

**MINUTES OF THE REGULAR MONTHLY MEETING OF  
THE TOWN BOARD OF THE TOWN OF NEW LEBANON  
HELD ON OCTOBER 11, 2022**

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

**Recording Secretary:** Marsha "Marcie" Robertson, Town Clerk

**Others Present:** Monte Wasch, Planning & Ethics Board Member & BEDC  
Chair  
Tony Murad, ZBA Chair & ZRC Member  
Sharon Powers, IT Website Support, BEDC & QOL  
Committee  
Steve Powers, CAC Member & CSC Chair  
Ed Godfroy, LVPA  
David Farren, CAC Chair  
Erminia Rasmussen, BEDC Member & QOL Committee  
Norman Rasmussen, Comp. Plan Coordinator  
Josh Young, Planning Board & BEDC Member  
Bruce Shenker, NL Rep to CC Env Mgt Council  
Abbie Shoobs, Deputy Court Clerk & Rec Comm Chair  
Carol Reichert, Shaker Preservation Committee  
Jeff Hattat, CEO (6:47pm)  
Members of the Public

**CALL TO ORDER:**

The meeting was called to order at 6:00pm by Supervisor Houghtling. The meeting was held in person at the New Lebanon Town Hall, 14755 State Route 22 North, New Lebanon, NY 12125 with members of the public also being able to view the meeting at the following link: [https://townhallstreams.com/towns/new\\_lebanon\\_ny](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 **September 6, 2022 Special Meeting, September 13, 2022 Public Hearing and September 13, 2022 Regular Meeting** were reviewed.

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

**FINANCIAL:**

***Supervisor's Report:***

The Supervisor's Report as of September 30, 2022 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.

Supervisor Houghtling reported that there is state aid that we can't identify that was an ACH into our account. She called OSC and they have her as the secondary contact and still have Colleen as primary. They couldn't give her the info on what the deposit was for as secondary contact. She filled out the form to change it but it takes two weeks. So, unfortunately, we will need to either wait to adopt the supervisor's report or adopt it now as is and then adopt an amended version next month.

Also, our accountant did not break out CHIPS or Town Clerk fees. He should be able to fix this by the next meeting. She will send along the revised version when she gets it.

The board agreed to table adoption of the Supervisor's Report until next month's 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. No one in person spoke and there were no emails received for the first POF.

**BUDGET AMENDMENT #9 OF 2022:**

Supervisor Houghtling stated that the building department needs a new office chair, money moved from the .4 accounts to the .2 accounts.

**General Fund:**

\$ 77.00	from A-8020.4 (Planning – Contractual Exp.)
\$ 77.00	from A-8010.4 (Zoning – Contractual Exp.)
\$ 77.00	to A-8020.2 (Planning – Equipment.)
\$ 77.00	to A-8010.2 (Zoning - Equipment)

A motion was made by Supervisor Houghtling to approve the above noted budget amendment #9 of 2022 as typed. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

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

**AMENDMENT TO GENERAL ABSTRACT #8 – VOIDED PAYMENT:**

Supervisor Houghtling stated that the Assessor was issued a check for new envelopes payable to the post office and then found out she cannot order them at the post office but must order them online. We have voided the check and will purchase the envelopes using the town credit card. We need to amend the abstract.

A motion was made by Supervisor Houghtling to amend abstract #8, making voucher #306 to the amount of \$0.00 and amending the total abstract amount to \$30,194.82. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

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

**AUDIT OF BILLS:**

***2022 Bills:***

General No. 385, in the amount of \$50.00;  
As listed on Abstract No. 9A dated October 11, 2022.

General Nos. 386 through 419, in the amount of \$26,345.29;  
Highway Nos. 111 through 121, in the amount of \$13,207.12; and  
Escrow No. 10, in the amount of \$50.00;  
As listed on Abstract No. 10 dated October 11, 2022.

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

Roll Call Vote:

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

**COMMITTEE/LIAISON REPORTS:**

**Assessor (Councilmember Gordon):**

Councilmember Gordon read the following report from the Assessor:

*I have been VERY busy working on the land values for the reassessment but still doing the normal work. I am starting to have the Assessor Clerk (Michelle) take on more responsibility as I get deeper into the reassessment.*

*We do have a piece of legislation. I will explain,*

*One of the exemptions that is offered is a Low-income Senior Exemption. I send out renewals to these taxpayers around December 1. they must be turned in by March 1 or they are denied.*

*I always include a note with instructions, office hours, etc. I even have the clerk do a couple special office hours once a week. The exemptions can be mailed in, dropped off or you can come in person.*

*Around the 2nd week in February, as a courtesy we call the Seniors if we haven't received their application.*

*These exemptions can save them up to 50% of their taxes but yet some don't seem to be in a rush to get them in. Some are grateful for the reminder and some say "yeah, it isn't due until March 1st"*

*Several people continuously bring the application in the last day. If they are late (past March 1), they do NOT get the exemption. Per RPTL.*

*The new legislation states that now the Assessor MUST send a second notice to those that have not replied by February 1. This doesn't have a big impact on our budget. Just our time as they must be run individually.*

*There is more legislation on the table that has not been signed by the Governor yet. On the reverse side of your tax bill, you will see a section that states "you may be eligible" for the Low-income senior exemption. If passed the Towns would be required to send the same notice to all residential parcel owners. The notice would have to be the only item in the mailing. If this passes that mailing would increase the postage budget by about \$700*

*Another piece of Legislation around this Exemption has also passed. This one allows Taxing Jurisdictions to increase the income limits. Both the Towns and the County are in the process of reviewing. This will be brought up again after March 1, 2023. THERE WILL BE NO CHANGES TO THE EXEMPTIONS THIS YEAR. (2023 Roll year)*

*Lastly, my one SCAR (Small claims assessment review) hearing has not yet been scheduled. We are well past the time they should have been scheduled per RPTL. (Real property tax law) (feel my frustration, that RPTL is has no repercussions for non-compliance)*

**Building Department (Councilmember Buckenroth):**

Councilmember Buckenroth stated no report at this time.

**Business & Economic Development (Councilmember Gordon):**

Monte Wasch, BEDC Chair reported the following:

Monte gave a recap of where they were on the ARPA program, discussed the two grant applications (NY Forward and NY Main Street) the Town had applied for, and saluted the Outreach & Marketing sub-committee for its work in putting together the Business Directory and the welcome packets.

***CAC & Environmental Management & Climate Smart Task Force***  
***(Councilmember Gordon):***

**David Farren, CAC Chair** reported the following:

David reported that Steve Winkley came to their last meeting and presented them with his Source Drinking Water Protection Plan for the Town of New Lebanon which he has been working on for some time. The CAC thinks that it is an excellent report. They want Steve to come and present to the Town Board at the November meeting.

The CAC submitted their budget request for 2023.

Progress is being made on the Trees for Tribes in Shatford Park, planting and maintenance.

**Steve Powers, CSC Chair** reported the following:

*In the last month the CSC received confirmation from NYSERDA that we were approved for the \$20,000 grant for energy upgrades which on top of our previous grant will give us \$30,000 to use towards heat pumps for Town Hall. NYSERDA also clarified that if we convert minimum 51% of Town Hall to heat pumps, we will be entitled to 700 points in the Clean Energy Communities (CEC) program. The bid requests have gone out for the 5 heat pumps to meet the 51% threshold with a deadline of Oct 14. After the Town chooses a heat pump installer, the contract needs to be approved by NYSERDA. Hopefully we can get this all approved and installed by the end of November to save the town money on oil purchases.*

*After the heat pumps are installed, we can apply for the 700 points from the CEC program but still need 200 points from the Town's Community Solar project with Ampion that was delayed due to bird nesting issues. Ampion has agreed to put us on a priority waitlist for all of their projects but we will need additional agreements signed which I emailed earlier today. I'm asking that the board approve Tistrya signing the docs to give us more opportunities to get the Town's electricity usage on an Ampion Community Solar project.*

*Once we get the 700 and 200 additional points in the CEC program, we will hit 5000 points which entitles us to a \$70,000 grant from NYSERDA for energy upgrades at Town Hall.*

A motion was made by Councilmember Trainor, seconded by Councilmember Anthonisen and approved unanimously to authorize Supervisor Houghtling to enter into an agreement with Ampion for Community Solar.

*In compliance with the Town's Comprehensive Plan, four additional bike racks were received, and one is outside Town Hall and the others will be installed — two in Shatford Park, and one in Midtown Mall after Donnie finds suitable anchors.*

*Cathy Wilkerson and Kristine Cottom began attending Sustainable Food Management classes sponsored by the Department of Environmental Conservation. They will learn how to create a feasible method of collecting and composting food scraps from all town residents. Composting has already begun in a small way with volunteers collecting coffee grounds from local restaurants and providing baskets for food scraps outside the Farmers' Market.*

*CSC members Adelia Moore and Bruce Shenker helped with another Repair Café in East Nassau in September. There will be a "Do it yourself" Repair Café tomorrow Oct 12 at the New Lebanon library from 6-8pm where residents can bring items to be fixed and stay to learn how to fix them in the future.*

*As part of the Town Clean Up Day last month, the electronics recycling took in 3080 lbs. including 76 TVs, 100 lbs. of batteries from the town battery recycling program. To date, the battery recycling program has recycled 550 lbs. of batteries. These and all electronics will all be broken down by a NYS certified recycler instead of going into a landfill.*

*The CSC is looking for 2 new motivated members. Because there are a such a variety of programs that we work on, everyone on the Task Force is able to find an area that interests them. If anyone is interested in joining our efforts, please contact me or send a request to Marcie. Thanks!*

**Bruce Shenker, Environmental Management** reported the following:

*David Newman reported that the Columbia County Board of Supervisors adopted a resolution for a Climate Vulnerability Assessment and Climate Adaptation Plan led by Cornell Cooperative Extension of Columbia/Greene (CCE) on behalf of the Capital District Regional Planning Commission (CDRPC). Newman will distribute a fact sheet, a copy of the Board of Supervisors Resolution No. 347-2022, and a template resolution for towns to use if they decide to join the Climate Adaptation and Resiliency Plan (CARP) effort. Communities need to adopt a resolution and select an Advisory Committee and leader to formally join. The deadline is October 31<sup>st</sup>.*

*The role of the Advisory Committee will be to provide information to CCE and input data toward their community's plan. The process is expected to take 10 months to a year. All plans will be eligible for points in the New York State DEC's Climate Smart Communities Program for the Climate Vulnerability Assessment and Climate Adaptation Plan PE7 Actions.*

*County climate smart is running a heat pump campaign like the one we have run in New Lebanon. The County climate Task Force is seeking more members to broaden diversity and represent the Task Force in the community.*

*All transfer stations collecting food waste now.*

*The Town of New Lebanon passed a resolution in support of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 (State Prop 1). Acting Chair Werwaiss will forward it in an email from Bruce Shenker to be used as a model for the EMC and other towns to consider*

*endorsement.*

*CAC and Climate Smart Roundtable on October 20<sup>th</sup>.*

***Fire, Law Enforcement & Emergency (Councilmember Trainor):***

Councilmember Trainor reported that for September, the LVPA had 75 people put in 71.27 hours, 1 structure fire, 7 alarm activations, 2 wires down, 1 smoke investigation, 2 drills, parade and memorial service included.

***Highway (Superintendent Winestock & Councilmember Trainor):***

Councilmember Trainor reported that Highway Superintendent Winestock is requesting two trucks.

***Historian & LVHS: (Councilmember Trainor):***

***Historian:***

Councilmember Trainor stated that the Historian is taking a short break.

***LVHS:***

Councilmember Trainor reported the LVHS is back and moving along. On October 16<sup>th</sup> at 2:00pm at the Church of Our Savior, Elizabeth Sheffer-Winig and Mary Young are conducting a program on the stained-glass window that is at the church.

***Justice Court/Constable (Councilmember Anthonisen):***

Councilmember Anthonisen stated no report at this time.

***Library (Councilmember Buckenroth):***

Councilmember Buckenroth stated no report at this time.

***Buildings, Parks & Recreation (Councilmember Buckenroth):***

Councilmember Buckenroth reported the following from Abbie Shoobs, Recreation Commission Chair:

*The sassafras walk this Friday at 8:30AM.*

*The newcomers night on the 21st 5-7 at the library, please ask the board if any are attending.*

*The movie night on the 22nd at 6PM at the library. The movie will be The Adams Family.*

*NL Community Education will begin open swim on Thursday 10/27. Swimming will be offered Tuesdays and Thursdays from 6:45-8:15. The cost will be \$3 per swimmer and \$10 per family of four. The cost pays for the lifeguard.*

*Jesse is set to put up the ice rink on 12/3, he needs volunteers.*

***Seniors (Councilmember Gordon):***

Mary Young was absent but reported the following via the Town Clerk's email:

*The meeting of the OFA met on 9/21.*

*HEAP applications are available now call 518-828-4258*

*Ever Home Health Assistance program will be presenting a program about their services on 10/14 at 11am in the Canaan Town Hall, face masks are required. Come and learn about this new program designed to help Seniors remain in their homes.*

*Medicare Open Enrollment is October 15 to December 7, anyone with questions or needing help may call New York Connects at 518-828-2273*

*New up to date information flyers are available in the Town Hall for Senior programs in the County.*

*Flu and Covid boosters are available through the County Health Department, call 518-828-3358 to schedule an appointment.*

*New York Connects, Steve Vandenburg is working with Marcie and Mary to find a place for New York Connects to be available in person here in New Lebanon monthly.*

*The Senior Scoop a magazine which gives Senior's information about what is going on in the County for Seniors will be published in November, it is available online or can be delivered to your home. Call the OFA at 518-828-4258 to sign up. Or go to the Facebook page Columbia County Office For The Aging or the Web site of the same name.*

*Habitat for Humanity has a new program designed to help others who need help with minor home maintenance and seasonal work. If you are interested in this program, call 518-828-0892 They are also looking for people to help work in the program if you would like to help others call them to volunteer.*

*New Lebanon Seniors is continuing to meet at the New Lebanon Firehouse the first and third Friday of the month. Trips for the rest of the year are full.*

*The seniors are collecting toys and treats for pets to be taken to the Columbia County SPCA. They plan to write Christmas cards for veterans the those who reside in nursing homes or assisted living centers.*

*They had a bake sale on 10/8 in the Post Office Mall, lots of goodies were available. These funds are used to offset the cost of trips and special programs.*

*Neighbor of Northern Columbia County is offering a program about the new developments in treating Dementia on 11/11 in Chatham, the speaker will be Dr. Holub from Albany who is a neurologist specializing in Dementia. See their Web site for the location and time.*

*Remember the time falls back 11/5 at midnight.*

*Mary Young OFA Rep.*

***Volunteers (Councilmember Anthonisen):***

*Councilmember Anthonisen nothing to report at this time.*

*If anyone is interested in volunteering, please contact Councilmember Anthonisen at: [manthonisen@townofnewlebanon.com](mailto:manthonisen@townofnewlebanon.com).*

***Traffic Safety (Mary Young):***

*Mary Young was absent but reported the following via the Town Clerk's email:*

*The County has been working hard this summer repairing bridges and resurfacing roads. This month they are starting to take bids for continued work this year and in 2023.*

*Speed limit requests are still in committee at the State level. New requests from Towns were reviewed and forwarded to State DOT with Committee approval.*

*The NYSDOT Columbia County Resident Engineer Mike Duval has retired. Assistant Resident engineer Harry Heath is acting as head until a new Engineer is appointed.*

*The new state law which allows speed reduction by local government is only for communities with a population greater than 50,000 which does not include any Columbia County towns or cities.*

*Mary Young New Lebanon Rep.*

***Comparison Committee (Councilmember Anthonisen & Supervisor Houghtling):***

Supervisor Houghtling reported that she and Marianna met the other day and recommend that this committee cease to exist. New Lebanon is unique in many ways and one way we are very unique is that we are one of the busiest town halls in the County, across all departments we seem to need higher staffing, more open hours, etc. and it is not due to the inefficiency of our employees. We found that we put a lot of work in and ended up with an apple to oranges comparison and not much useful information to apply. They both agreed that this should be handled on a specific as needed basis and not as a committee. The board agreed.

***Quality of Life Committee (Councilmember Anthonisen & Supervisor Houghtling):***

Councilmember Anthonisen reported that they were tasked with looking at the Comprehensive Plan Action Items and they are looking to add a six-month extension to figuring out how to recruit and retain young families as well as meeting seniors needs. The County has approved hiring a full-time housing coordinator and they would like to work with them.

Marianna reported that they were looking at what other towns might be doing for medical vans.

***Comprehensive Plan Action Item Update (Supervisor Houghtling):***

Supervisor Houghtling went over the action item progress in full detail.

A motion was made by Supervisor Houghtling, seconded by Councilmember Buckenroth and approved unanimously to extend WBS #1.2 to 12/31/2025, WBS #3.1 to 6/30/2023, WBS #3.2 to 12/31/2023, WBS #4.1 to 6/30/2023, WBS #4.6 to 11/30/2022, WBS #4.1 (transportation services) to 6/30/2023, WBS #4.1 (rec. comm. Task) 3/31/2023.

***County Update (Supervisor Houghtling):***

Supervisor Houghtling stated the County has authorized hiring a housing coordinator. A county wide housing study was performed that showed that access to affordable housing is an issue across the county. The county will also be forming a housing task force.

**OLD BUSINESS:**

***Skatepark:***

Supervisor Houghtling welcomed community member David Eddy who is going to speak to the Town Board about the skatepark. He has been involved in installing three different municipal parks in the area and has done them with a smaller budget. He is certain the skate ramps we have are usable as the skate lite lasts forever and is the expensive part. On the other projects he was involved in he got donations from Harrington's, Unistress, and other local companies and he is happy to help in any way possible to get more businesses to help out and donate materials needed. He said he knows the skatepark piece and skate lite and assembling parks but he isn't a contractor who does construction to know what wood needs replacement and how much that would cost. Jesse Newton estimated that the wood replacement needed is 10 sheets of CDX plywood and 40 two by fours. Jeff Hattat is a local contractor who owns Dream Builders, he will go do an inventory of the skatepark and what wood underneath needs replacing since it was exposed to the elements instead of being protected under the skate lite for years.

**David Eddy** spoke to the Town Board expressing that he has a wealth of knowledge and a passion for the sport of skate boarding. He is a strong advocate of what having a skatepark does for communities all across the country.

David stated that he was one of the first in his town to have a skate board in the 60's and he skateboarded until he was about 63 years old. David said that his son, at the age of 6 announced that he wanted to be a pro skateboarder, he started building ramps in his driveway and a half pipe in his backyard. He and his son have traveled to skateparks all over the east coast. He got involved in building them and everywhere they went he looked at how they were built and assembled. He has friends who own parks in North Carolina and have built skate lite bowls and ramps. David was so interested in it that he went to school on it. He owned his own business, was a roofing contractor, framed houses, built additions and did structural repairs which gave him extensive knowledge of framing and how to build. David said his son's passion inspired him to get involved in skateboarding.

David reported that when he moved to West Stockbridge, he got the owner of The Garden in Pittsfield and together they made a presentation to the town of West Stockbridge and to the town of Great Barrington for skatepark proposals. He obtained many donations from local businesses to help make these parks possible.

David stated that he knew of the Skate Factory skatepark and heard that it was disassembled and brought to New Lebanon. He stated that Supervisor Houghtling

informed him that Jesse Newton and other local volunteers had gone and disassembled the skatepark and moved it to the park. David commented that he thought that was amazing and to have the luxury of that kind of material. David stated that a 4' X 8' of skate lite is roughly \$250.00, it is expensive. He stated that he went last Friday and looked at the skatepark pieces in the park. Based on his knowledge, he stated that they are properly built and to code. They are super strong and in great shape. David provided a sample of skate lite for the board to see. He stated that it is a tough material. What is currently in the park is bleached by the sun but not damaged.

David stated that the framing looks a little rough in places where it's been stressed from the move, he stated that is a simple fix. He stated that the builders and carpenters involved in this project should be more than capable. The structural integrity of the way the ramps are made is completely intact. David stated that he hopes that at some point, he can offer his ideas on reassembly. He thinks keeping the mini ramp and the half pipe intact would be great features to have. He stated that it is ridiculous the amount of valuable material that is there, it is a ton of money sitting out there and it is in really good shape.

David stated that he thinks there are features that you can have in this type of skatepark that are not available in a poured park and what we have gives the town the opportunity to be creative. David spoke to having hometown involvement with people advocating for a skatepark or building it are the people who care the most about the safety of it. He stated that he built skateparks because he loves his son and wanted him to have a safe place to skateboard. He stated he thinks this will be a good thing, it has been for West Stockbridge and Great Barrington and he hopes to do the same here in New Lebanon.

Supervisor Houghtling stated that the board received a written quote from Jesse Newton to fix the damage to the materials underneath the ramps for 10 sheets of ½" CDX plywood at \$43.65 a sheet and 42" X 4' X 8' SPF at \$10.90 each a case of 2 ½" deck screws for a total of \$1,022.49. Supervisor Houghtling stated that the board requested that a licensed contractor give a second opinion.

**Jeff Hattat, CEO and partial owner of Dream Builders** stated that as far as he could see, nothing was rotten. He stated that there are pieces that may have been damaged in the move that need to be replaced. He stated that it is a small amount of material to actually repair what is there. He stated that the structure of the ramps themselves is superb.

David Eddy suggested that if anyone is interested in seeing the skatepark he built in West Stockbridge to go and take a look. It is a fourteen-year-old park so they can see how it has held up over the years.

The Town Board asked questions that David Eddy answered for them and held discussion.

**Jeff Hattat, CEO** stated that when he was at a recent training there was an official from the town of Speculator, NY who asked him how the skatepark was coming along. He said that there are a lot of people that knew of this skatepark and the official from Speculator told him that there are people all across the state watching this particular skatepark to see how it develops.

***Shaker Preservation Committee Update:***

Supervisor Houghtling stated that Kyle Kuffel has been voted in chair by this committee. Kyle was unable to attend the meeting, Carol Reichert, Shaker Preservation Committee Member gave the following report:

*This memo is to inform the Town Board of the progress of the Shaker Preservation Committee to date. Goals: We've identified that our primary goal is to protect the Shaker buildings on Mount Lebanon. Our secondary goal is to exert control over new development to ensure it complements existing architecture. To meet these goals, we have identified two complementary strategies. Strategy One: Economic Flexibility: We recommend that the Town expand the list of permitted uses to allow current and future owners to generate revenue to fund preservation of existing buildings. We also discussed smaller permitted lot sizes and will continue to propose other ideas to make preservation economically feasible. Strategy Two: Architectural Protections: We recommend that the Town should require current and future owners of existing Shaker buildings to preserve them with historic authenticity. New buildings should be readily distinguishable from historic buildings but complement their architecture. Each of these two strategies is supported by a different legal mechanism: Historic Overlay — We believe a historic overlay may be the best way to offer economic flexibility by defining new permitted uses. Our sense is that a historic overlay is also capable of including provisions for smaller permitted lot sizes and other ideas we're discussing and developing. Historic District — We believe a historic district may be the best way to protect Shaker architecture by defining special rules and a process regulating (a) how new buildings shall be designed and constructed and (b) how existing buildings and properties shall be maintained and changed. There would likely be different rules for Shaker and non-Shaker buildings. Next Steps: We are currently meeting with Linda Mackey of New York's State Historic Preservation Office to better understand the differences between a historic overlay zone and a formal historic district so we can determine which approach best suits our goals. We recommending that the Town immediately pass a one-year moratorium on demolishing or dramatically changing any Shaker buildings on Mount Lebanon.*

The Town Board held discussion on the request of a moratorium by the committee.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to appoint Kyle Kuffel as the Chair of the Shaker Preservation Committee.

**Fuel Assistance Program:**

Supervisor Houghtling stated she met with the Unity Lodge No. 9, Larabee Fuel and spoke with Charlie’s Pantry (who already has a heating fuel program) and the American Legion. She also has a call in to HL Fuel. She would like to have authorization from the Town Board to work in collaboration with these community organizations to ensure every resident has heat this winter. They want to offer all sources such as firewood, heating fuel & propane. She would volunteer to be the contact that we advertise out to the community and when residents reach out, she would first see if they are eligible for HEAP and, if so, connect them and help them apply. If not eligible for HEAP but still needing assistance, she would reach out to their fuel provider (HL or Larabee) and place an order to be paid by the funds raised. The town would not collect the funds nor pay the invoices but rather connect with the provider and payee. Also, she would like the town to consider \$5,000 of ARPA funds to start that could be used as a last resort if, and only if, the funds raised by the other collaborators were all used up. She stated that we have residents already offering wood donations but the wood needs splitting/delivering/stacking and the American Legion will help with this.

The Town Board held discussion.

A motion was made by Supervisor Houghtling to collaborate with Unity Lodge #9, Larabee Fuel, HL Fuel, Charlie’s Pantry and the American Legion to assist residents with heating their home this winter and allocate up to \$5,000 in ARPA funds if needed. The motion was seconded by Councilmember Anthonisen.

Roll Call Vote:

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

**Scoring/Evaluation for ARPA Applications from Local Businesses:**

Supervisor Houghtling stated they need to come up with the scoring/grading system for applications before they start to review any. They set the questions/areas they would score on in the application, now they just need to set a scoring scale and define what a business must show to hit certain scores on each. The Town Board held detailed discussion to develop the point system awarded for each question on the application.

The Board decided on the following:

What were the negative changes in your business income? = 1 – 5 (with specific parameters)

How likely is it that the funds will meet the need? = 1 – 10

How sustainable will the impact of this funding be? = 1 – 20

How much support has been demonstrated support from the New Lebanon residents and/or businesses for your application? = 0 – 5 (1 point for each letter)

Total possible is 40 points and they need to get 30 out of 40 to qualify for funding.

***Walkable Downtown:***

Supervisor Houghtling stated that she and Tony Murad had a great meeting with DOT. They are open to any and all possibilities (crosswalk, removing center turn lane, center partitions, bike lane, on street parking, etc.). DOT advises the next steps for the town are to define a clearer concept and plan and apply in 2023 for TAP funding. They recommend hiring an engineer to work with the town and DOT to create a preliminary plan document to use to apply for the funding which then could cover the engineered project plans and construction.

Supervisor Houghtling stated that if they want to move forward, she suggests a committee made up of herself, Councilmember Buckenroth, Tony Murad, plus two members of the public and two business owners meet and come up with a vision to present to Creighton Manning and to work with them to apply for the TAP funding.

Tony Murad, ZBA Chair and ZRC Member reminded the board that the plans that were created by Creighton Manning are owned by the Town. The basic work has been done; it just needs to be updated. He thinks it makes good sense to work with Creighton Manning if the town decides to move forward.

***Fund Balance & Reserve Accounts:***

Supervisor Houghtling stated Attorney Tingley is working on the resolutions to set up the three reserve accounts that they decided on at the last special meeting. They should have them by the November meeting to adopt along with a procedure spelled out for them to follow.

***EV Charging Station Plowing/Snow Removal:***

Supervisor Houghtling said she spoke with Andy Sandstrom who created the parking spots and he said it can be plowed and recommends going back out to bid.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to go out to bid for 2022 / 2023 plowing of the EV Charging station parking area with bids due to the Town Clerk by Friday, November 11<sup>th</sup>, 2022 at 4:00pm, with bids to be decided upon on November 15<sup>th</sup> at the Town Board meeting.

***Highway Screener – Bids Received:***

Supervisor Houghtling stated that they received two bids. One from Pat Sweeney Logging & Excavating for \$25,575.00 and one from Polaro Sand & Gravel for \$5,500.00.

A motion was made by Supervisor Houghtling, seconded by Councilmember Buckenroth and approved unanimously to accept the bid from Pat Sweeney Logging & Excavating for \$25,575.00.

Supervisor Houghtling stated that Highway Superintendent Winestock requested to accept this bid.

***Highway Truck Request:***

Supervisor Houghtling stated that Highway Superintendent Winestock requested a new small truck, 2022 or 2023, which ever we can get. He provided a bid notice from the last time that we went out to bid for a small truck, with the understanding that we might not have one available for a year or longer.

A motion was made by Supervisor Houghtling, seconded by Councilmember Anthonisen and approved unanimously to go out to bid for a 2022 or 2023 4-wheel drive, combination side dump with a 4-way 9-foot plow, with a minimum GVW of 19,500 lbs., with bids due on or before Friday, November 11<sup>th</sup>, 2022 at 4:00pm, to be decided on at the November 15<sup>th</sup> Town Board meeting and with all specs to be finalized between the Highway Superintendent and the Town Clerk.

***Pavilion Kitchen Renovations:***

Supervisor Houghtling stated that our past engineer, Paul McCreary, who has already been appointed this year as a Town Engineer for a Planning Board application, agreed to create the stamped plans and prepare the RFP. Hopefully we will have this in time for the November meeting to go out to bid.

***ARPA Amount Request for Community Center:***

Supervisor Houghtling reported that she, Councilmember Buckenroth and Michelle Bienes met with Ed Godfroy of the LVPA to discuss what the financial needs will be to run the community center for two years. Once the new firehouse is built, the LVPA has offered to allow the town to utilize the downtown LVPA building for two years as a test run to see if a community center will really be used by the community. After the two years, if the LVPA wants to sell the building, the town will have the right of first refusal. If the community center is successful the town will have the opportunity to purchase the building from the LVPA. The LVPA will let the town use the building for free and the town will pay for utilities and consumables. The estimated budget to run the community center for two years came to \$41,500. Supervisor Houghtling broke down the individual estimated costs for the board: cleaning \$4,000; consumables \$4,500; insurance \$0; electric, heat, trash, plowing &

etc. \$22,500; one-time cost of furniture, rugs, couches, etc. \$3,000; programming consumables (crafts, maker space, activities, etc.) \$5,000; and food \$2,500.

Supervisor Houghtling stated that this was one of the things that polled really well on the ARPA survey on how the town should use ARPA funds. She stated that the intention was to get all of the ARPA funds request in. CAC requested \$30,000 for water testing, they have now come in with a request of \$41,500 for the community center, they are waiting on the BEDC for a few requests, they have allocated up to \$100,000 for the grants to businesses. Supervisor Houghtling suggested that they take all of these requests at face value and put them aside for now until they have all of the requests in and then decide how much and where the funds will be allocated to.

***Introductory LL#5 of 2022 – Moratorium on Self Storage Units:***

Supervisor Houghtling stated that Introductory LL#5 is a moratorium on self-storage units. A public hearing was held last month but they couldn't adopt the local law because they were awaiting input from the Town and County Planning Boards. They received recommendation from the Town Planning Board that the board moves forward with the proposed 12-month moratorium. The Columbia County Planning Board said that they find this proposed action has no significant countywide or intercommunity impacts, therefore the Town of New Lebanon may take final action with a simple majority vote.

Supervisor Houghtling stated that there is one other local law that is just getting filed that will be local law #3 and there is another local law that was named Introductory LL#3 that is waiting for a referendum in November for the voters to vote on the Highway Superintendent position. The moratorium law is Introductory LL#5 but would become adopted LL#4.

A motion was made by Supervisor Houghtling to enact Introductory Local Law No. 5 of 2022 as **final Local Law No. 4 of 2022** and to authorize and direct the Town Clerk and Town Supervisor to transmit Local Law No. 4 of 2022 to the New York State Secretary of State for filing in accordance with the Municipal Home Rule Law. The motion was seconded by Councilmember Gordon.

Roll Call Vote:

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

Supervisor Houghtling stated for the record, this is a Type II action under SEQRA, requiring no SEQRA review (6 NYCRR 617.5 (c)(36)).

**NEW BUSINESS:**

***Barton & Loguidice -Firehouse:***

Supervisor Houghtling stated they received a proposal from Barton & Loguidice and the new firehouse proposal is in front of the Planning Board. The Town Board previously made a motion to waive the fees associated with that application because they are funded through taxpayer dollars. She stated there is a proposal for a review that the Planning Board needs from our engineer for \$2,900. She is looking for authorization of this expenditure with Barton & Loguidice.

A motion was made by Councilmember Anthonisen to authorize Supervisor Houghtling to sign the proposal from Barton & Loguidice for \$2,900. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

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

***Job Description Amendment Requests – Court & Building Department:***

Supervisor Houghtling stated they have three job description requests. Two that are hand written from the Court, no action will be taken tonight. The Court Clerk is supposed to type them up, they have not been received yet. Supervisor Houghtling asked Councilmember Anthonisen, Court liaison to follow-up.

Supervisor Houghtling stated that they have a request to change the level and starting rate for the PZ Clerk. Both the Planning Board Chair and Building Dept. Admin. Hernandez have acknowledged that the way the PZ Clerk is written right now at a level 5 with a starting rate of \$14.50 if they were to go out to hire now for the position, the person to be hired and the qualifications that they are asking for are not to the level that they would like someone starting at. They have acknowledged that if the Town Board adopts this to a level 4 it increases the starting rate, that the person currently in the position will be expected to be at that level.

Building Department Administrator, Hernandez stated that in 2017 when the grade levels started, they didn't really know what the department needed. If you look at a level 5, there is no education or qualifications listed on the job description, she would like to change that.

Supervisor Houghtling stated that when these levels and starting rates were created, initially this position was just basic clerical. She stated that the Planning Board is expecting the clerk position to take training and have the ability to interact with attorneys, engineers and applicants on a more skilled level. Supervisor Houghtling stated that she thinks with the increased skills required and looking at the other level 4 job descriptions, she thinks this position would qualify as a level 4. Most level 4's starting rates are before \$16 and \$17 for a starting rate. They are requesting \$16.50 for a starting rate.

A motion was made by Supervisor Houghtling to adopt the amended Building/Planning/Zoning Clerk position at a level 4 with a starting rate of \$16.50 per hour effective immediately. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

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

***Noise Ordinance Request:***

Supervisor Houghtling stated that she has heard from several residents that have neighbors or maybe a bed & breakfast next door that are playing loud music until 4:00 or 5:00am. With these complaints came a request for the town to consider a noise ordinance. Supervisor Houghtling stated that she has mentioned before enforcement, you don't want to put something in place that the town doesn't have the ability to enforce. Most municipalities that have a noise ordinance in place have a local police department or a constable. The building department is on call for emergency situations, they are not manned to enforce this type of ordinance. She stated that she has had two more residents approach her asking for a noise ordinance as they are having issues with their neighbor playing loud music until 3 or 4 am.

Supervisor Houghtling stated that she is not looking to take any action tonight, she is asking if the board is interested in finding out more information on this. The board agreed to have the Supervisor get more information.

***New Laptop Request:***

Supervisor Houghtling stated that her laptop is seven years old and is getting in bad shape. Two years ago, it was time for a replacement but instead we replaced the hard drive for \$100, hoping to get a couple more years out of it. She stated that we have the money in our computer .2 for 2022 and she would like to try to get it ordered and in before year end. Supervisor Houghtling stated that instead of putting her old laptop out to surplus, she

would like to keep it in her office for her bookkeeper to use so when they are both in the office, they can each be working on a computer.

A motion was made by Councilmember Trainor to get a new laptop for the Supervisor. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

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

***ZRC Resignation:***

Supervisor Houghtling stated we received a resignation from Jesse Newton from the ZRC as a member of the public. Right now, the ZRC is not looking to go out for letters of interest.

A motion was by Supervisor Houghtling, seconded by Councilmember Gordon and approved unanimously to accept the resignation from the ZRC from Jesse Newton.

***CSC Resignation:***

Supervisor Houghtling stated that we received a resignation from the CSC from Sarah Steadman.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to accept the resignation from the CSC from Sarah Steadman and go out for letters of interest due to the Town Clerk by 4:00pm on November 11<sup>th</sup>, 2022.

***Electricity to Park Shed:***

Supervisor Houghtling stated we budgeted this year to run power to the new maintenance shed in the park. We received two quotes, one from Swift Electric & Painting for \$3,500.00 and one from MK Electric Inc for \$4,879.00.

A motion was made by Supervisor Houghtling to accept the quote from Swift Electric & Painting in the amount of \$3,500.00. The motion was seconded by Councilmember Gordon.

Roll Call Vote:

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

***Tree Work in Shatford Park:***

Supervisor Houghtling stated that we budgeted this year to do some tree work in the park. We received two estimates, one from Berkshire Tree Service in the amount of \$4,175.00 and one from Cassidy’s Tree Service in the amount of \$2,400.00.

A motion was made by Supervisor Houghtling to accept the estimate from Cassidy’s Tree Service in the amount of \$2,400.00. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

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

***Diversity & Inclusion Committee***

Supervisor Houghtling read the following Resolution:

**TOWN OF NEW LEBANON**

**RESOLUTION 35, 2022**

**RESOLUTION FORMING THE DIVERSITY & INCLUSION COMMITTEE**

**OCTOBER 11, 2022**

At the regular monthly meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 State Route 22, New Lebanon, NY on the 11<sup>th</sup> day of October 2022, the following Resolution was proposed and seconded:

Resolution by Councilmember Anthonisen

Seconded by Supervisor Houghtling

***RESOLUTION FORMING THE DIVERSITY & INCLUSION COMMITTEE***

**WHEREAS**, recently as a nation we have witnessed record high violence based upon a person’s religion, race, gender identities, sexual orientation, nationalities, economic status and political affiliation; and

**WHEREAS**, here in the United States communities that have been built with the guidance, assistance and leadership that is inclusive of peoples of all races, religions, nationalities, gender identities, sexual orientations, economic status and political affiliation are more successful; and

**WHEREAS**, the Town of New Lebanon Town Board continues to maintain that all people of our community have the right to feel safe and be treated equally and with respect and dignity regardless of their race, religion, nationality, gender identity, sexual orientation, economic status and political affiliation; and

**WHEREAS**, it was recently brought to the attention of the Town of New Lebanon Town Board that some community members do not feel safe in New Lebanon.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Lebanon, on behalf of our community members, do hereby state that New Lebanon reaffirms our commitment to a status of inclusion for all races, religions, nationalities, gender identities, sexual orientations, economic statuses and political affiliations; and

**BE IT FURTHER RESOLVED** that the Town Board of the Town of New Lebanon is forming a diversity & inclusion committee with the following members:

Joel Priest – chair  
Marianna Anthonisen – TB Liaison  
Jennifer Aybar-Blenke  
Saoirse Gardner  
Sharon Powers  
Charles Grice  
Andy Vadnais

**BE IT FURTHER RESOLVED** that the Town Board of the Town of New Lebanon is tasking the diversity & inclusion committee at working to create a safe & welcoming community for all.

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

Roll Call Vote:

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

The Resolution, having been approved by a majority vote of the Town Board, was declared duly adopted by the Supervisor of the Town of New Lebanon.

Dated: October 11, 2022

Marcie Robertson, Town Clerk  
Town of New Lebanon

***Bocce Ball Courts in Shatford Park:***

Supervisor Houghtling stated she received an email asking if the town would consider bocce ball courts at Shatford park. She has tasked the Recreation Commission to look into costs and report back to the Town Board with the information they gather.

***Policy Review – Credit Card Policy:***

Supervisor Houghtling stated that we already reviewed the credit card policy this year but now we have a new highway Exxon Mobil gas card with a new credit card number, so we need to amend it again.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to adopt the amended Credit Card policy as prepared by the Town Clerk.

***Set Public Hearing for 2023 Budget:***

Supervisor Houghtling stated that we need to set Public Hearings on the 2023 budgets for both the LVPA and the town.

A motion was made by Supervisor Houghtling, seconded by Councilmember Buckenroth and approved unanimously to schedule the Public Hearing for the 2023 LVPA Budget at 6:30pm on Wednesday, November 9<sup>th</sup>, 2022 and the Public Hearing for the 2023 Town Budget at 6:45pm on Wednesday, November 9<sup>th</sup>, 2022.

***CRS Contract for 2023 & Chargeback Agreement:***

Supervisor Houghtling stated that the board was presented with a proposed contract that addresses the concerns discussed prior to this meeting. Supervisor Houghtling went over the 2023 Special Provisions of the contract. This will be a one-year contract instead of a three-year contract as it has been in the past.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to set a Public Hearing for the 2023 Chatham Rescue Squad contract at 6:15pm on November 9<sup>th</sup>, 2022.

***LVPA Contract for 2023:***

Supervisor Houghtling stated that she is recusing herself and she left the meeting room.

Town Clerk Robertson briefly went over the proposed changes and instructed the board on how to proceed.

A motion was made by Councilmember Trainor, seconded by Councilmember Buckenroth and approved unanimously to set a Public Hearing for the 2023 LVPA contract at 6:00pm on November 9<sup>th</sup>, 2022.

***Department of Health Violation:***

Supervisor Houghtling stated that the town received three violations from the Department of Health for Summer Camp water testing. She stated that they sent the water tests in on time to the lab, the lab did not get the results to the Department of Health, she is still working on why this happened. Unfortunately, there is no other option than for the town to pay \$75.00 fine per violation.

A motion was made by Councilmember Trainor to authorize the Supervisor to cut interim vouchers to be approved at the next meeting for a total of \$225.00 in three separate \$75.00 checks to the Department of Health. The motion was seconded by Councilmember Gordon.

Roll Call Vote:

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

**ANNOUNCEMENTS:**

***OCTOBER:***

***Monday, October 17th, 2022 at 3:30pm- Budget Workshop***

***Wednesday, November 9th, 2022 at 6:00pm- Public Hearing – LVPA 2023 Contract***

***Wednesday, November 9th, 2022 at 6:15pm- Public Hearing – CRS 2023 Contract***

***Wednesday, November 9th, 2022 at 6:30pm- Public Hearing – LVPA 2023 Budget***

***Wednesday, November 9th, 2022 at 6:45pm- Public Hearing – Town 2023 Budget***

***Tuesday, November 15th, 2022 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. There were no emails for POF.

**ADJOURNMENT:**

A motion was made by Supervisor Houghtling, to adjourn the meeting at 8:57pm. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

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

***Respectfully submitted,***

Marcie Robertson  
New Lebanon Town Clerk