

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON DECEMBER 12, 2023**

Present: Tistrya Houghtling, Supervisor
Norman Rasmussen, Councilmember
Deborah Gordon, Councilmember
John Trainor, Councilmember
Susan Tipograph, Councilmember

Recording Secretary: Marsha (Marcie) Robertson, Town Clerk

Others Present: Ted Salem, ZBA Member & ZRC Chair
Sharon Powers, IT Website Support, BEDC & QOL Com.
Member
Steve Powers, CAC & ZRC Member & CSC Chair
Jim Carroll, Planning Board & ZRC Member
Ed Godfroy, LVPA & NL Rep to Emergency Mgmt.
Erminia Rasmussen, BEDC Member
Margaret Robertson, Historic Railroad Depot
Bruce Shenker, CAC & NL Rep to CC Env Mgmt. Council
Joe Ogilvie, Recreation Commission & Historic Railroad
Depot
Doug LaRocque, The Columbia Paper
Members of the Public

CALL TO ORDER:

The regular monthly meeting was called to order at 7:55pm 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 held, followed by the flag salute. The emergency exits were pointed out.

MINUTES:

The minutes of the **November 9, 2023 Public Hearing on 2024 Town Budget, November 9, 2023 Public Hearing on 2024 CRS Agreement, and November 9, 2023 Public Hearing on 2024 LVPA Agreement**, of the Town Board were reviewed.

A motion was made by Councilmember Trainor, seconded by Councilmember Tipograph, and approved unanimously, except for Supervisor Houghtling who abstained, to accept the three sets of minutes as typed.

FINANCIAL:

Supervisor's Report:

The Supervisor's Report as of November 30, 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 November as typed. The motion was seconded by Councilmember Gordon.

Roll Call Vote:

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

William Banker: Mr. Banker expressed his concerns with the Town Board approving the bullet proof door bids and proceeding with the installation and purchase of the doors. He stated, at the last few meetings there have been conflicting reasoning for the need of the doors. The first meeting was due to a result of an incident that occurred at the town on or around September 5th. He stated, at November's meeting he attempted to get clarity regarding the necessity of bullet proof doors and the large expense it would place on taxpayers. He stated, the Town Board failed to provide details of the recent incident that was mentioned at October's meeting. Instead, it created a new reason that was not mentioned in the last meeting. At November's meeting, Meg Robertson mentioned that there had been an incident many years ago in the court. He stated, he finds it concerning that the reasoning for the need for these doors has changed from one reason to another between meetings. He questioned the reasoning for the doors in October and the reasoning changed in November, what happened to the original incident, and why have not any board members asked for more information regarding the incident to decide for themselves and the taxpayers what the best decision would be for the town. Mr. Banker stated, the Town Board is supposed to represent the citizens of this town, communication with residents to make decisions that represent the interest of the residents, not the interest of the Town Supervisor, Deputy Clerk, or the board alone. He continued to direct the board to write down his questions, and

for each member of the board to individually address the questions in writing and deliver to the incoming board and himself before the next board meeting.

Mr. Banker, stated he would like to enlighten the incident that was mentioned at a previous meeting. He stated, that he is the individual that was mentioned regarding an incident that brought the security to discussion. He stated, there was no incident other than he came to renew a dog license. At that time, he informed the town, the Deputy Clerk, Town Supervisor, Court Clerk, and other officials are aware that he has a restraining order against the dog control officer, his ex-wife. He stated, he let the Clerk's office know that the restraining order was violated by sending a piece of mail with the dog control officer's name on it. He stated, that was the incident, no threats were made other than to sure to town for violating his civil rights by not allowing him in the town offices to conduct official business. He stated, there were no threats made that day and that the video recorded his interaction with the town that day. Mr. Banker continued to talk about the incident and the need for bullet proof doors all over a personal matter and it is a fraud scheme.

Henry Villegas: Henry asked questions of the board regarding the bullet proof doors.

Supervisor Houghtling: The Supervisor responded, and explained POF was for individuals to address the board, not for questions. She did not have the answers on hand to the questions being asked, she asked him to email his questions to her then she can get the answers and get back to him.

Mr. Muadin: Mr. Muadin spoke in favor of the new business agenda item #9, tree issues in the park. He has reviewed the quote and feels that for work that needs to be done, it looks like a reasonable fee.

There were no emails received.

OLD BUSINESS:

Pavilion Kitchen Changes:

Supervisor Houghtling requested to discuss the pavilion kitchen changes before the budget amendment and bills. She had been waiting on the contractor to get the board the numbers, this item should be closed out with this year's budget. There were changes to the pavilion kitchen project during construction. The engineer worked with the contractor and the total increased from the amount previously approved to \$2,807.04. This was added into the budget amendment, pulling it from the litigation attorney line into the pavilion kitchen line. The board agreed to add this into the budget amendment and add onto the bills to be approved.

A motion was made by Councilmember Tipograph, to approve change order #2 on the pavilion kitchen renovation as prepared by the engineer and authorizing the Supervisor to execute it. The motion was seconded by Councilmember Gordon.

Roll Call Vote:

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

BUDGET AMENDMENT #11 OF 2023:

General Fund:

\$ 6,343.00	from A-1420.42 (Attorney: Cont. Exp.- Litigation)
\$ 2,065.00	from A-1990.4 (Contingent)
\$ 3,000.00	to A-1420.4 (Attorney – Cont. Exp. - Retainer)
\$ 949.00	to A-1440.4 (Engineer – Cont. Exp.)
\$ 2,808.00	to A-7140.43 (Pavilion Kitchen)
\$ 370.00	to A-3120.4 (Constable – Cont. Exp.)
\$ 1,281.00	to A-8797.41 (CSC EV Electricity)

Highway Fund:

\$ 1,127.00	from DA-5110.4 (General Repairs – Cont. Exp.)
\$ 1,127.00	to DA-5130.4 (Machinery – Cont. Exp.)

A motion was made by Supervisor Houghtling to approve the above noted budget amendment #11 of 2023 as typed. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

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

AUDIT OF BILLS:

2023 Bills:

General No. 469 through 470, in the amount of \$2,876.00;
As listed on Abstract No. 11A dated December 12, 2023.

General Nos. 471 through 518, in the amount of \$79,550.46 and
Highway Nos. 156 through 173, in the amount of \$38,479.04; and
Escrow No. 18, in the amount of \$850.00;
As listed on Abstract No. 12 dated December 12, 2023.

Supervisor Houghtling stated, she did not get a chance to look over all the bills, she will be abstaining.

A motion was made by Councilmember Tipograph to pay the bills as amended. The motion was seconded by Councilmember Gordon.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Abstain
Councilmember Trainor -	Aye
Councilmember Tipograph-	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?

CSC – Steve Powers, Chair reported, the CSC approved the Annual Progress Report, Organic Management Plan, and Climate Action Plan for Government Operations and is looking for the Town Board’s approval tonight.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor, and approved unanimously to accept the Annual Progress Report as presented by the Climate Smart Task Force.

A motion was made by Supervisor Houghtling, seconded by Councilmember Tipograph, and approved unanimously to adopt the Organic Management Plan as prepared by the Climate Smart Task Force.

A motion was made by Supervisor Houghtling, seconded by Councilmember Tipograph, and approved unanimously to adopt the Climate Action Plan for Government Operations as presented by the Climate Smart Task Force.

LVPA - Ed Godfroy announced that the last LVPA meeting of 2023 will be 12/27/2023.

QOL – Supervisor Houghtling, Chair reported that the Health & Wellness Day was a phenomenal event with a great turnout.

OLD BUSINESS:

Community Center Update:

Supervisor Houghtling reported that she and Ed Godfroy have signed the MOU that was approved in September. They are waiting for the building to be ready. The Free Store has been moved from the Town Hall to the old LVPA location, she thanked everyone who helped and a special mention to Alissa Ross for everything she does. She stated, they are hoping to open the weekend before Christmas.

The board discussed the age guidelines for kids in attendance without adult supervision.

A motion was made by Supervisor Houghtling, seconded by Councilmember Tipograph, and approved unanimously that the Community Center allows that any children 12 and up may be there unsupervised, under 12 must be with someone over 18 and older.

Rob Long, Community Center Coordinator will be working on a disciplinary protocol for the center. He will present the rules to the board in January.

Depot Committee – MOU Ideas:

Supervisor Houghtling stated, the town is waiting to get a recommendation from the committee.

Adoption of Introductory LL#8 of 2023 – Self-Storage Units:

Supervisor Houghtling stated, the board received feedback from the Planning Board. The County Planning Board is good to go. The Town Planning Board did make a recommendation, and Ted Salem, ZRC Chair gave input to the Town Board. The Town Board held discussion.

The Town Board agreed to table this Introductory Local Law at this time.

Adoption of Introductory LL#9 of 2023 – FOIL Appeal Officer:

Supervisor Houghtling stated, this came about at the recommendation of the town attorney. The FOIL appeal process gives a limited amount of time that the FOIL appeal body or officer must respond, and it could sometimes be impractical to get a quorum of a board together within the timeframe allowed. Supervisor Houghtling stated, since she has been in office, any FOIL appeal has been guided by the attorney. The board held discussion.

A motion was made by Supervisor Houghtling to enact Introductory Local Law No. 9 of 2023 as Local Law No. 9 of 2023. The motion was seconded by Councilmember Tipograph.

Roll Call Vote:

Councilmember Rasmussen -

Aye

Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Trainor -	Aye
Councilmember Tipograph-	Aye

Renovation of Old Splash Pad:

Supervisor Houghtling stated, at last month’s meeting they decided to not go forward with the new splash pad and to have Paul McCreary investigate renovating the old splash pad to make it safe and usable. Paul looked at it and has some ideas to make it able to be used again. Paul reported to the board that it is doable and gave the board suggestions to renovate the existing splash pad. Paul’s fee includes a preliminary and a final design, bid services, construction administration, project closeout, and a report on the project for a total estimated fee of \$6,000.

Supervisor Houghtling stated, if they accept Paul’s quote and move forward with him designing it, they can encumber the current splash pad budget into 2024 and go out to bid with Paul’s specifications when they are prepared and do the work with the money already budgeted for the new splash pad.

A motion was made by Supervisor Houghtling to hire Paul McCreary to design and oversee a renovation to the existing water feature and accept his quote of \$6,000.00 for the total project cost. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

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

Installation of Bulletproof Office Doors with Access Window – Bids Received:

Supervisor Houghtling stated, they did not receive any quotes to install bulletproof doors. They will not be purchasing the doors at this time.

Job Description Updates – PZ Clerk & Town Supervisor:

Supervisor Houghtling stated, at the last meeting the board took the Compensation Plan and made it the Performance Management Policy. The board also approved updating all the job descriptions as one of the addendums to that policy. The new starting rates based on the COLA for the 2024 budget were updated.

The job description for the Building/Planning/Zoning Clerk became the Planning/Zoning Clerk at the beginning of 2023 and the job description was not

updated at that time. Supervisor Houghtling stated, in making this change she realized the Land Use Administrator took on the Building Department clerical role, so she updated the job description accordingly.

The job description for the Town Supervisor was amended because they budgeted for the Supervisor to become full time in 2024 and to eliminate the bookkeeper position which was created to make that office full time.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor, and approved unanimously to adopt all three updated job descriptions; Town Supervisor, Land Use Administrator, and Planning/Zoning Clerk as typed.

Walkable Downtown Grant Application Update:

Supervisor Houghtling stated, they have submitted a preliminary application and are waiting for feedback from DOT. They need to get letters of support for the final application that is due around the new year.

Resolution RE Jeff Winestock Health Insurance Continuation & Cell Phone Reimbursement Request:

Supervisor Houghtling stated, at a previous meeting, the Town Board agreed to budget in for Jeff Winestock to continue to receive a single plan on the current CDPHP Health Insurance Plan that he is on.

**TOWN OF NEW LEBANON
RESOLUTION #28, 2023
RESOLUTION TO COVER HEALTH INSURANCE FOR JEFFREY WINESTOCK
DECEMBER 12, 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 12th day of December 2023, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling

Seconded by Councilmember Trainor

Non-Precedent Setting Offer to Cover Jeffrey Winestock's Health Insurance as a Direct Response to His Dedicated Service to the Town for the Last 38 Years

WHEREAS, Jeffrey Winestock has worked in the highway department for the Town of New Lebanon for 38 years; and

WHEREAS, Jeffrey Winestock lost his bid for re-election as Highway Superintendent in November of 2023; and

WHEREAS, the incoming Highway Superintendent Peter McCagg would like Jeffrey Winestock to stay on as a part-time on call employee for the highway department to assist in the transition and Jeffrey Winestock has agreed to work for the Town of New Lebanon highway department as a part-time on call employee starting 1/1/2024; and

WHEREAS, the Town Board would like to offer Jeffrey Winestock health insurance coverage for as long as he is an employee of the Town until he becomes eligible for medicare; and

NOW, THEREFORE, BE IT RESOLVED, that starting 1/1/2024 and ending when he stops working for the Town or on 11/29/2026, whichever occurs first, the Town of New Lebanon will pay 100% of the health insurance premium for Jeffrey Winestock for a single plan on the CDPHP plan and a single plan on the delta dental plan that he is currently enrolled in as an offer that is non-precedent setting and a direct response to his dedicated service with the Town of New Lebanon for the last 38 years.

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

Roll Call Vote:

Councilmember Norman Rasmussen	Aye
Councilmember Deborah Gordon	Aye
Supervisor Tistrya Houghtling	Aye
Councilmember John Trainor	Aye
Councilmember Susan Tipograph	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: December 12, 2023

Marcie Robertson, New Lebanon Town Clerk

Supervisor Houghtling stated, Highway Superintendent Winestock reached out to Town Clerk Robertson and asked about his cell phone. Supervisor Houghtling stated, the town cell phone policy is that full-time highway department employees, the Highway Superintendent and certain other elected or appointed officials who need to use their phone in the capacity of their work, either get a town paid cell phone or they receive a \$25 a month cell phone reimbursement. Supervisor Houghtling stated the average monthly cost for Jeff's cell phone is \$45.18.

Supervisor Houghtling commented that as Highway Superintendent, Jeff did not allow his number to go out to the public and would get upset if someone got his number. In her experience, he is not great at calling people back. Her potential concern is that they pay \$45 a month for a cell phone that is non-precedent setting, not in line with the cell phone policy, and he may not be responsive via that cell

phone. She stated, the work that the newly elected Highway Superintendent will be calling on Jeff for will not be on an emergent basis as in Jeff's role as Highway Superintendent.

The board held discussion and the board agreed that they do not want to continue to pay for Jeff's cell phone.

A motion was made by Supervisor Houghtling that as of 1/1/2024, Jeff Winestock may have the town owned cell phone that is in his possession and that he can transfer the phone number into an account in his name. The motion was seconded by Councilmember Tipograph.

Roll Call Vote:

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

Pavilion Kitchen Change Orders:

Supervisor Houghtling stated, her husband is the fire chief, she is going to recuse and leave the room at 7:19pm.

NEW BUSINESS:

Policy Review – Personnel Policy, Workplace Violence Prevention Policy, FMLA Policy & Complaint Procedure Regarding Discrimination & Harassment:

Personnel Policy:

Supervisor Houghtling stated, there are not a lot of changes to the personnel policy. It is more of incorporating the cell phone and key policies into the personnel policy. There are still two more policies to be incorporated into the personnel policy. The Town Board tabled this until the year-end meeting.

Complaint Procedure Regarding Discrimination & Harassment:

Supervisor Houghtling stated, the federal law has changed and there will be an update. The board tabled this to the year-end meeting.

Workplace Violence Prevention Policy, FMLA Policy

Supervisor Houghtling stated, and the board agreed no changes to be made.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor, and approved unanimously to mark the Workplace Violence Prevention Policy and the FMLA Policy as reviewed with no edits.

Columbia-Greene Humane Society 2024 Contract:

Supervisor Houghtling stated, we contract with them for the boarding of dogs whose owners we cannot locate. Their fee structure has changed for 2024, \$40.00 per dog per day for the first 10 days of housing. On the 11th day of housing, it will be assumed that the dog will not be redeemed by an owner and will become the responsibility and custody of the Humane Society, and a flat charge of \$350.00 will then be added to cover all services beyond the first 10 days.

A motion was made by Councilmember Trainor, seconded by Councilmember Tipograph, and approved unanimously to authorize the Supervisor to enter into the agreement between the Columbia-Greene Humane Society and the Town of New Lebanon for 2024.

Overpayment for Part-Time Salaried Position for 2023:

Supervisor Houghtling stated, after talking to the town attorney, the board must hold an executive session and this is something the board should not discuss publicly.

\$500K Shatford Park Grant for Playground & Walking Trails – Next Steps:

Supervisor Houghtling stated, the town will be getting a \$500,000 park grant for the park to be used for a new accessible playground and a walking trail system. The walking trail has already been designed by Paul McCreary and bid on by Darcy Construction. The bid was already accepted pending getting the grant money. Nothing needs to be done other than getting it on Darcy's schedule. Tistrya has already communicated with them. The playground needs more work and the Supervisor would like a committee to work on this project. Supervisor Houghtling stated, she did get quotes from Paul McCreary to oversee the walking trail system installation. He has been paid for the design but not for the installation. Supervisor Houghtling wants to hear from NY State what flexibility there is within the budget to be allocated to each of the projects. There is a total of \$625,000 available with the town's 25% match in the budget. At this time, the Supervisor would like to get a committee together before moving forward.

A motion was made by Supervisor Houghtling, seconded by Councilmember Tipograph, and approved unanimously to go out for letters of interest for a Playground Design Committee with letters of interest due to the Town Clerk's office by 4:00pm on January 5th, 2024, and ask that the Town Clerk advertise the notice.

Agreement with County RE Annual Employee Training:

Supervisor Houghtling stated, Councilmember Rasmussen pointed out that the Purchasing Policy that states if a cost is under \$500, the department head has discretion. \$500 to \$2,500, the Supervisor has discretion. Over \$2,500 must come to the Town Board for approval. This \$50 cost for training is under first threshold. Supervisor Houghtling stated, because this is a contract and she thought it needed

board approval to enter. She stated, she checked with the town attorney, if the contract does not have any indemnification, hold harmless language the department head or Supervisor does not need approval to sign the contract for the service. No action needs to be taken on this agenda item.

2024 Town Insurance Renewal:

Supervisor Houghtling stated, this must be tabled to the year-end meeting.

Schedule Annual Organizational Meeting for January 2nd:

Supervisor Houghtling stated, the swearing in will be done right before the Annual Organizational meeting.

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon, and approved unanimously to schedule the Annual Organizational Meeting on January 2nd, 2024 at 6:00pm and ask the Town Clerk to advertise accordingly.

2024 Shared Services Agreement – Columbia County MIS for IT Services:

A motion was made by Councilmember Tipograph, seconded by Councilmember Gordon, and approved unanimously to authorize the Supervisor to sign the agreement between Columbia County MIS and the Town of New Lebanon for IT Services.

Tree Issues in Park – Quote & Next Steps:

Supervisor Houghtling stated, the tree issues in the park does not really need board approval but she was not sure how much the quote would be. Don Sears, Park Maintenance Supervisor went to Cassidy Tree Service and told him there were dangerous trees that need to be taken care of right away. Not more than one quote was needed because it is only \$1,000. Per Supervisor Houghtling, Cassidy recommends that we have someone come in and do an evaluation of the trees in the park. Supervisor Houghtling stated, she does not think the town will have to go out to bid because it will not be over the \$35,000. Association of Towns basically said it would be a public works contract. Supervisor Houghtling will discuss Cassidy submitting a proposal.

Bank Reconciliation Policy Amendment:

Supervisor Houghtling stated, in the initial policy, the town attorney exempted the Court. Attorney Tingley did more research and found that the Town Board can require the Court to comply with the policy. Nothing in the policy has changed except removing the Court exemption.

At a regular 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 12th day of December, 2023, the following Resolution was proposed and seconded:

Resolution by Councilmember Tipograph
Seconded by Councilmember Trainor

AMENDMENT TO BANK RECONCILIATION POLICY

WHEREAS, the Town Board of the Town of New Lebanon deems it to be in the public interest to ensure that relevant Town departments and officials having control or authority over Town bank accounts perform and prepare on a timely basis bank reconciliation of those accounts over which such departments and officials have control or authority;

WHEREAS, the Town Board of the Town of New Lebanon adopted a bank reconciliation policy on February 14, 2023, and now wishes to amend the policy;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of New Lebanon hereby approves and adopts the amended version of the Town of New Lebanon Bank Reconciliation Policy, a copy of which is annexed hereto; and

BE IT FURTHER RESOLVED, that the Town of New Lebanon Bank Reconciliation Policy shall govern all departments and officials having control and authority over any Town bank account.

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

Roll Call Vote:

Councilmember Norman Rasmussen	Aye
Councilmember Deborah Gordon	Aye
Supervisor Tistrya Houghtling	Aye
Councilmember John Trainor	Aye
Councilmember Susan Tipograph	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: December 12, 2023
Marcie Robertson
Town Clerk
Town of New Lebanon

Fair Housing Policy Recommendation:

Supervisor Houghtling stated, she and Elena have been working all year on town policies to make sure the town has all the policies that are required. One of the policies that the town needed to adopt was a Fair Housing Policy. Elena prepared the policy:

Town of New Lebanon Fair Housing Policy

POLICY:

Pursuant to the Federal Fair Housing Act (42 U.S.C. § 3601 et seq.) and the New York State Human Rights Law (Executive Law Article 15), it is the policy of the Town of New Lebanon ("Town") to ensure equal opportunity in housing for all persons regardless of race, color, religion, national origin, sex, disability, familial status, age, marital status, military status, sexual orientation, gender identity or expression, lawful source of income, status as a victim of domestic violence or any other legally-protected class.

PURPOSE:

To ensure fairness in equity and access to housing to the Town's residents without regard to race, color, religion, national origin, sex, disability, familial status, age, marital status, military status, sexual orientation, gender identity or expression, lawful source of income, status as a victim of domestic violence or any other legally-protected class.

PROCEDURE:

The Town shall comply with its obligations under the Federal Fair Housing Act and the New York State Human Rights Law as it relates to fair housing.

The Town shall prohibit discrimination (as provided for by federal and state law) on the basis of the above-enumerated protected classes, in the sale, rental and lease (including but not limited to any terms, conditions or privileges thereof, such as applications for housing, advertisements for housing, financing of housing, provision of brokerage services, etc.) of covered housing.

Further, and to the extent applicable under federal and state law, the Town shall provide a reasonable accommodation to rules, policies, practices or services, when such accommodation may be necessary to afford a qualified individual with a disability equal opportunity to the use and enjoyment of a dwelling.

Lastly, the Town shall not interpret nor enforce housing policies, including zoning decisions, in a discriminatory manner, in a manner that restricts or denies equal housing opportunities on the basis of any of the above-enumerated protected classes or in a manner that violates federal and state fair housing laws.

Any person alleged to have been aggrieved by a discriminatory practice as it relates to fair housing in the Town may make a complaint to the Town Supervisor, and such complaint shall be promptly investigated. Individuals who file a complaint pursuant to this policy shall be protected from retaliation. Further, the Town shall not coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of any right guaranteed by the federal and state fair housing laws or this policy.

Nothing in this policy shall be construed to limit an individual's right to file a complaint with any other federal or state governmental agency relative to federal and state fair housing laws, including the United States Department of Housing and Urban Development, United States Department of Justice, the New York State Attorney General's Office or the New York State Division of Human Rights.

4865-6841-8911, v. 1

A motion was made by Supervisor Houghtling, seconded by Councilmember Tipograph, and approved unanimously to adopt the Fair Housing Policy as drafted.

ANNOUNCEMENTS:

DECEMBER:

Thursday, December 21st, 2023 at 1:00pm - Special Meeting (Interviews)

Thursday, December 28th, 2023 at 2:00pm – Year End Meeting

JANUARY:

Tuesday, January 2nd, 2024 at 5:30pm – Swearing in of Elected Officials

Tuesday, January 2nd, 2024 at 6:00pm – Annual Organizational Meeting

Tuesday, January 9th, 2024 at 6:00pm – Regular Town Board 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.

Erminia Rasmussen: Erminia asked how the \$500,000 grant money for the park is distributed and when does the distribution start?

Supervisor Houghtling responded she has not had the meeting with NY State yet which is where she will get all the details. Typically, you pay and then get reimbursed.

Margaret Robertson: Meg reported that the Depot Committee is waiting for the MOU information to come from the Supervisor.

Supervisor Houghtling responded, at the second meeting, Fiona told her the Depot Committee was waiting on the Supervisor and Supervisor Houghtling responded and clarified that she is waiting on the Depot Committee. She is willing to draft the MOU but she needs the information that they want in the MOU from the committee.

Meg reported that they received an estimate of about \$2,000 to clean up the property and clear brush from Cassidy Tree Service. They are working on getting quotes to stabilize the foundation, spot repairs on the roof, and the possibility of installing a fence around the property.

Elizabeth Kroboth: Liz suggested that the notice for the Playground Design Committee be inclusive to all community members.

Liz requested, as an incoming Town Board member and an insurance professional, she would like to look over and review the renewing 2024 town insurance.

Henry Villegas: Henry commented about the bridge on County Route 9 and the heavy traffic that goes over it. He has seen under the bridge and stated that the bridge is in bad shape.

Mr. Muadin: Mr. Muadin thanked officials for their services. He agreed with the tabling of Introductory Local Law #8 of 2023. Mr. Muadin commented on the process of public hearings for introducing local laws and the Zoning Rewrite Committee.

EXECUTIVE SESSION:

A motion was made by Supervisor Houghtling to enter Executive Session to discuss two employees, their medical, financial, credit or employment history of a particular person/corp., or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

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

Supervisor Houghtling commented that she cannot guarantee it, but there may be action after the Executive Session.

A motion was made by Supervisor Houghtling to exit the Executive Session at 10:09pm. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

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

Supervisor Houghtling stated, the board is not taking any action.

ADJOURNMENT:

A motion was made by Supervisor Houghtling, to adjourn the meeting at 10:09pm. The motion was seconded by Councilmember Rasmussen.

Roll Call Vote:

Councilmember Rasmussen -	Aye
Councilmember Gordon -	Aye

Supervisor Houghtling -
Councilmember Trainor -
Councilmember Tipograph-

Aye
Aye
Aye

Respectfully submitted,

Marcie Robertson
New Lebanon Town Clerk

Draft