

TOWN OF NEW LEBANON
RESOLUTION NO. _____

A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF CONSIDERING A PROPOSITION FOR THE APPROVAL OF A BOND RESOLUTION DATED OCTOBER 8, 2024 AUTHORIZING THE CONSTRUCTION OF APPROXIMATELY 6066 LINEAR FEET OF PEDESTRIAN PATHWAYS ALONG PORTIONS OF US ROUTE 20 AND NYS ROUTE 22, AND RELATED IMPROVEMENTS, AND THE ISSUANCE OF SERIAL BONDS FOR SUCH PURPOSE

WHEREAS, on October 8, 2024, the Town Board of the Town of New Lebanon, Columbia County, New York (the "Town") has adopted a bond resolution (the "Bond Resolution") entitled "BOND RESOLUTION DATED OCTOBER 8, 2024; BEING A RESOLUTION AUTHORIZING THE CONSTRUCTION OF APPROXIMATELY 6066 LINEAR FEET OF PEDESTRIAN PATHWAYS ALONG PORTIONS OF US ROUTE 20 AND NYS ROUTE 22, TOGETHER WITH RELATED IMPROVEMENTS FOR PEDESTRIAN ACCESS, DRAINAGE, AND RELOCATION OF CURBS AND UTILITIES, AND INCLUDING RELATED ACQUISITION AND SITE WORK, AT AN ESTIMATED MAXIMUM COST OF \$2,499,146 AND WITH A PERIOD OF PROBABLE USEFULNESS OF TEN YEARS, AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF NEW LEBANON, COLUMBIA COUNTY, NEW YORK, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$499,830 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE A PORTION OF THE COST THEREOF, AND APPLICATION OF PROCEEDS OF A NYS DOT TAP GRANT IN THE AMOUNT OF UP TO \$1,999,316 TO PAY OR REIMBURSE A PORTION OF THE COST THEREOF, DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR", subject to approval by the qualified voters of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of New Lebanon as follows:

SECTION 1. The Town Board hereby authorizes and directs that a special election of the qualified voters of the Town shall be held at the designated polling places for the Town, that being for Election Districts 1 and 2, the Immaculate Conception Meeting Hall, 732 US Highway 20, New Lebanon, New York 12125, on January 21, 2025, between the hours of 8:00 a.m. and 8:00 p.m. [being at least six consecutive hours between 8:00 o'clock a.m. and 8:00 o'clock p.m.] for the purpose of voting on the approval of the Bond Resolution. Those who are qualified to vote on the proposition are registered voters of the Town of New Lebanon who shall have resided in said Town for the period of thirty (30) days next preceding such election.

SECTION 2. The Town Clerk is hereby ordered and directed to prepare the form of ballots which shall be in substantially the form set forth at Exhibit A, and to submit the same to the County Board of Elections.

SECTION 3. The Town Clerk shall cause notice of such special election in substantially the form attached as Exhibit "A" to be published in The Columbia Paper, being a newspaper published in Columbia County and having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, not less than 10 days prior to the date fixed for the special election. In addition, the Town Clerk shall post or cause to be posted a notice on the sign board of the Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law at least 10 days prior to the election.

SECTION 4. A special registration date shall be held on January 11, 2025 [being 10 to 15 days prior to the election date], at the New Lebanon Town Hall, located at 14755 Route 22 North, New Lebanon, New York, at which time and place the Board of Registration designated by the Town Board shall accept applications for special registration between the hours of 4:00 p.m. and 8:00 p.m. [being at least 4 consecutive hours between 12:00 p.m. and 9 p.m.]. Notice of such special registration shall be published at least ten (10) days prior to the special registration date in The Columbia Paper and posted on the sign board of the Town Clerk and in at least 5 conspicuous places around the Town. The Town Clerk, prior to the first meeting of such Board of Registration, shall obtain from the Columbia County Board of Elections of the list of names and addresses of all voters registered with such County Board of Elections on or before the twenty-third day before such special election.

SECTION 5. The resident electors of the Town designated at Exhibit B, being persons on the list of election inspectors and ballot clerks previously designated by the County Board of Elections for general election purposes, pursuant to the Election Law, are hereby appointed to act as election inspectors and ballot clerks for each polling place at which the special election is to be held and shall constitute the Board of Election for the special election.

The special election shall be conducted, the votes canvassed, and the results certified and returned so far as practicable be in the manner prescribed by the Election Law. In accordance with Section 82 of the Town Law, upon the closing of the polls, the Board of Election shall proceed to canvass the votes thereat and shall complete such canvass without adjournment. As soon as possible after completion the Board of Election shall file with the town clerk a certificate setting forth the holding of the election, the total number of votes cast, and the number of votes cast for and against the proposition, together with the name and address of every person voting at such election upon such proposition.

The election inspectors shall be compensated in the amount set forth at Exhibit "B" for their services in and attendance at the special election. The members of the Board of Registration shall be compensated in the amount set forth at Exhibit B for their services in connection with the Special Registration Date.

In case any of the members appointed herein are unable or refuse to assume or perform the duties required of them, this Town Board will appoint alternates who are resident electors. If clerical help is deemed necessary, this Town Board will consider the appointment of such clerical persons upon request of the Chair of the Town Board of Elections.

SECTION 6. The Town Clerk is authorized and directed to prepare and make available absentee ballots and early mail ballots in the manner required by law, to arrange for delivery and availability of voting machines to the extent practicable, to arrange for availability of machine custodians, and to take all other actions necessary to the conduct of the election as required by law.

SECTION 7. This resolution shall take effect immediately.

EXHIBIT A
Form of

NOTICE OF SPECIAL ELECTION,
REGISTRATION OF VOTERS AND
AVAILABILITY OF ABSENTEE AND EARLY MAIL BALLOTS
TOWN OF NEW LEBANON
COLUMBIA COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN pursuant to the Town Law of the State of New York that a special election of the qualified voters of the Town of New Lebanon, Columbia County, New York will be held at the Immaculate Conception Meeting Hall, 732 US Highway 20, New Lebanon, NY 12125, on January 21, 2025, between the hours of 8 o'clock a.m. and 8 o'clock p.m. to vote on the Bond Resolution adopted October 8, 2024, with the ballot to be in substantially the following form:

Shall the resolution entitled “A RESOLUTION AUTHORIZING THE CONSTRUCTION OF APPROXIMATELY 6066 LINEAR FEET OF PEDESTRIAN PATHWAYS ALONG PORTIONS OF US ROUTE 20 AND NYS ROUTE 22, TOGETHER WITH RELATED IMPROVEMENTS FOR PEDESTRIAN ACCESS, DRAINAGE, AND RELOCATION OF CURBS AND UTILITIES, AND INCLUDING RELATED ACQUISITION AND SITE WORK, AT AN ESTIMATED MAXIMUM COST OF \$2,499,146 AND WITH A PERIOD OF PROBABLE USEFULNESS OF TEN YEARS, AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF NEW LEBANON, COLUMBIA COUNTY, NEW YORK, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$499,830 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE A PORTION OF THE COST THEREOF, AND APPLICATION OF PROCEEDS OF A NYS DOT TAP GRANT IN THE AMOUNT OF UP TO \$1,999,316 TO PAY OR REIMBURSE A PORTION OF THE COST THEREOF, DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR” be approved?

Yes _____
No _____

A copy of the text of such bond resolution may be obtained from the Town Clerk.

Those who are qualified to vote on the aforementioned proposition are registered voters of the Town of New Lebanon who shall have resided in said Town for the period of thirty (30) days next preceding such election.

NOTICE IS HEREBY FURTHER GIVEN, that personal registration is required and no voter shall be entitled to vote at said Special Election unless his or her name appears on the Register of said town prepared for such Special Election, or such voter registers as hereinafter provided. The Town Board of Registration shall prepare a Register for said Special Election, which Register shall include all voters registered with the Columbia County Board of Elections under the provisions of Article 5 of the Election Law. Any registered voter whose name appears on such register need not register again for such Special Election.

NOTICE IS HEREBY FURTHER GIVEN, that the Town Board of Registration will meet on January 11, 2025, between the hours of 4:00 p.m. and 8:00 p.m. at the New Lebanon Town Hall, located at 14755 Route 22 North, New Lebanon, New York, at which time qualified electors may present themselves personally for registration to have their names added to such register for such Special Election.

NOTICE IS HEREBY FURTHER GIVEN, that absentee ballots or early mail ballots for qualified electors and registered voters whose name appears on the Register, may be applied for at the office of the Town Clerk, 14755 Route 22 North, New Lebanon, New York 12125. Applications for absentee ballots or early mail ballots must be received at least seven (7) days before such Special Election, if the ballot is to be mailed to the qualified elector or voter, or on the day before such Special Election, if the ballot is to be delivered personally to the qualified elector or voter or his or her agent. A list of persons to whom absentee ballots or early mail ballots have been issued will be available for inspection in the Town Clerk's office during each of the five days prior to the date of election, except Sundays.

NOTICE IS HEREBY FURTHER GIVEN, that absentee ballots must be returned to the Town Clerk and received by the Town Clerk no later than 5:00 p.m. prevailing time on the day of the election.

Dated: _____, 2024

By Order of the Town Board of the Town of
New Lebanon, Columbia County, New York
Marcie Robertson, Town Clerk

EXHIBIT B

Election Inspectors and Ballot Clerks
(selected from list maintained by Columbia County Board of Elections)

Name	Election Inspectors/Ballot Clerks	Board of Registration (2 to 4)
Marisso A. Furforo	X	X
Paul H. Borst	X	X
Mary G. Young	(Alternate)	(Alternate)
Margaret A. Munves	X	X
Schuyler L. Gail	X	X
David McGinness	X	(Alternate)
William Shannon	X	
Kristine L. Cotton Margerat A. Munves	Machine Clerks	

Compensation of Election Inspectors/Ballot Clerks: \$18.50 per hour.
Compensation for Special Registration Date: \$18.50 per hour.

Extract of Minutes

A regular meeting of the Town Board of the Town of New Lebanon, Columbia County, New York was convened in public session at the Town Hall, 14755 Route 22 North, New Lebanon, New York, on October 8, 2024 at 6:00 p.m., local time.

The meeting was called to order by Supervisor Houghtling, and, upon roll being called, the following members were:

		Present	Absent
Tistrya Houghtling	Supervisor		
Elizabeth Kroboth	Councilmember		
Steve Powers	Councilmember		
Craig Skerkis	Councilmember		
Susan Tipograph	Councilmember		

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

RESOLUTION NO. _____
DATED OCTOBER 8, 2024

A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF CONSIDERING A PROPOSITION FOR THE APPROVAL OF A BOND RESOLUTION DATED OCTOBER 8, 2024 AUTHORIZING THE CONSTRUCTION OF APPROXIMATELY 6066 LINEAR FEET OF PEDESTRIAN PATHWAYS ALONG PORTIONS OF US ROUTE 20 AND NYS ROUTE 22, AND RELATED IMPROVEMENTS, AND THE ISSUANCE OF SERIAL BONDS FOR SUCH PURPOSE

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Tistrya Houghtling Voting _____
Elizabeth Kroboth Voting _____
Steve Powers Voting _____
Craig Skerkis Voting _____
Susan Tipograph Voting _____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of New Lebanon, Columbia County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 8th day of October, 2024 and entitled:

RESOLUTION NO. _____
DATED OCTOBER 8, 2024

A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF CONSIDERING A PROPOSITION FOR THE APPROVAL OF A BOND RESOLUTION DATED OCTOBER 8, 2024 AUTHORIZING THE CONSTRUCTION OF APPROXIMATELY 6066 LINEAR FEET OF PEDESTRIAN PATHWAYS ALONG PORTIONS OF US ROUTE 20 AND NYS ROUTE 22, AND RELATED IMPROVEMENTS, AND THE ISSUANCE OF SERIAL BONDS FOR SUCH PURPOSE

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (a majority of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of _____, 2024.

-SEAL-

Marcie Robertson
Town Clerk