

**MINUTES OF THE REGULAR MONTHLY MEETING OF  
THE TOWN BOARD OF THE TOWN OF NEW LEBANON  
HELD ON JANUARY 9, 2024**

**Present:** Tistrya Houghtling, Supervisor  
Elizabeth Kroboth, Councilmember  
Steve Powers, Councilmember  
Craig Skerkis, Councilmember  
Susan Tipograph, Councilmember

**Recording Secretary:** Marsha (Marcie) Robertson, Town Clerk

**Others Present:** Josh Young, Planning Board & QOL Member, Shaker  
Preservation Com., & BEDC Chair  
Sharon Powers, IT Website Support, BEDC & QOL Com.  
Member  
Peg Munves, CAC Co-Chair  
Margaret Robertson, Historic Railroad Comm. Member  
Jim Carroll, Planning Board & ZRC Member (7:16pm)  
Samantha Long, PZ Clerk  
Monte Wasch, Board of Ethics, Planning Board, BEDC,  
Shaker Preservation  
Rae Gilson, BEDC & Shaker Preservation  
Bob Gilson, CAC, CSC, & NY Main St Grant Comm  
John Trainor, LVHS  
Tony Murad, ZBA Chair, ZRC, & NY Main St Grant Comm  
Carol Reichert, Shaker Preservation  
Elizabeth Brutsch, Planning Board Chair, NY Main St  
Grant Comm  
Peter McCagg, Highway Superintendent (7:31pm)  
Jon Tingley, Town Attorney  
Doug LaRocque, The Columbia Paper  
Members of the Public

**CALL TO ORDER:**

The regular monthly meeting was called to order at 6:41pm 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](https://townhallstreams.com/towns/new_lebanon_ny)

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

**MINUTES:**

No minutes for approval.

**FINANCIAL:**

***Supervisor's Report:***

The Supervisor's Report as of December 31, 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 Tipograph to accept the Supervisor's report for December as typed. The motion was seconded by Councilmember Skerkis.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Kroboth -	Aye
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Skerkis -	Aye

**CERTIFICATES OF APPRECIATION:**

Supervisor Houghtling presented Ashley Saviano with a certificate of appreciation for her four years of service to the town as Deputy Town Clerk and Bookkeeper for the Supervisor for a couple of years.

Supervisor Houghtling mentioned the others who are not present; Norman Rasmussen, John Trainor, Deborah Gordon as Town Board members, and Jeffrey Winestock, Highway Superintendent. She will mail their certificates of appreciation.

**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](mailto:supervisor@townofnewlebanon.com) during the meeting.

**Monte Wasch:** Monte spoke against the conceal carry of weapons in the Town Hall. He quoted from the NY State Government website, that "effective September 1<sup>st</sup>, 2022 the possession of a firearm, rifle or shotgun is prohibited in sensitive locations. Under the law, the following are considered sensitive locations: any location owned or under control of the Federal, State, or Local Government for the purpose of government administration including courts." He stated to him, they should not waste their time discussing this.

Monte stated, he has lived in this town for twenty-seven years. People have quoted on social media and demanding special privilege because they have lived in this town for four generations. He does not think that matters. He urges the town board

to think, we live in a representative democracy. A person who has lived here for one month and votes here has the same privilege as a person who has lived here for twenty-seven years, like himself, or for four hundred years, like some of the people in this town have lived here. He stated, he is a seventh generation American, which is a rarity in this country. He spoke to his family's history, and how it does not give him any special privileges as an American. He stated, people can disagree on policy, but let us not argue by saying someone has a special privilege for longevity of living here.

**Mark Baumli:** Mark commented on an agenda item regarding the town taking over a road. Mark spoke regarding Covenant Circle and their efforts to try to get the town to take over that road. Mark referenced a letter written under the administration of prior Supervisor, Mike Benson to Covenant Circle explaining when the town would take that road over. He stated, he is not aware of what these people have these specifications or not, but before the board considers taking over that new road, he hopes the board will look at this letter to make sure that they do meet the specifications, if not Covenant Circle will be knocking on their door again to take over that road. As well as any other road in town that is not currently a town road.

**Nina Kellar:** Nina spoke against the conceal carry weapon on town property. She stated, she is an attorney and these opinions she is expressing are her own. They do not represent any agency or company that she works for, and it does not constitute legal advice. Nina asked which town board member is making the request to be able to carry concealed weapon on town property, Mr. Skerkis. He confirmed. Nina stated, she was directed to a Town Board adopted policy on December 28, 2023 that reiterated that possession of a weapon on town property is prohibited, except the town may permit someone to have a concealed weapon on town property. Nina stated, she finds this fascinating, as previously mentioned, there is a NYS law which prohibits someone from processing a concealed carry weapon on town property. She stated, there are exceptions, but she does not know if Mr. Skerkis falls into any of those exceptions. The exceptions include: a police officer, active military, and a few others.

Councilmember Skerkis responded; he does not believe he falls into any of the exceptions. He stated, he is exercising his request, expecting it will be denied.

Nina continued, NYS law states "that no person, an employee of the town, any person is permitted to carry a concealed weapon on town property. Town property is a sensitive location." Therefore, nobody can bring a concealed weapon with or without a permit onto town property. She stated, it surprises her that the town attorney or any member of the board on December 28<sup>th</sup>, 2023, which came after affirmance, not reversal of the NYS law called the CCIA, Conceal Carry Improvement Act. Nina referenced a case called Bruin out of Rensselaer County which said, people that want to apply for concealed carry weapon cannot be required to show so much. They should be allowed to carry a concealed weapon for their self-

defense on the street or anywhere they want. Out of that case came NYS's CCIA. The NYS CCIA weapons act states, weapons shall not be in sensitive locations. She stated, this board cannot supersede NYS law. Nina stated, this request by a board member exposes this board to litigation, to scrutiny, and to other law suits.

**Dorothy Dooren (Online):** Dorothy spoke regarding comments she submitted months ago to the Town Board on regulating wireless facilities in the town for consideration. The Supervisor responded, stating that she would leave this in the capable hands of Attorney Campanelli and for Dorothy to stay tuned for an announcement of the public input session when the town got to that stage. Dorothy stated, she strongly recommends the Town Board holds public information sessions at the earliest convenience with Mr. Campanelli on his draft regulations for wireless services in the town. There is a pressing need for all stakeholders to be made aware of the rollout of 5G and other wireless services and to be at the table to be heard at this stage when discussions are still ongoing. The sessions will be particularly helpful to newly elected councilmembers who must ultimately make the decision regarding regulation. The question is not whether there is a need for wireless services but how the services will be provided. Attorney Campanelli is uniquely qualified to guide the town in crafting regulations to prevent the irresponsible placement of wireless facilities so the town residents can enjoy the benefits of wireless services while avoiding unnecessary adverse impacts on the town. Attorney Campanelli is also recognized nationally as an expert in defending local governments in lawsuits brought by wireless carriers. Mr. Campanelli was hired last year following a thorough vetting process for a flat fee of \$8,500, this was after and because the town board tabled regulations submitted by the Zoning Rewrite Committee (ZRC) upon recommendations that more expert input was needed. The ZRC was recently asked for comment on Mr. Campanelli's proposal, and writing to the Town Board, the Chair of the ZRC said that for the last two years the work of the committee in wireless facilities has been guided by what he described as "two competing interests." Which is to say, Mr. Campanelli's interest in strengthening codes to prevent the irresponsible placement of wireless facilities was inconsistent with the town comprehensive plan recommendations to increase the number of cell towers. Dorothy stated, it should be clear that preventing the irresponsible placement of wireless facilities is not inconsistent with the comprehensive plan. There is no competing interest here. This adversarial perspective is reflected in the ZRC's recommendations that are against many of the provisions in Mr. Campanelli's proposal. Now it seems the ZRC has the responsibility of working with Mr. Campanelli to revise his proposal. It should be clear that a more impartial perspective is required. She strongly recommends the new town board assume responsibility of working with Mr. Campanelli and hold the public information sessions so that progress can be made to the point where we can finally reach consensus on this matter before 5G facilities are sprouting up on our front lawns.

**Mr. Muadin:** Mr. Muadin stated, the legislative declaration of the open meetings law states that it is essential to the maintenance of the democratic society that the

public business be performed in an open and public manor, and that the citizens of this state be fully aware and able to observe the performance of public officials, attend and listen to the deliberations and decision that go into the making of public policy. The people must be able to remain informed if they are to retain control over those who are their public servants. It is the only climate under which the common well will prosper and enable the governmental process to operate for the benefit of those of created it. The people must be able to remain informed if they are to retain control over those who are their public servants. Following a special meeting of the Town Board, held on April 27<sup>th</sup>, 2023 a unanimous vote was taken to hire nationally renowned attorney Andrew Campanelli to draft a new telecommunications code for the Town of New Lebanon. During the first privilege of the floor at the May 15<sup>th</sup>, 2023 regular meeting of the Town Board, he asked the Town Supervisor what opportunities will there be for Attorney Campanelli to receive spoken and written inquiry from the people of New Lebanon. In answer to his question, the Town Supervisor, promised there will be a public input opportunity. On October 6<sup>th</sup>, 2023 there was a meeting held, not in violation technically, perhaps, of the open meetings law. It might have been, they would have to take it to court to have an article 78 proceeding to let a judge decided that. There was a meeting that was not publicized with a quorum of the Town Board present, the Supervisor, former Councilmember Trainor, and former Councilmember Gordon meeting with Attorney Campanelli and the chairman of the Zoning Rewrite Committee. When things were under former Councilmember Anthonisen there was a mechanism for public participation. The date that Attorney Campanelli was hired, she called and asked if he would continue to be involved. They were promised a public input session where they could hear from this attorney directly, make use of his expertise and they can get all the wisdom, ideas, and insight in this town and bring them to bare from as many people as possible so they can all benefit and share a common vision for where they must be going forward, that has not taken place. The Zoning Rewrite Committee does not have any mechanism in place for public input. He would like this Town Board to provide this community with a public input session directly with Attorney Campanelli, as he has had in communities across the United States.

**Supervisor Houghtling:** The Supervisor stated, the town is following Attorney Campanelli's guidance and process which does include public input, we are just not there yet.

Supervisor Houghtling read the following emails for POF:

1)

*I see that under "New Business" on the agenda there will be discussion of a request to allow concealed carry of firearms on Town Property. I can imagine only two reasons for allowing residents to bring hidden weapons onto town property.*

*First, if we fear that during a future meeting, there might be an invasion of coyotes looking for lunch or bunnies intent on nibbling our toes, then being armed might make sense. I do not believe this risk exists, so this would not be a reason to authorize concealed carry.*

*Second, if we feel that our meetings are so dangerous that we should not attend unless we are armed, then being armed might make sense. I don't believe our meetings are dangerous, so this would not be a reason to authorize concealed carry. Just imagine what the Town Board would be saying about our town if you were to say that residents need to be armed before they can be safe at a Town Board Meeting.*

*At the same time, the risk, even minimal, of either a misfire or a rash decision during an emotionally charged discussion is always present.*

*The Town Board should absolutely not authorize concealed carry on town property at any time.*

*Norman Rasmussen*

*2)*

*Dear Tistrya and Town Board members,*

*I am writing regarding the summer youth program in our town. As the Jr/Sr High School librarian (and parent) I am acutely aware of how important this program is to our town's youth. In a town with zero public transportation and not a lot of options for employment for teens, the SYP provides jobs for a good number of our students. For many, it's their first opportunity to make money and build their resume.*

*As a parent, having a camp in town provided invaluable and convenient support (for me) and experiences for my children. Giving the kids in our community a chance to socialize and play together is vitally important to their well-being. I am so grateful my kids were able to attend the SYP when they were young.*

*Regarding the cost - I was unaware of exactly how much the town subsidized. I hope a solution can be found that keeps it affordable for families that depend on the camp for summer child care. I looked at Chatham's summer camp fee- in 2022 they charged \$200 per child for a 6 week session (9-3) for residents (\$400 for non-residents). That's \$33 (\$66) a week! Additionally, the town of Canaan provides free swim lessons for all residents for 6 weeks of the summer from 10-12. They are discussing extending it to 9 to 12 this summer. New Lebanon is not unique in subsidizing summer youth programs. I hope we will continue to value the children in our community.*

*Lastly, at the Jan 2 meeting I heard a suggestion to solicit college students and ask them to work/intern for free. While they might receive credit needed for college requirements, I think it is irresponsible to not pay young people for work that is hard. It requires attention to detail and caring for the safety of children. And most importantly, in today's economic climate EVERYONE needs a paycheck, especially young adults trying to pay for college. If a college student is in need of a 6 to 8 week volunteer position, that could prove very helpful. However, I would hope the town would want to avoid a situation where different people are volunteering every week - unaware of the campers' needs and unable to build meaningful relationships.*

*Please feel free to share at the board meeting if appropriate and I appreciate all of you for your time and hard work governing out town.*

*Respectfully,  
Britt Buckenroth, Library Media Specialist  
New Lebanon Jr/Sr High School*

3)

*I would like to voice my objection to the open or concealed carry of firearms in Town Hall, both during business hours and at board and other meetings.*

*Feelings often run high when people visit our Town Hall and when feelings run high people can on rare occasions become aggressive or vindictive. This is understandable and acceptable in town discussions but it gives reason to assure all of us who live here that no amount of anger at Town Hall will lead--ever--to violence, particularly gun violence.*

*I believe that permission to carry weapons into town meetings will chill both attendance and forthright speech.*

*It is not too much to ask of our neighbors who own guns that they leave them at home or in vehicles when visiting Town Hall, just as they are required to do in courtrooms and schools, restaurants and bars serving alcohol, and nearly all legislative assemblies in our state.*

*Tom Gerety*

4)

*Dear Town Board Members,*

*At the meeting on January 2, 2024 there was some discussion regarding fees for the Summer Youth Program in New Lebanon, Resolution #8, 2024. I have some comments to add for your consideration.*

*The \$54,000 hole from the Summer Youth Program represents about 5.2% of the tax levy!  
Town poverty level 10%*

*Over 65 21%, not including weekenders*

*Median age 50, not including weekenders*

*SYP Eligible children, about 200 perhaps.*

*SYP Children served about 80, 3.5% of population*

- 1. The proposal to give 20% discount for fee payment by June 5<sup>th</sup> is too high. I propose no discount; a deposit at time of registration to hold the slot, and full payment by some other date. No discount is necessary as it brings no benefit to the town.*
- 2. The fee structure is set such that there is a 25% discount for two kids, a 39% discount for three kids and a 48% discount for 4+ children. This is extremely gracious. I would suggest reducing the discounts to 10, 20, 30%, max.*
- 3. If larger fee reductions are of interest perhaps some grants or donation/ sponsorship programs could be developed.*
- 4. The proposal to waive fees for children of employees and grandchildren of employees could be termed taxpayer abuse. Grandchildren are two generations removed from the town and may not even live in town.*

*Waiving fees for children of town employees is also not appropriate. Employees have jobs that are as good as, or better than, other workers. Why is the town waiving fees for people who have jobs? Town employees need to pay their fees as they are no different from other employed people in town. This might be viewed as a benefit, but only for a select group of employees.*

*Side question: Have employees had their past reported taxable income increased by the full value of their waivers?*

- 5. If the town wants to waive fees, how about for those who have no job? If parent(s) are not employed for 6 months they can send their children free, BUT, they must also put time in working at the camp to cover the costs and earn some money.*

*A last question:*

*How many of you have children or grandchildren who are eligible for this program? You are not employees, but would benefit from the discounts. Does this require recusal?*

*Please consider these comments in your discussions on this subject.*

*Best Regards,*

*Jim Carroll*

*5)*

*Dear Town Board Members,*

*I am writing to express my strong opposition to the proposal to allow concealed carry of firearms on Town Property. I believe that this proposal is unnecessary, dangerous, and irresponsible, and that it would jeopardize the safety and well-being of our town.*

*First of all, there is no valid reason why anyone would need to carry a gun on Town Property. Town Property is not a war zone, but a place where we conduct our civic affairs, access public services, and enjoy our community.*

*Allowing guns on Town Property would create a hostile and intimidating atmosphere, and would increase the risk of accidents, violence, and crime. Moreover, even the federal government bans firearms in certain places, such as federal buildings, courthouses, schools, and airports, recognizing the dangers of allowing guns in sensitive and crowded areas.*

*Secondly, allowing concealed carry of firearms on Town Property would contradict our efforts to enhance security and safety on Town Property. We have had recent discussions about installing bulletproof doors for offices at town hall, which shows that we are concerned about the potential threats and hazards that we face. However, allowing guns on Town Property would undermine this concern, and would expose us to more harm than protection. It would also create legal and financial liabilities for the town, if someone gets injured or killed by a firearm on Town Property. The town could be sued for negligence, wrongful death, or civil rights violations, and could face costly settlements. This would be a waste of our taxpayers' money and resources, and would damage our reputation and credibility.*



*Thirdly, allowing concealed carry of firearms on Town Property would disregard the views and values of our town. I am not alone in opposing this proposal. I believe many of our residents, including myself, are uncomfortable and fearful of the presence of guns in our public spaces. We value peace, civility, and democracy, and we do not want to see our town turned into a place where people feel the need to arm themselves. We also value public participation, transparency, and accountability, and we do not want to go back to having Zoom meetings and not allowing the public to attend for their own safety.*

*Therefore, I urge you to reject the proposal to allow concealed carry of firearms on Town Property.*

*Thank you for your time and attention, and I hope that you will make the right decision for our town.*

*Sincerely, Erminia Rasmussen*

6)

*Good afternoon,*

*I have a few items that I'm hoping can be clarified/answered at Tuesday's meeting. I'm hoping to attend in person but unsure I'll be able to.*

*1. Community Center - what is the plan to fund this project after current monies (from my understanding covid funds) have ended? Are we insuring this facility? Who is liable if an accident occurs in/around the facility? Obviously this space was not built with "community center" in mind. Any plans on additional funding for upkeep, maintenance, heating/ac? Putting monies/time/manpower into a project that may not be funded next year seems like a misuse of our limited resources.*

*2. Can those funds be better used to support funding of the pharmacy? I understand that the town is already funding a piece of that project but, if possible, utilizing these funds would take the additional financial burden off of the community. The pharmacy in addition to the other services they say will be offered, such as mental health is, in my opinion, a better overall return on investment in terms of community wellness.*

*Thank you,  
Katie MacVeigh*

7)

*I fully support the present Firearms and Dangerous Weapons Policy as found on the Town Website. This is an effective response to the out of control use of guns that our country is suffering through. There is no reason to change it.*

*Any move to allow weapons and guns on town property is an action which removes the public's right to safety within our town. It is dangerous political grandstanding and aims to limit our freedom of peaceful assembly.*

*Jeannine Tonetti*

8)

*Dear Board Members.*

*I am writing in opposition to the conceal / carry proposal before the board.*

*I believe in the second amendment.*

*I still own the single shot 20 gauge shotgun my father gave me when I was a boy.  
I also believe that we have the right to keep firearms out of the hands of felons, and I believe  
in other regulations to protect people from the power of guns.*

*This probably puts me at odds with some gun owners.  
But not most.*

*Supreme to my belief in the second amendment is my belief in the first and freedom of speech  
and of unfringed peaceful assembly.*

*I do not think guns should be allowed in places of worship.*

*That would infringe on rights protected under the first amendment.*

*Likewise citizens should be able to visit town hall or the library knowing they can exchange  
ideas and argue about sometimes divisive issues without fear of guns.*

*It is sad enough that we need to lock our schools, places of worship and public buildings  
because we fear a person with a gun who disagrees with us or thinks we are evil will shoot  
us.*

*It makes no sense to put a lock on the door after you have already invited the danger across  
your threshold.*

*I therefore hope that the board will vote to keep guns out of our public buildings.*

*Respectfully,*

*Bill Petrone*

9)

*Both Sal and I are strongly opposed to the very idea of carrying guns to our town meetings.*

*It is dangerous and completely unnecessary. I'm not even sure about the legality of this.*

*That being said, I hope sanity prevails.*

*Hollis Reh*

*Sal Shariff*

10)

*We vote against allowing guns in our municipal buildings — to avoid being gunned down by  
neighbors who cannot engage in civil discourse and use violence instead.*

*Carole Roseman*

*Steven Dono*

11)

*I fully support the recently passed town board policy on weapons. And I am distressed by the  
request by a town board member to be allowed to carry a weapon to town hall. There is good  
reason that NYS regards government buildings as sensitive areas where weapons are not  
allowed. Even if this request is being made in a bid to increase safety, evidence shows that  
the presence of guns only increases the likelihood of violence. We live in partisan times  
with greater potential than ever for anger and misunderstanding. I fear that the presence of  
a gun in town hall will only add to the potential for distrust at a time when we need to  
build more trust.*

*Thank you,*

*Adelia Moore*

**BUDGET AMENDMENT #1 OF 2024:**

Supervisor Houghtling stated, the insurance came in a little higher than planned.

**General Fund:**

- \$ 6,164.00 from A-003917 (Appropriated Fund Balance)
  
- \$ 910.00 to A-1680.41 (New Website)
- \$ 5,254.00 to A-1910.4 (Unallocated Insurance)

A motion was made by Supervisor Houghtling to approve the above noted budget amendment #1 of 2024 as typed. The motion was seconded by Councilmember Skerkis.

Roll Call Vote:

- Councilmember Powers - Aye
- Councilmember Kroboth - Aye
- Supervisor Houghtling - Aye
- Councilmember Tipograph - Aye
- Councilmember Skerkis - Aye

**AUDIT OF BILLS:**

**2024 Bills:**

General Nos. 1 through 30, in the amount of \$52,991.31 and Highway Nos. 1 through 3, in the amount of \$3,998.61; As listed on Abstract No. 1 dated January 9, 2024.

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

Roll Call Vote:

- Councilmember Powers - Aye
- Councilmember Kroboth - Aye
- Supervisor Houghtling - Aye
- Councilmember Tipograph - Aye
- Councilmember Skerkis - Aye

**COMMITTEE/LIAISON REPORTS:**

Supervisor Houghtling stated, committee reports as received to her office by Friday afternoon were sent out to the public and the Town Board. She asked if any board members had any questions or need for clarification on any of the committee reports?

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

**Steve Powers – CSC:** Steve reported the county does the Hazard Mitigation Plan which involves every town. The only way the town qualifies for funding from FEMA for events that happen in town is if we sign onto the Hazard Mitigation Plan from the county. This requires the Supervisor to sign a letter on behalf of the town.

A motion was made by Councilmember Skerkis, seconded by Councilmember Tipograph, and approved unanimously to have the Supervisor sign the letter of intent (LOI).

**OLD BUSINESS:**

***30 Day Liquor License – The Ruins at Sassafras:***

A motion was made by Supervisor Houghtling, seconded by Councilmember Tipograph, and approved unanimously to waive the 30-day requirement on The Ruins at Sassafras Farm Liquor License application.

***Court Clerk & Deputy Court Clerk:***

A motion was made by Supervisor Houghtling, seconded by Councilmember Skerkis, and approved unanimously to appoint Mark Baumli as Court Clerk effective today, valid through December 31<sup>st</sup>, 2024 at a rate of \$17.30 per hour not to exceed 25 hours per week and not to exceed an annual budget of \$22,490, subject to and effective upon receiving the advice and consent of both justices.

A motion was made by Supervisor Houghtling that for the Deputy Court Clerk appointment they follow the Employee Appointment Policy put in place by the Town Board on June 11<sup>th</sup> of 2019, Resolution #21 of 2019, and go out for letters of interest due to the Town Clerk’s office by Friday, February 9<sup>th</sup>, 2024 at 4:00pm with letters of interest due to the Town Clerk’s office. The motion was seconded by Councilmember Tipograph

Roll Call Vote:	
Councilmember Powers -	Aye
Councilmember Kroboth -	Nay
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Skerkis -	Nay

***Community Center Update & Usage Tracking:***

Supervisor Houghtling stated, the Community Center had it is soft opening before the holidays. It is now into its regular hours and the town has twelve months to see it is working, if it is being used. Then there is the potential option to buy the building or build a community center somewhere else with a large capital expense.

The Town Board discussed ways to track the usage; sign in sheets, a monthly report to the board with attendance from the coordinator. Supervisor Houghtling will ask the coordinator to do a sign in sheet and report monthly to the board.

***Introductory LL#8 of 2023 – Self Storage Units – ZRC Response to PH Input & Next Steps:***

Supervisor Houghtling stated, a public hearing was held, there was some public input and the board wanted to hear the ZRC’s comments on the input. The board received the ZRC’s comments. Supervisor Houghtling would like to propose an approach not to send it back to the ZRC because the moratorium is ending in mid-April. The board discussed and agreed to have Supervisor Houghtling and Councilmember Powers go over the ZRC’s comments and report back to the rest of the Town Board.

***Letters of Interest Received for Playground Design Committee:***

A motion was made by Councilmember Skerkis, seconded by Councilmember Tipograph, and approved unanimously to appoint Alia Muadin, Beth LaGrange, Stacey Breads, and Courtney Potter to the Playground Design Committee and leave it open for future letters of interest.

***New Town Website – Timeline, Next Steps & Proposal:***

Supervisor Houghtling reported, Sharon Powers designed a new website for the town, to be launched soon.

Councilmember Powers has recused himself from the website discussion, Sharon is his wife.

Supervisor Houghtling stated, historically the Town Clerk has overseen updating the website. There has been an increase in committees and activity in the town in the last four years making the website a lot more work than it ever used to be. Sharon Powers, who created the website and is familiar with it, has submitted a proposal to take on the day to day updating of the website instead of the Town Clerk. She has proposed a six-month trial period of \$260 a month, based on about one hour a week at her normal rate of \$65 an hour which will replace her current agreement of \$50 a month for website maintenance.

A motion was made by Councilmember Tipograph to approve the proposal from Sharon Powers to maintain the town website postings. The motion was seconded by Councilmember Skerkis.

Roll Call Vote:

Councilmember Powers -	Recused
Councilmember Kroboth -	Aye

Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Skerkis -	Aye

***Town Hall Security:***

Supervisor Houghtling updated, no bids were received for bullet proof door installation, the front door is still locked, and there are employees that feel unsafe and unprotected with unfettered access. Supervisor Houghtling suggested that the Town Board members go and talk to all town hall employees to see how they feel about the building safety. The board agreed.

***Firearms & Dangerous Weapons Policy (clarification):***

Supervisor Houghtling clarified for the record, in one of the privileges of the floors, it was mentioned that Attorney Tingley had prepared the Firearms and Dangerous Weapons policy. The policy was prepared by our HR Attorney, not Attorney Tingley.

***Walkable Downtown – Next Steps & Timeline:***

Supervisor Houghtling reported, the grant application was submitted yesterday.

Councilmember Skerkis requested a copy of the grant application for review. His understanding is that the grant application is going to cost the town \$135,000 to be written.

Supervisor Houghtling responded, she will ask the engineer for a copy and send it out to the Town Board. Supervisor Houghtling clarified; it did not cost anything to have the grant application written. The engineer agreed to write the grant application with the understanding if the town gets the grant, they will be the engineer that gets the project. Supervisor Houghtling stated, if we get the grant and proceed, this board would have to accept the grant if awarded, it is an 80/20 split. The outgoing Town Board made the restriction that \$2.5 million was the max for the project, which would make the town's share \$500,000.

The Town Board asked questions and held discussion.

***Summer Camp Rates & Discussion:***

Councilmember Tipograph stated, at the last meeting, there were issues raised about the cost, fees, and rates of the summer camp and the board decided to investigate what other towns were doing. Supervisor Houghtling reached out to all other towns in Columbia County and cc'd Councilmember Tipograph and Councilmember Tipograph is going to follow up with all the contacts, compile all the findings, and get back to the Town Board with all the details. Tabled for this meeting.

***AOT Annual Meeting in NYC:***

Councilmember Skerkis commented, there is a Newly Elected Officials training in Rochester and Albany that he is unable to attend. There is an annual meeting in NYC, it is too costly for him to attend and stay over in NYC. Councilmember Skerkis is offering to commute via train daily for the training. He is requesting \$150 for the training and \$100 a day for the train round trip, not to exceed \$450.

**TOWN OF NEW LEBANON**

**RESOLUTION # 8, 2024**

**DESIGNATION OF VOTING DELEGATE AND ALTERNATE TO ATTEND THE ANNUAL BUSINESS SESSION OF THE NEW YORK STATE ASSOCIATION OF TOWNS**

**JANUARY 9, 2024**

At the Annual Organizational Meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 NYS Route 22, New Lebanon, New York, duly called and held on the 9th day of January 2024, the following Resolution was proposed and seconded:

Resolution by Councilmember Tipograph  
Seconded by Supervisor Houghtling

***DESIGNATION OF VOTING DELEGATE AND ALTERNATE TO ATTEND THE ANNUAL MEETING OF THE NEW YORK STATE ASSOCIATION OF TOWNS***

BE IT RESOLVED THAT, the Town Board of the Town of New Lebanon duly designates Councilmember Craig Skerkis, to attend the Annual Business Session of the Association of Towns of the State of New York, for the year 2024, to be held on February 18-21, 2024 and to cast the vote of the Town of New Lebanon, pursuant to §6 of Article III of the Constitution and By-Laws of said Association; and

BE IT FURTHER RESOLVED THAT, The Town Board of the Town of New Lebanon further authorizes the payment of the actual and necessary expenses, not to exceed \$450.00 incurred in doing so.

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

Roll Call Vote:

Councilmember Steve Powers	Aye
Councilmember Elizabeth Kroboth	Aye
Supervisor Tistrya Houghtling	Aye
Councilmember Susan Tipograph	Aye
Councilmember Craig Skerkis	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: January 9, 2024

Marcie Robertson, New Lebanon Town Clerk

***Walking Trail Project Next Steps – Shatford Park Grant:***

Supervisor Houghtling reported, the engineer has already designed the walking trails, we already went out to bid, already received and accepted the bid pending getting the grant. Now that we have the grant, she reached out and found out that usually you do not go out to bid or accept a bid until after receiving the grant. Supervisor Houghtling stated, there seems to be a work around, she sent the board an email. Due to having only one bidder, and the bid was made public, they allowed the grantee to stay with the existing bid with an addendum, a post bid addendum, including the supplemental bidding requirements with the EPF language. The contractor will need to sign off on the information, showing they reviewed and accepted the EPF grant requirements. They will also need a letter from the municipalities attorney stating that the addendum is in line with the town's procurement policy.

A motion was made by Councilmember Powers, seconded by Councilmember Tipograph, and approved unanimously except for Councilmember Kroboth who abstained because she works for Darcy Construction to authorize the Supervisor to work with Attorney Tingley, Darcy Construction, and NYS Parks & Rec to finalize all documents required to properly start construction on the walking trails system in Shatford Park.

**NEW BUSINESS:**

***Policy Review – Tabled Until February:***

Supervisor Houghtling stated, she tabled this to give the new board members time to familiarize themselves with the policies.

***Highway Budget Request – Engineering Line:***

Supervisor Houghtling stated, Highway Superintendent McCagg has requested to work with Paul McCreary on a few road issues, this has not been in the highway budget. She stated for now, he is requesting \$2,000. No vote is needed tonight, if the board agrees a budget amendment will be prepared for the next meeting. The board all agreed.

***Highway Superintendent Laptop – Transfer from Supervisor's Office:***

Supervisor Houghtling stated, Highway Superintendent McCagg would like a laptop. She has had IT clear her old bookkeeper's laptop to give to him.

A motion was made by Councilmember Kroboth, seconded by Councilmember Powers, and approved unanimously to transfer the Dell laptop from the Supervisor office inventory to the Highway department inventory.



***Highway Garage – Extend Town Hall Orkin Contract:***

Supervisor Houghtling stated, she is not sure if the quote she received from Orkin was accurate or not, but what she received has an initial service of \$635 and then \$81 a month for pest control services. Highway Superintendent McCagg stated, the highway department will just take care of it themselves for now.

***Road Takeover Request:***

Supervisor Houghtling stated, they have a request from Tony Murad to take over Old Ghost Road. She stated, like Mr. Baumli pointed out in the beginning of the meeting, there are certain specs that must be met. This would have to be an agreement between the Highway Superintendent and the Town Board.

Tony Murad addressed the Town Board. Rick McCarthy presented the board with a proposal and a presentation.

Highway Superintendent McCagg requested a copy of the original plans for the road. Tabled at this time.

***Town Board Member Request to Conceal Carry Weapons on Town Property:***

Councilmember Skerkis stated, per the policy he requested written permission, he spoke to his background. He stated that this is more of a principal thing, he thinks this is unconstitutional.

Councilmember Tipograph stated, there is a town ordinance saying you cannot bring firearms to the Town Hall, there is also a section of the NYS penal code which makes it a class E felony to bring guns to a sensitive location. She discussed NYS law related to this issue. Councilmember Tipograph stated, at this point for the board to vote to allow weapons into the town hall would be a violation of the penal code of NYS.

Councilmember Skerkis stated, he would like to push the limit because he feels it is unconstitutional. He feels the out is to modify the policy. Supervisor Houghtling replied, they cannot do that tonight because the policy was written by the HR attorney. Councilmember Skerkis stated, he wants to retract his letter requesting permission to conceal carry. He requested that the policy be read over, somehow the board has granted themselves authority to provide written permission for people to carry. He stated, Councilmember Tipograph has informed them that is illegal. Supervisor Houghtling replied, no because they could have a police officer working for the town. Discussion continued among the board members. This has been tabled.

***Town Board Member Request to Discuss Planning Board 101:***

Councilmember Skerkis stated, he is just looking to understand and know more about the Planning Board's function. Nothing to do tonight.

***Planning Board Request – Engineering Line & Continued Training:***

Supervisor Houghtling stated, the Planning Board is requesting more training this year and they would like it in their budget. A member has also requested their budget to allow for Paul McCreary to attend their meetings again as he used to do so he can help guide the Planning Board in their reviews from an engineering perspective. The initial request is \$4,000 for the engineer and \$2,000 for the training. The Town Board agreed to both Planning Board's requests and they will be entered into next month's budget amendment.

***2021 Comprehensive Plan Update – Timeline to do Another Update:***

Supervisor Houghtling stated, the Comprehensive Plan is due for an update in September of 2024. They will form a committee to work on an addendum update to the Comprehensive Plan that was done in 2021.

***BEDC Resignations:***

Supervisor Houghtling stated, they pulled Outreach & Marketing out of the BEDC so there are a few resignations from BEDC so these members can focus on the Outreach & Marketing Committee.

A motion was made by Councilmember Skerkis, seconded by Councilmember Tipograph, and approved unanimously to accept the three resignations from the BEDC from Supervisor Houghtling, Sharon Powers, and Erminia Rasmussen.

Councilmember Skerkis verbally expressed his interest in becoming a member of the BEDC.

A motion was made by Supervisor Houghtling, seconded by Councilmember Tipograph, and approved unanimously to make Councilmember Craig Skerkis as the liaison to the BEDC be a voting member of the BEDC.

**ANNOUNCEMENTS:**

***JANUARY:***

***Friday, January 12th, 2024 at 5:00pm- Special Meeting /ZBA Interviews***

***Friday, January 12th, 2024 at 5:15pm- Annual Audit***

***FEBRUARY:***

***Tuesday, February 13th, 2024 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](mailto:supervisor@townofnewlebanon.com) during the meeting.

**Monte Wasch:** Monte commented that he agrees that getting an idea of the traffic at the Community Center is an important way to measure how well it is doing. He stated, the free store should be treated separately.

**Mark Baumli:** Mark suggested that for the sign in sheet for the Community Center, that they get the time they come in and the time they leave and have a spot where they can state why they are there, what part of the Community Center are they utilizing.

Mark asked if they are any other towns in Columbia County that the Town Hall is constantly locked?

Mark commented on the walkable downtown, he has seen the maps. He stated, he walks downtown 3-4 days a week, the biggest problem he has is down around the corner of Rte. 22 going south and Rte20, there is nothing there, and this area is not addressed in the maps. He sees more people walking from that direction to town.

**Peg Munves:** Peg announced, February 10<sup>th</sup>, 2024 at the New Lebanon Library, the CAC and the Library are co-sponsoring a water safety event.

**Margaret Robertson:** Meg asked if the town has thought of a way to possibly assist with a tragedy that is about to happen on Shaker Road, known as Mount Lebanon Shaker Village, Darrow School. She stated, the board of directors will be voting on Saturday, which leaves not time for them to finish raising \$7 million. This would be a great loss to this area. Maybe the town could provide a formal letter of support.

Supervisor Houghtling responded; the town cannot solicit donations.

Meg commented on the concealed weapons concern. It is accurate that you would not know someone is carrying unless shown. Two members of her past board revealed that they were carrying. It is not an uncommon thing and was good that it was discussed.

**Mr. Muadin:** Mr. Muadin commented, he would like everyone to reflect about public input and how important it is. The more people involved, the stronger we are. The less people are involved, the more limited we are in vision, talent, and scope. He stated, the system we have in place now, the people of our town are only allowed to provide public input on a law at the end of the law-making process, at the public hearing. It is just before the law is passed; it is a done deal by then. He feels the people should be involved in every step of creating the laws. He stated, right now, the way things operate with the Zoning Rewrite Committee, because it is an

advisory committee of the Town Board, and apparently does not fall under open meeting law. People can submit remarks, but they cannot go and speak directly. He spoke again regarding telecommunications and they need as much public input as possible, as soon as possible. He encouraged the Town Board, to direct that they meet with Attorney Campanelli as soon as possible and he presents his original vision to the town and everyone gets to hear what he has to say. He thinks this needs to be an all town, all community discussion.

**Supervisor Houghtling:** Houghtling reported, she and Sharon Powers went to the Phoenicia location for the new pharmacy, which is their first non-profit location in the nation. They met with Congressman Molinaro and his office and they had a great meeting. He felt strongly that it will be a prime project for what used to be called earmark and is now CPF funding. They are now working on getting the Congressman's office everything that he needs. There is a very good chance they could get a large portion of the pharmacy's needs covered as a non-profit. This will be the second non-profit pharmacy in the nation.

**Margaret Robertson:** Meg commented regarding the gentleman that just spoke about public hearings and how the Town Board has already decided by the time the public hearing happens. Not true at all, during her time as Supervisor there were two large issues that had public hearings and then put the issues on ice until they revamped what they were going to do and then hold another public hearing and then vote. Supervisor Houghtling commented, that just happened last month with a local law that did not pass.

#### **ADJOURNMENT:**

A motion was made by Supervisor Houghtling, to adjourn the meeting at 9:05pm. The motion was seconded by Councilmember Kroboth.

#### Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Kroboth -	Aye
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Skerkis -	Aye

***Respectfully submitted,***

Marcie Robertson  
New Lebanon Town Clerk