed to remove this from the agenda for now

Technology Committee – Letter of Interest Received:

Supervisor Houghtling stated that they received three letters of interest and one person withdrew their letter of interest. The individual was going to discuss why they withdrew their letter at privilege of the floor but they are not in attendance so she is not going to get into too much detail. Supervisor Houghtling did state that this person was included with their personal email in a slew of a lot of incoming emails with a lot of layers to it that were not what they thought they were signing up for. This person was not looking to get into anything that involved potential threatening litigation or legal challenges. She stated that they just wanted to help the community with their expertise in technology, so this person has withdrawn his letter of interest but is very open to help the town, residents, or community with technology needs. Supervisor Houghtling stated that this leaves only two letters of interest and she does not see a point in creating a committee of two people.

Supervisor Houghtling stated that there is one applicant who is very interested to be involved in potential telecommunications and she does not think that being on a Technology Committee is a requirement for that. She stated that if this individual has things to bring to the table, she would ask for a succinct email and she will reach out to the interested party to request this.

Supervisor Houghtling stated that in the future she would love for this committee to exist if they have enough people that wanted to be involved. If the board revisits this, they can reach out to the two letters of interest that did not withdraw and let them know that the committee is being revisited. No action taken.

Amendment to Petty Cash Amounts for 2023:

Supervisor Houghtling stated that the Assessor no longer needs petty cash since there is now a way to do mailing from the Town Hall. Kim Smith, Assessor handed in her \$30.00 petty cash and Supervisor Houghtling deposited it into the bank account and amended the Petty Cash resolution that was done in the beginning of the year removing the Assessor's \$30 for petty cash.

TOWN OF NEW LEBANON

RESOLUTION # 16, 2023

PETTY CASH FUNDS

MARCH 16, 2023

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 16th day of March 2023, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling
Seconded by Councilmember Gordon

DESIGNATION OF AMOUNTS FOR PETTY CASH FUNDS FOR OFFICERS OF THE TOWN OF NEW LEBANON

BE IT RESOLVED THAT, the Town Board of the Town of New Lebanon authorizes the following Town Officers petty cash funds in the following amounts for the remainder of the year 2023:

Town Supervisor	\$100.00
Town Clerk	\$200.00
Justice Court	\$150.00
Tax Collector	\$250.00
Building Department Administrator	\$150.00

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

Roll Call Vote:

Councilmember Britt Buckenroth	Aye
Councilmember Deborah Gordon	Aye
Supervisor Tistrya Houghtling	Aye
Councilmember John Trainor	Aye
Councilmember Marianna Anthonisen	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: March 16, 2023

Marcie Robertson, New Lebanon Town Clerk

Park Manager – Letters of Interest & Adoption of Job Description:

Supervisor Houghtling stated that they received one letter of interest from Charley Sears, he used to work for the town in the park and did a great job. She would like to do an interview first to make sure they are all on the same page because it is a brand-new position and with what they expect of the position.

Supervisor Houghtling stated that she will schedule a Special Meeting of the Town Board for 5:45pm on April 10th and ask that Charley Sears joins them for an interview. Supervisor Houghtling stated that they have the job description which she thinks is a good one but she thought that since they are interviewing anyway and he has worked in the park before, should they wait to adopt the job description until after they go over it with him in the interview. The board agreed.

Ethics Board Vacancy – Letters of Interest:

Supervisor Houghtling stated they received one letter of interest for the Ethics Board. She stated that she would love to interview but the board has been short a member and it has harmed their functioning. The board held discussion on whether to interview or not before appointing and they agreed to appoint.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor, and approved unanimously to appoint Joanna Ezinga to the Ethics Board vacancy to fill out the remainder of the vacant term.

Recreation Commission – Letters of Interest:

Supervisor Houghtling stated they did not receive any letters of interest. They have gone out multiple times for this, the board agreed not to go out again at this time.

Skatepark Slab – Bids Received:

Supervisor Houghtling stated that they received a bid from Darcy Construction Corp. in the amount of \$111,515.00. She stated that they did budget accordingly because they knew what the bids were last time, they went out to bid, no budget amendment is needed.

The board held discussion regarding the engineered specs of the bid and the possibility of Paul McCreary overseeing the project as he is much less expensive than Barton & Loguidice. Supervisor Houghtling has already talked with Paul McCreary and he has already agreed to this if the board wishes.

A motion was made by Supervisor Houghtling that they accept the bid from Darcy Construction Corp. in the amount of \$111,515.00 and hire Paul McCreary to oversee the engineering aspect of the construction. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

Postage Meter:

Supervisor Houghtling stated that at the last meeting they compared Stamps.com with the postage meter and decided that Stamps.com is the way to go. The cost is \$19.99 a month and they do not offer contracts where they lock in the price. She stated that they usually do a price increase once a year and it is usually small and there is no set time that the town must stay with them. At any point the town can stop using their services. Supervisor

Houghtling stated that the town can set up tax exempt but that cannot be done until the account is set up.

A motion was made by Councilmember Anthonisen, seconded by Councilmember Trainor, and approved unanimously to authorize the Supervisor to sign the town up for a Stamps.com account.

Petty Cash Policy:

Supervisor Houghtling stated that the attorney needs more time to prepare the policy, it is being tabled until next month's meeting.

Consideration of Pay for Committee Members:

Supervisor Houghtling stated that there seems to be consensus amongst both committees who would be paid and committees who would not be paid that nobody feels strongly that we should pay any committees. She stated that some feel strongly against it, some feel mildly opposed but would be okay if we paid, some feel mildly in support but would be okay if we did not pay, none are strongly in support of it. Supervisor Houghtling stated that there is such a great spirit of volunteerism in the town, why mess with something that is not broken. The board agreed that considering the other towns in the county are paying those committees, it is cool and heartfelt that our committee members do not feel that strongly about being paid and their generosity is outstanding.

Speed Limit Reduction Requests:

Supervisor Houghtling stated that they made two speed limit reduction requests a while ago, one in front of the high school and one in front of the elementary school and both were denied. She stated that they did get the passing zone removed from near the elementary school and some signage updated and enlarged.

Highway Engine – Bids Received:

Supervisor Houghtling stated that no bids were received but we do need a new engine for the highway truck. Highway Superintendent Winestock requested that they go out to bid again. The truck is currently at a garage that wants to replace the engine and for whatever reason they did not submit a bid in time.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor, and approved unanimously to go back out to bid for the new highway engine with all the same criteria with bids due on or before 4:00pm on Friday, April 7th, 2023.

NEW BUSINESS:

Policy Review – Social Media Use Policy & Procurement Policy:

Supervisor Houghtling stated that there were two policies on the agenda and one addition which is the Purchasing Policy.

Social Media Use Policy:

Supervisor Houghtling stated that this policy review was tabled because the board thought it had to be amended to get the town Instagram account. As it turns out, it does not need to be amended, they can follow the current protocol and have an Instagram account. There are no other amendments that the board feels need to be made at this time.

A motion was made by Supervisor Houghtling, seconded by Councilmember Buckenroth, and approved unanimously to mark the Social Media Policy as reviewed with no amendments as of March 16, 2023.

Procurement Policy:

Supervisor Houghtling stated that if there were any changes that needed to be made to this policy it would have to be amended by a local law. There are no amendments that the board feels need to be made at this time.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor, and approved unanimously to mark the Procurement Policy as reviewed with no amendments as of March 16, 2023.

Purchasing Policy:

Supervisor Houghtling stated that this policy covers how and who in the town purchases items. There is an annual training held for this policy.

Supervisor Houghtling stated that there is an amendment to be made to this policy adding in language for the Green Purchasing policy that was adopted last month. The change is adding in this paragraph:

Where the Town of New Lebanon is procuring a commodity or service, whether by competitive bid or other type of procurement, that is the subject of a GreenNY procurement specification that has received final approval of the NYS GreenNY Council pursuant to Executive Order No. 22 (2022), the department head or Town Clerk's office shall follow the GreenNY procurement specification to the maximum extent practicable and where cost is reasonably competitive as defined in General Municipal Law § 104-a. GreenNY approved procurement specifications can be found online at: <https://ogs.ny.gov/greenny/approved-greenny-specifications>.

Supervisor Houghtling stated that there are no other changes to the policy other than adding in the Green Purchasing language. This policy was adopted by resolution, so she amended the resolution adding in the new paragraph.

RESOLUTION #17, 2023

POLICY FOR PURCHASING AND VOUCHERING ITEMS - AMENDMENT

MARCH 16, 2023

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 16th day of March 2023, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling

Seconded by Councilmember Anthonisen

POLICY FOR PURCHASING AND VOUCHERING ITEMS - AMENDMENT

BE IT RESOLVED THAT, the Town Board of the Town of New Lebanon amends their “Policy for Purchasing and Vouchering Items” by adding in the highlighted wording below:

PURCHASING

All department heads who submit a budget request to the Town Board whose requests are approved by the Town Board via adoption of the budget are authorized to make purchases on behalf of their department, in full accordance with the Town’s Procurement Policy. Any item that was listed on a department’s itemized budget request and approved in the budget does not need Town Board authorization prior to purchase. If an item is not listed on a department’s itemized budget request but costs less than \$500, it does not need prior authorization. If an item is not listed on a department’s itemized budget request and costs between \$500 and \$2,500, it needs prior authorization from the Town Supervisor. If an item is not listed on a department’s itemized budget request and costs over \$2,500, it needs prior authorization from the Town Board.

Before any purchase is made, the department head is responsible for knowing the balance in the budget line they wish to charge the purchase to. Except in emergency situations, the budget line must have an adequate balance for the purchase BEFORE the purchase is made. If more money is needed in a budget line before making a purchase, please submit a budget amendment request (see appendix A) to the Town Supervisor for approval at the next Town Board meeting. The order cannot be placed until after the budget amendment request is approved by the Town Board.

The Town purchases from some vendors such as Staples and W.B. Mason where the Town Clerk’s office acts as the purchasing agent for all items, regardless of what department the purchases are for. If a department needs to purchase an item from one of these vendors, they may request the purchase via a purchase order (see appendix B) through the Town Clerk’s office. All the same rules apply as if the department head were making the purchase directly from a vendor.

Where the Town of New Lebanon is procuring a commodity or service, whether by competitive bid or other type of procurement, that is the subject of a GreenNY procurement specification that has received final approval of the NYS GreenNY Council pursuant to Executive Order No. 22 (2022), the department head or Town Clerk's office shall follow the GreenNY procurement specification to the maximum extent practicable and where cost is reasonably competitive as defined in General Municipal Law § 104-a. GreenNY approved procurement specifications can be found online at: <https://ogs.ny.gov/greenny/approved-greenny-specifications>.

Vouchering

Vouchers should be submitted and signed by the vendor whenever possible. The person who ordered the item is responsible for asking the vendor to submit a voucher signed as "claimant" at the bottom as well as an invoice. To be considered for approval of payment by the Town Board, all bills must include town voucher (see appendix C) and an itemized invoice describing the product or service provided, the date it was provided and the cost. If an invoice is not available, the voucher must describe the product or service provided, the date it was provided and the cost. Tax may not be included on the invoice or the voucher. If the vendor cannot provide a voucher, the person who ordered the item may prepare the voucher based on the invoice and sign as "preparer" at the bottom as well as departmental approval if appropriate.

All vouchers, once prepared, are to be submitted to the Town Supervisor's office. To be included in the Town Board meeting for the month, vouchers must be received by the Town Supervisor's office by the first Tuesday of the month. The Town Supervisor will return any incomplete or incorrectly prepared vouchers to the person who submitted it with an explanation of what needs to be corrected on the incomplete voucher form (see appendix D). If a corrected version of the voucher is not received by the first Tuesday of the month, the voucher will not be considered by the Town Board at that month's meeting.

Training

Annual training will be provided to all department heads and anyone who places orders for the town to ensure that all are properly trained in the policies laid out above. The training will include a full review of this policy as well as the Town's Procurement Policy.

Penalties

If a purchase is made not in accordance with this policy, the person placing the order could be held personally financially liable for the payment of the invoice.

Review

This policy will be reviewed by the Town Board on an annual basis and updated as needed.

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

Roll Call Vote:

Councilmember Britt Buckenroth	Aye
Councilmember Deborah Gordon	Aye
Supervisor Tistrya Houghtling	Aye
Councilmember John Trainor	Aye
Councilmember Marianna Anthonisen	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: March 16, 2023

Marcie Robertson, New Lebanon Town Clerk

Assistant Director for Summer Youth Program:

Supervisor Houghtling stated that they did ask the Assistant Director from last year if she was interested in coming back and she asked to have until the beginning of March to decide. Supervisor Houghtling stated that she reached out to her last Friday and let her know that if she did not hear back from her by Tuesday, that the board would move forward with going out for letters of interest. As of today, the Supervisor has not heard back from her, she will take that to mean that she is not interested in returning this summer.

Supervisor Houghtling reminded the board that this appointment power is made by the Camp Director. The Camp Director will hold the interviews and make the recommendation to the board who will then make the appointment.

A motion was made by Supervisor Houghtling, seconded by Councilmember Buckenroth and approved unanimously to go out for letters of interest for the Assistant Director for the Summer Youth Program with letters of interest to be due to the Town Clerk's office by 4:00pm on April 7th, 2023.

Grant Writing Practicum – Town Historian:

Supervisor Houghtling stated that the Town Historian is requesting authorization to take a grant writing practicum. It is five weeks of ten one-hour sessions and she has committed to volunteering her time to do this. The cost is \$495.00 that she did not budget for.

Supervisor Houghtling stated that she asked the Historian if she would only be using the knowledge from the practicum for history grants and other things related to her position. Supervisor Houghtling stated that the Historian told her that she would be willing to be helpful in any way that the town needed. The Supervisor stated that they would be investing in this knowledge that the Historian will have and is willing to share with the town. The board held a brief discussion and the Supervisor stated that if they approve this the money could come from contingency.

A motion was made by Supervisor Houghtling authorizing the Town Historian to sign up for the Grant Writing Practicum at a total cost of \$495.00. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

CCSO – Contract for Court Security:

Supervisor Houghtling stated that the town contracts with the Columbia County Sheriff's office to provide Court security, they have a new contract for this year and there are no changes from last year's contract, except for the mileage rate being updated to reflect the new federal rate for reimbursement.

A motion was made by Councilmember Anthonisen, seconded by Councilmember Buckenroth and approved unanimously to authorize the Supervisor to sign the agreement.

Little League Contract:

Supervisor Houghtling stated that they have a new contract for the year with no changes other than the dates.

A motion was made by Councilmember Trainor, seconded by Councilmember Gordon and approved unanimously to authorize the Supervisor to sign the little league agreement.

Smoking & Vaping on Town Property:

Supervisor Houghtling stated that they received an email from the Tobacco Free Action of Columbia and Greene Counties.

“Since the Town of New Lebanon adopted a tobacco-free policy for Shatford Park many years ago, there have been some significant changes. First came vaping, which is especially attractive to teens, and has become an epidemic among high school and even middle school students in the last several years. Vaping devices can also be used to consume marijuana and other drugs, a disturbing and growing trend among both teens and adults. Then adult use cannabis was legalized in 2021. Technically, smoking cannabis is prohibited wherever smoking tobacco is prohibited; many towns have wanted to make that rule explicit in parks and other public spaces. We are now offering new signs to municipalities that want to update the tobacco use policy to include vaping and cannabis. Some have also chosen to extend the updated policy to include all town property.”

Supervisor Houghtling stated that they are recommending that the town consider updating our policy to include vaping and marijuana. They have provided sample language if the board does decide to update the town's policy and they provide free signage that can include the Town Seal.

Supervisor Houghtling stated that she thinks it is important as they discuss this that it does not have to be all or none. She stated that there are employees who smoke and vape and they have banned smoking within a certain distance of the Town Hall and designated a smoking area. She stated that it could be something that states a designated area for smoking or vaping in the park as they have done at the Town Hall. Supervisor Houghtling stated that she is for the legalization of marijuana but she thinks because there are kids in the park and you can have second hand marijuana smoke that could potentially impact a child that they should consider banning the use of marijuana in the park. Supervisor Houghtling stated that this is a bigger conversation and the board does not have to pass anything at this meeting but she wanted to get the conversation started and see how the rest of the board feels.

The board held further discussion on the topic of possibly posting areas where smoking and vaping are prohibited such as the playground area, the pavilion, little league fields, basketball, and tennis courts. The board tabled this until next month's meeting.

Internet Request for Highway Garage:

Supervisor Houghtling stated that the highway staff is having trouble communicating with each other due to the poor cell service at the Town Hall. She stated that they tried a cell service extender from Verizon that cost \$200 and it does not reach to the highway garage that well. It did improve their service but they still cannot make calls. Supervisor Houghtling stated that she still wants to keep that because it did improve cell service in the Town Hall. Supervisor Houghtling stated that the highway garage really needs internet. Consolidated gave a price of \$68.98 per month and there are no equipment or installation fees, this was approved by Highway Superintendent Winestock. This was not something that was budgeted for this year, they will have to move money into his budget for this.

Supervisor Houghtling stated that this price of \$68.98 per month is a three-year promotion that is saving \$40.00 per month. For three years it is \$68.98 a month and after that promotion ends the cost will be \$108.98 per month. Supervisor Houghtling stated that the town currently sends approximately \$900 a month for Consolidated, this would increase that. She stated that she thinks it is important that the Highway Department can communicate.

Sharon Powers suggested that the board look into a mesh system. The board along with Sharon Powers held discussion on this option.

A motion was made by Councilmember Anthonisen to authorize the Supervisor to sign the three-year contract with Consolidated pending the consultation with Jean-Georges and looking at a potential competitor cost from Spectrum. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

Switch Supervisor & Assessor Offices:

Supervisor Houghtling stated that she would like to move the Supervisor's office back upstairs. She stated that her predecessor had moved the office upstairs for a multitude of reasons. Supervisor Houghtling stated that she is there pretty much full time. She stated that the Tax Collector and the Assessor are very part-time and they both have a lot of public facing traffic. The Assessor has a lot of seniors that come in and have a hard time going up the stairs. Supervisor Houghtling stated that the Tax Collector's hours and her hours are now conflicting to the point that on Thursdays with Court in session she had nowhere to work. Supervisor Houghtling stated that most people do not come in to see the Supervisor, way more come in to see the Tax Collector, Assessor, Town Clerk, Building Department, and Court. She stated that having those offices on the first floor and accessible to the public is huge. Supervisor Houghtling stated that the Tax Collector and the Assessor have completely opposite hours. She stated that she has checked with both Tammie and Kim and they are both fine with switching. Supervisor Houghtling stated that now that Ashley works in her office, there are two of them in her office and it is not set up for that, they like to face each other while working. They can butt a second desk up to the existing desk in the upstairs office so they can be facing. Supervisor Houghtling stated that if the board approves this today, before next month's meeting they are going to look and see what second desk they would need and see if they can find it second hand. The Supervisor is looking for board approval to switch the offices.

A motion was made by Councilmember Anthonisen, seconded by Councilmember Buckenroth and approved unanimously to approve the switch of offices.

ANNOUNCEMENTS:

MARCH:

Monday, March 20th, 2023 at 6:00pm- Public Input Session (Walkable Downtown)

APRIL:

Tuesday, April 11th, 2023 at 5:45pm – Special Meeting (Interviews)

Tuesday, April 11th, 2023 at 6:00pm- 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. No one in person spoke and there were no emails for POF.

Supervisor Houghtling stated that she did have a second POF emailed to her but it has been withdrawn.

ADJOURNMENT:

A motion was made by Supervisor Houghtling, to adjourn the meeting at 8:33pm. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

Councilmember Buckenroth -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Anthonisen-	Aye

Respectfully submitted,

Marcie Robertson
New Lebanon Town Clerk