

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON NOVEMBER 15, 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: Sharon Powers, IT Website Support, BEDC & QOL
Committee
Steve Powers, CAC Member & CSC Chair
Josh Young, Planning Board & BEDC Member
Bruce Shenker, NL Rep to CC Env Mgt Council
Mary Young, NL Rep to CC OFA & Traffic Safety
Donald Lamonaca, CAC & ZRC Member
Steve Houghtling, LVPA Chief
Steve Winkley, New York Rural Water Assoc.
Members of the Public

CALL TO ORDER:

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

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

MINUTES:

The minutes of the **October 4, 2022 Budget Workshop, October 7, 2022 Budget Workshop, October 11, 2022 Budget Workshop, October 17, 2022 Budget Workshop and October 24, 2022 Budget Workshop** were reviewed.

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

FINANCIAL:

Supervisor's Report – September & October:

The Supervisor's Report as of September 30, 2022 and October 31, 2022 were 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 Anthonisen to accept the Supervisor's report for September and October 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

PRIVILEGE OF THE FLOOR:

In addition to an in-person privilege of the floor, Supervisor Houghtling will read all comments, questions and concerns emailed to supervisor@townofnewlebanon.com during the meeting. No one in person spoke and there were no emails received for the first POF.

Councilmember Buckenroth reminded everyone of the Thanksgiving Dinner from 4:00pm to 6:00pm at the New Lebanon Jr/Sr High School on Saturday, November 19th.

PRESENTATION BY STEVE WINKLEY ON NL DRINKING WATER SOURCE PROTECTION PROGRAM (DWSP2) PLAN:

Supervisor Houghtling stated that Steve Winkley and the CAC have been working on this for at least three years. Steve Winkley, Hydrogeologist & Source Water Protection Specialist of the New York Rural Water Association presented the plan to the Town Board. The DWSP2 is a plan to help reduce the risk of water supply contamination and/or depletion. The plan identifies the drinking water resources in a community, source water protection areas and it inventories potential sources of contamination.

See Addendum A

BUDGET AMENDMENT #10 OF 2022:

Supervisor Houghtling stated we accidentally billed three extension cords to recreation commission because they were purchased for their event but the plan was to buy them from the parks budget and use them for all things needed in the pavilion, so we are moving \$300 back into rec commission from parks. The union contract has \$300 per MEO for boots and jeans and such but we didn't know this when creating the 2022 budget, so we are moving

\$900 into super of hwys for the three employee purchases this year from contingent. Street lighting is over budget for some reason but she hasn't had a chance to look into why, for now we are moving \$1000 into this line from contingent to cover through the end of the year. We didn't budget for TV recycling in town clean-up day budget, so we need \$285 more to cover that bill which was \$1140 and we are moving it over from contingent. We are over in central data processing because we didn't budget for increase in town hall streams or for Sharon's website support so she am bringing \$2000 more into this line from contingent which will hopefully bring us through the end of the year. We are bringing money into the climate smart equipment for the heat pumps from unallocated and there is around \$16,000 in unallocated that is climate smart revenue which means we are borrowing around \$17,500 from unallocated that isn't climate smart revenue until the \$30,000 NYSEDA funding hits our account, which she signed for a week or so ago. At that point they will have around \$12,500 in unallocated that is climate smart revenue after giving back the \$17,500 borrowed for the heat pumps. For highway, he needs more money for increases in fuel costs, sand costs, etc. The retirement bill was \$15,839 less than we budgeted for and we had \$20,000 set aside in the budget for a capital investment that we can pull from to cover the increased operating expenses from these increased costs.

General Fund:

\$ 300.00	from A-7110.2 (Parks – Equipment)
\$ 300.00	to A-7020.4 (Rec Admin – Cont. Exp.)
\$ 4,185.00	from A-1990.4 (Contingent)
\$ 900.00	to A-5010.4 (Super. Of Hwys. – Cont. Exp.)
\$ 1,000.00	to A-5182.4 (Street Lighting – Cont. Exp.)
\$ 285.00	to A-8160.41 (Refuse & Garbage – Town Clean-Up)
\$ 2,000.00	to A-1680.4 (Central Data Processing)
\$ 33,460.00	from A-003917 (Appropriated Fund Balance)
\$ 33,460.00	to A-8797.2 (Climate Smart - Equipment)

Highway Fund:

\$ 20,000.00	from DA-9950.9 (Capital Project Fund - Interim)
\$ 15,839.00	from DA-9010.8 (State Retirement)
\$ 30,839.00	to DA-5130.4 (Machinery – Cont. Exp.)
\$ 5,000.00	to DA-5142.4 (Snow Removal – Cont. Exp.)

A motion was made by Supervisor Houghtling to approve the above noted budget amendment #10 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

AUDIT OF BILLS:

Supervisor Houghtling reported that Highway Voucher #131, for a repair to a 2011 Ford in the amount of \$5,863.85. The Town Board adopted a policy that the Highway Superintendent needs Town Board approval for any expenditures over \$5,000 that were not pre-approved. Highway Superintendent Winestock did not realize that the repair was going to cost this much. Supervisor Houghtling stated that they can make a retroactive motion to approve this expense.

A motion was made by Supervisor Houghtling, seconded by Councilmember Buckenroth and approved unanimously to authorize the repair of a 2011 Ford in the amount of \$5,863.85 retroactively to October 17th, 2022.

2022 Bills:

General No. 420 through 422, in the amount of \$581.38;
As listed on Abstract No. 10A dated November 15, 2022.

General Nos. 423 through 467, in the amount of \$92,430.61;
Highway Nos. 122 through 138, in the amount of \$82,102.65; and
SF-1 LVPA No. 4, in the amount of \$38,075.50;
As listed on Abstract No. 11 dated November 15, 2022.

A motion was made by Supervisor Houghtling to pay the bills. 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

COMMITTEE/LIAISON REPORTS:

Assessor (Councilmember Gordon):

Councilmember Gordon read the following report from the Assessor:

1. After much discussion, we feel it is in the best interest of the taxpayers to delay the full reassessment until the 2024 roll year. This will allow a little more time for the market to react to the most recent changes. Over the last couple of years, there have been increases in the market but no assessment increases. The equalization rate has dropped well below 100%. However, we are still showing good equity within the town's assessments. This allows us to apply some trending to the

2023 roll to be closer to current market conditions while delaying the full reassessment. Will need to amend resolutions/contracts from 2023 Reassessment to read 2024 Reassessment.

2. We are gearing up for exemption season, renewal notices will be going out around the 1st week of December. Notices will include instructions as always.

Building Department (Councilmember Buckenroth):

Councilmember Buckenroth stated no report at this time.

Business & Economic Development (Councilmember Gordon):

Monte Wasch, BEDC Chair was not in attendance, **Supervisor Houghtling** reported the following:

They had their most recent meeting, they had good discussion. Coming very soon there will be Welcome Packets coming out of the Outreach & Marketing Sub-Committee. One for welcoming new businesses to town and one for new residents. They will only be for home owners; they do not have a way to track renters. Their next meeting will be a Business Owner Meet and Greet on Thursday, December 8th, 2022 at the Roaring 20's at 5:00pm.

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

David Farren, CAC Chair was not in attendance, **Supervisor Houghtling** reported the following:

Supervisor Houghtling reported that the CAC has worked with Steve Winkley to complete the Source Water Protection Plan.

Steve Powers, CSC Chair reported the following:

We are happy to announce that yesterday 5 heat pumps have been installed in the Supervisor's, Town Clerk's, CEO/ZEO's, Assessor's and Historian's offices. These heat pumps will be paid for entirely by grant money the CSC will receive for previous actions we have completed. The heat and cooling produced will cover 52% of the entire building and now qualifies the Town for 700 points in NYSEDA's Clean Energy Communities or CEC program. I will submit the documentation in the next week which should get us to 5000 points in the CEC program and entitle New Lebanon to another \$70,000 grant which will allow the rest of Town Hall to be converted to heat pumps along with other energy upgrades.

The remaining element that allows us to get to the 5000 points was the assigning of the Town Hall NYSEG accounts to a solar farm somewhere in New York. That finally happened last week. We continue to be a leader in the Capital region in the CEC program.

The electrician has installed a Wi-Fi enabled device called Sense on the circuit breaker box in the basement that will allow us to monitor and benchmark the garage and Town Hall accounts accurately.

Thank you in advance for approving the Drinking Water Protection Plan. The CSC will get 6 points for it and another 4 when 2 actions are implemented.

Our composting team is wrapping up a successful season of collecting coffee grinds from the restaurants and Stewart's along with food scraps from the Farmer's Market. As you can imagine, it gets too cold to separate filters from the coffee grinds by hand so they will start up in the Spring again. Some interesting facts:

Stewart's: about 40 pounds a day

Blueberry Hill and Maverick's together: about 10 pounds a day

Farmer's Market: about 65 pounds a week (big variation week to week)

So altogether about 410 pounds a week from New Lebanon's commercial district has been composted and kept out of landfills.

At this point, about 50 pounds of Farmers Market food scraps is going directly to a pig farmer. We will be presenting Certificates of Appreciation to all the businesses involved.

We were pleased that the Clean Water, Clean Air and Green Jobs Bond Act passed in New Lebanon and statewide. This will generate \$10 million/year for 10 years for the State CSC program which will obviously trickle down to us at the local level.

The CSC has an unused balance of \$1663.32 from our budget of \$2849. We are planning a Holiday Pizza Party at M & M's on Dec 7 at 6:30pm and the Town Board members are invited. We would request that funds be reassigned for the party. I estimate no more than \$350.

Bruce Shenker, Environmental Management reported the following:

Tara Becker of the health department discussed a program for customers bringing reusable containers for taking food from restaurants. I will follow up and pass on details.

EMC discussed lack of obvious display for composting but this is because the county needs digester available to handle large amounts of composting. This should be available next year.

Chatham and Kinderhook following New Lebanon's lead on heat pump campaigns as is the county climate smart.

There was discussion of coordinating the overlapping work of county and municipality climate smart and CAC teams. Tara from DCRPC will be invited to a discussion of this at the December meeting.

Corkscrew Rail trail trying to raise funds for back taxes and restoring old depot. Work has been done to clear around the depot and cover the roof with a tarp for winter.

Shaker Swamp conservancy expects results of feasible study by the end of the month. These will be presented at a fund-raising event early in the new year.

Fire, Law Enforcement & Emergency (Councilmember Trainor):

Councilmember Trainor reported that for September, the LVPA had 73 people put in 75.27 hours on such things as brush fires, mutual aide, alarm activation, tree on wires and 12 alarms as well as 2 drills, fire prevention and a special detail.

Highway (Superintendent Winestock & Councilmember Trainor):

Councilmember Trainor stated no report at this time. He mentioned that the Proposition on the ballot to make the Highway Superintendent position appointed, did not pass. There will be an election next year for a Highway Superintendent.

Historian & LVHS: (Councilmember Trainor):

Historian:

Councilmember Trainor stated that the Historian is on leave through December, she is still participating in a number of things but officially she is on leave now.

LVHS:

Councilmember Trainor reported the LVHS had a membership meeting last night, the first one since the pandemic. It was well attended. They have resurrected their programs with four real programs and Mary Young was involved in the most recent one at the Church of Our Savior. They accepted three new members to the board.

Justice Court/Constable (Councilmember Anthonisen):

Councilmember Anthonisen stated no report at this time.

Library (Councilmember Buckenroth):

Councilmember Buckenroth reported the following:

An automatic door release button has been installed outside the library. That's been a long-standing concern for people with mobility issues and parents with strollers alike.

- *We have a new friendly face at the library: Paul Gavriety has joined our team as a Library Clerk.*
- *We're looking for people who'd like to volunteer to give a talk about a trip they've taken. I have a patron who recently traveled to Iceland to kick it off, but I'm hoping to make it a travelogue series starting in January. Please email Michelle Hoffman if you are interested.*

Buildings, Parks & Recreation (Councilmember Buckenroth):

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

One more volunteer will be needed to install the ice rinks. Please get in touch with Marianna if you can help.

Councilmember Anthonisen stated that for volunteers for the ice rink setup they should actually contact Abbie Shoobs directly.

Community walks will resume in the spring.

Coming soon - Joe Ogilvie will be teaching a water aerobics class on Monday evenings at 6 at the Shatford pool. We are still working out the details. An announcement will be made when it starts.

Seniors (Councilmember Gordon):

Mary Young reported the following:

The New Lebanon Seniors enjoyed their trip for shopping in Maine, 45 traveled on the bus. The next trip is 11/30 to PA for a Christmas play and lunch.

Our bake sale was a success on 10/8, we had lots of tasty treats available for purchase to the community.

The seniors collected food, toys, and treats for our animal friends and they were given to the local shelters. We collected Christmas cards and will be sending them to the VA hospital and local nursing homes to those residents without families to spread some Christmas cheer.

We have two meetings a month, the first for business and the second for fun, everyone enjoyed restarting the games for the second meeting. We have welcomed several new members.

This month the Columbia County Sheriff Department will join us to explain about the Yellow Dot program which is available to anyone. The purpose of the program is to have a way for emergency services to help you when you are unable to speak for yourself. We will have a fall themed covered dish luncheon scheduled for 11/18.

The HEAP program for assistance in paying heating cost opened on 11/1, contact the office of the Aging for an application. Christmas giving programs have started through the Office of the Aging Senior Stars program. Various companies and individuals give contributions of money or goods to needy individual seniors, who do not have any local support.

The Healthcare Consortium has a representative at the Farmers Market on the weekends to give residents information about available programs in the County and updates.

The most recent newsletter is available online at www.columbiacountyny.com/newsletter for more information about County events.

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.

Traffic Safety (Mary Young):

Mary Young stated no report at this time:

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

Supervisor Houghtling reported that they were tasked at coming up with a proposal to the Town Board for how to spend ARPA funds to increase health and wellness access in New Lebanon. They had a lot of good conversations. The first proposal has to do with offering Yoga and Zumba classes to the community, once a week for each for 50 weeks at \$100 per class, total of \$10,000 and residents can attend for free. They also discussed offering childcare. Their plan would be to hold the classes at the new community center and in the meantime at the firehouse with childcare at the library. The details still have to be worked out. The childcare cost was estimated at \$30 per class for the year for a total of \$3,000 for one care giver and an additional \$1,500 for the possible need of a second care giver. Also, an additional \$500 for snacks for the childcare. Total cost of \$15,000 for one year.

Supervisor Houghtling stated that they took the five highest rated ARPA survey questions and tasked different committees to work on them. Business support, the BEDC through the ARPA grant program, they have allocated up to \$100,000, the QOL has come in with \$15,000, the CAC has come in with a request for \$30,000, the community center came in with \$41,500, and they are still waiting on how to use ARPA funds to expand access to the rail trail. At this point, the total has not gone above the \$220,000.

Comprehensive Plan Action Item Update (Supervisor Houghtling):

Supervisor Houghtling stated nothing to report at this time.

County Update (Supervisor Houghtling):

Supervisor Houghtling stated the County has been busy with budget. The County made an effort to bring pay up for officials and employees, similar to how the town did it. The county decided not to use the increased sales tax revenue for operating expense because sales tax revenue is very high and it could drop tomorrow. The County is allocating \$12Mil into one-time infrastructure projects; \$5Mil for road and bridge repairs and \$7Mil for building infrastructure. The County stayed within the 2% tax cap.

OLD BUSINESS:

2023 LVPA Contract:

Supervisor Houghtling recused herself and left the room because her husband is the fire chief.

A motion was made by Councilmember Trainor, seconded by Councilmember Buckenroth and approved unanimously with the exception of Supervisor Houghtling who recused, to authorize Doug Banker, Deputy Town Supervisor to sign the 2023 LVPA contract.

Supervisor Houghtling returned to the room.

2023 CRS Contract & Chargeback Agreement:

A motion was made by Councilmember Trainor, seconded by Councilmember Buckenroth and approved unanimously to authorize Supervisor Houghtling to sign the 2023 CRS contract and the Chargeback Agreement with Columbia County.

2023 Final Budget Adoption:

Supervisor Houghtling stated when she did the tax cap filing, we were way below where we were allowed to be. By taking out the \$6,450, it brought it down from 2% to 1.28%. Supervisor Houghtling stated that we are \$22,763 below the tax levy limit. Supervisor Houghtling informed the board that the town has an available carryover from fiscal year ending 2022 of \$13,900 that they could have increased the budget but didn't. The town is able to retain the \$13,900. This year the town is below by about \$9,000. Cumulatively the town is now about \$22,000 below where it could have been with the budget.

A motion was made by Supervisor Houghtling to adopt the 2023 Final Budget as presented. 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

CSC Vacancy Letters of Interest

Supervisor Houghtling stated there were no CSC letters of interest received. At this time, we are not going out for letters of interest again.

ARPA Applications from Local Businesses:

Supervisor Houghtling stated they will discuss the financials of the applicants in an executive session and due to the lengthy discussion, there will be a special meeting for ARPA grant application discussion.

Supervisor Houghtling gave a brief summary. They received a total of ten applications. Of the ten; five had the tax documents they were asking for, one had the tax documents but for only one year, and four did not have tax return documents and one didn't list the amount of money they were requesting. The total amount requested, which doesn't include two of the businesses was \$113,961.66. As of now the board has allocated up to \$100,000.

A motion was made by Supervisor Houghtling, seconded by Councilmember Buckenroth and approved unanimously to schedule a Special Meeting on November 28th, 2022 at 3:00pm to discuss the ARPA applications that were received and ask that the Town Clerk advertise said Special Meeting.

Walkable Downtown:

Supervisor Houghtling stated they have a great committee and they have had two meetings. Don Adams from Creighton Manning joined their last meeting and his firm will do the funding grant application for the town free of charge as long as we use his firm for the engineering if we get the funding. Supervisor Houghtling stated that attorneys and engineers are things that the town doesn't have to go out to bid for.

Supervisor Houghtling summarized the scope of work for the planning exercise to build town and public consensus on an alternative that would be carried forward in a grant application. Supervisor Houghtling stated that it is very important to hear from the community before applying for funding. Creighton Manning quoted \$9,900 to do four committee meetings and two public input sessions or \$7,000 to do two committee meetings and one public input session, along with all of the other scope of work that they laid out.

The Town Board held further discussion regarding the two quotes offered.

A motion was made by Supervisor Houghtling authorizing Creighton Manning to work with the Town on a Walkable Downtown Project not to exceed \$10,000. 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 added, that assuming we get the TAP funding, it is an 80/20 project. DOT funds 80% and the town funds 20%. When you are talking about a potential \$15Mil project, that is \$3Mil for the town which is an expense that the town would bond. When Supervisor Houghtling talked to the bank, they didn't offer long-term bonds so the

payments would be very high. They are going to look into other long-term bonding sources, but the board needs to come up with a ballpark of how much of a bond payment the budget can afford. Supervisor Houghtling was thinking a payment of \$200,000 could be afforded. The board held further discussion on this. The board felt that the Supervisor is the budget officer and if she feels that they can afford \$200,000 for a bond payment then they will go with that amount.

Fund Balance & Reserve Accounts:

Supervisor Houghtling reported that the attorney is still working on these resolutions.

EV Charging Station Plowing/Snow Removal Bids:

Supervisor Houghtling stated we received two bids. One bid from Lebanon Springs Excavating for \$70 per plow and per sand. The other bid from MRB Darcy Dirt Work LLC for \$50 per snowplowing.

A motion was made by Supervisor Houghtling to accept the bid from MRB Darcy Dirt Work LLC for \$50.00 per snowplowing. 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

Year End Meeting – Schedule & December Meeting – Potential Conflict:

Supervisor Houghtling and the board discussed the day and time to hold the year end meeting.

Supervisor Houghtling stated there is the High School winter concert the same night as the December meeting. Three out of six people on the bench have children performing in the concert. Supervisor Houghtling made one motion for several different meeting notices.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to change our regular December Town Board meeting to start at 7:30pm on December 13th, 2022 and to schedule our Year End meeting for Friday, December 30th, 2022 at 10:30am and to have the Town Clerk advertise both of those along with the prior Special Meeting all in one meeting notice.

Highway Truck Bids:

Supervisor Houghtling stated we did not receive any bids. Supervisor Houghtling spoke to Highway Superintendent Winestock and he would like to go out to bid again.

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon and approved unanimously to go back out to bid for the truck bids with the exact same bid notice with the exception of the date and time that bids are due and have bids due on or before Thursday, December 29th, 2022 at 4:00pm.

Pavilion Kitchen Renovations:

Supervisor Houghtling stated that Paul McCreary is working on the engineered plans and RFP to go out to bid, and he should have it by our December meeting so we can go out to bid.

Moratorium Request for Demolishing Shaker Buildings on Mount Lebanon:

Supervisor Houghtling reported that Attorney Tingley said this is something we can do and he is working with Kyle as chair of the Shaker Preservation Committee and Ted as chair of the ZRC to create the proposed local law. It should be ready to introduce at our December meeting.

Shaker Preservation Committee Request to Add a Member:

Supervisor Houghtling stated the committee is requesting to add a member, Christine Beers.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously to add Christine Beers to the Shaker Preservation Committee.

Noise Ordinance Request:

Supervisor Houghtling stated they have had a lot of residents over the years with neighbors, air B&B's or Inn's that had loud music late into the night. A concern has always been enforcement. Supervisor Houghtling looked into the specifics and reported her findings to the board. Attorney Tingley said they can define the ordinance to be not hearing noise outside of the property line after a certain time so we don't need a decibel meter to find out if it is above a certain level. They can also define the ordinance to have a certain person or position (DCO, CEO, ZEO, etc.) to be the enforcement officer. The State Police and CC Sheriff's Office can enforce a noise ordinance, but it likely would not be their top priority so the town may want to consider also having a local enforcement arm. When a ticket is issued the enforcement officer starts in court and if it proceeds to trial, we need a prosecutor via our town attorney. This is the exact same process as DCO, CEO, and ZEO tickets, etc. The Town Board discussed how many complaints are the average and the possible cost to the town.

Supervisor Houghtling stated that she spoke to Howie Commander about the board's intention being NOT to harm the speedway operation and that we could work out the time of noise stopping to be one that didn't interfere with his successful, long-standing business. Attorney Tingley advised that the town wants to ensure that the noise ordinance doesn't harm a long-time successful business as that could be a legal issue with both business harm and potential civil rights issues.

The board agreed to think more about this and table it for now.

NEW BUSINESS:

Policy Review – Historic Items Policy:

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

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

Union Contract Amendment:

Supervisor Houghtling stated that at the budget workshops they talked about including the highway employees with the 5% COLA, which amends their Union contract.

A motion was made by Councilmember Trainor, seconded by Councilmember Gordon and approved unanimously to authorize the Supervisor to sign the amended Union contract.

See Addendum B

Recreation Commission Resignation:

Supervisor Houghtling stated they have received a Recreation Commission resignation from Michelle Bienes.

A motion was made Supervisor Houghtling, seconded by Councilmember Gordon and approved unanimously to accept the resignation from Michelle Bienes from the Recreation Commission and advertise for letters of interest for the vacancy with letters of interest due by 4:00pm on Thursday, December 29th, 2022.

Website Issues:

Sharon Powers, Website Support reported that the town website is very old and has been crashing a lot. Sharon discussed with the board that there are many things that need to be updated but it will take time and she is asking the board to approve up to fifteen hours in order to make these fixes.

A motion was made by Supervisor Houghtling to authorize up to \$1,000 for website fix issues at Sharon Power's hourly rate of \$65.00 an hour. 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

Well Test:

Supervisor Houghtling has been working with Barton & Loguidice on ensuring our well can handle the capacity of the proposed splash pad. Supervisor Houghtling stated she has been trying for months to get the well tested and finally heard back from one company and the amount of the cost estimated will require another quote. The board held further discussion.

A motion was made by Supervisor Houghtling to authorize well capacity testing up to \$5,000 to the lowest quote received. 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

ANNOUNCEMENTS:

NOVEMBER:

Monday, November 28th, 2022 at 3:00pm- Special Meeting – ARPA Application Review

DECEMBER:

Tuesday, December 13th, 2022 at 7:30pm- Regular Monthly Meeting

Friday, December 30th, 2022 at 10:30am- Year End 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. There were no in person for POF.

Councilmember Buckenroth received and read the following email for POF:

Good Evening Board Members,

I am sorry that I am unable to attend tonight's meeting in person but our Town Supervisor has assured me that email is a perfectly acceptable method of communication when unable to speak in person. I also just found that the town website is down so I don't know if you will even see this email prior to tonight's meeting.

As an insurance professional I have a number of concerns over the proposed skate park and splash pad in the town park. Has anyone contacted the town's insurance carrier to ask:

- The impact on the insurance costs of adding the exposure of a skate park and splash pad?*
- If the carrier will even continue to offer coverage to a town with a skate park and splash pad?*
- What will the carrier require of the town for the insurance coverage to continue – lifeguards at splash pad? Supervision at splash pad? Supervision at skate park?*
- Potential claims examples and or lawsuits that they have seen relating to skate parks and splash pads?*

The financial costs of these unnecessary additions to our town are not just in the initial construction but in the ongoing maintenance, and additional annual expenses such as insurance and potentially additional town employees to supervise and care for these facilities.

The non-financial costs should also be considered. How much park green space will be sacrificed for these facilities that will only benefit a small portion of the townspeople? The newsletters and town website promote the town as a climate smart community. Is it climate smart to remove green space and pour concrete? Is it climate smart to waste water in a splash pad that will require the water to contain chemicals to ensure it is safe for children to play in and potentially ingest? Is it climate smart to allow the chemicals that will be used to treat the water used in the splash pad to leach into the ground surrounding the splash pad?

I ask that you consider these concerns along with the expenditures related to constructing these two facilities and how those tax dollars can better serve the entire community before investing any additional taxpayer funds into these projects.

Elizabeth Kroboth

Supervisor Houghtling responded stating that they did check with the insurance, they are 100% covered for a skatepark and a splashpad. There will be no increase in the premium, the coverage that we have covers all types of things, like when the town has ice skating. The insurance is aware and okay with volunteers constructing the skatepark and it doesn't change the liability coverage at all. For the splashpad, no monitoring or lifeguard is required, just signage just like with the ice skating. Supervisor Houghtling responded to the environmental concerns on the splashpad. She stated that part of the reason it is so expensive is because of water treatment and other environmental precautions.

Councilmember Buckenroth received and read the following email for POF:

Good evening Board members,

First thank you for choosing not to take the COLA raise as elected officials. I appreciate that you are not in this for the money aspect.

I would like to voice my concerns as a taxpayer here in New Lebanon in regards to the 14 +% raises being given to the appointed employees. While I believe as many do, they deserve a COLA raise, just not at that level. I would think a 5-6% maybe 8% would be better received by the taxpayers.

As to the park projects, that in itself is a sore subject with a lot of residents. I know the Supervisor solicited people that are all for it, which is a conflict of interest at best. But there are many that are against it and are not even aware of what is going on there in the park or its exuberant cost to the taxpayers.

I ask you as our elected officials to table this until information is gathered in regards to the parks bylaws set when it was donated to the town by Mr. Shatford.

Thank you for your consideration,

Darla Dobert-Crosby and Michael Crosby

Supervisor Houghtling responded to clarify; the raises were not 14%. They did 5% COLA and between 1% and 3% evaluation-based raises, so they were between 6% and 8%. Anyone that got higher than that was because they were still making the starting rate, even though they had been there four years. There were five positions that qualified because they were still at the starting rate.

ADJOURNMENT:

A motion was made by Supervisor Houghtling, to adjourn the meeting at 8:58pm. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

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

Respectfully submitted,

Marcie Robertson
New Lebanon Town Clerk