

**MINUTES OF THE SPECIAL MEETING OF  
THE TOWN BOARD AND PLANNING BOARD  
OF THE TOWN OF NEW LEBANON  
HELD ON NOVEMBER 30, 2022**

- Present:** Tistrya Houghtling, Supervisor  
Britt Buckenroth, Councilmember  
Deborah Gordon, Councilmember
- Absent:** Marianna Anthonisen, Councilmember  
John Trainior, Councilmember
- Planning Board:** Elizabeth Brutsch, Planning Board Member & Chair  
Jim Carroll, Planning Board Member  
Greg Hanna, Planning Board Member  
Steve Muse, Planning Board Member  
Monte Wasch, Planning Board Member  
Brent Gawron, Planning Board Member  
Joshua Young, Planning Board Member
- Recording Secretary:** Marsha “Marcie” Robertson, Town Clerk
- Others Present:** Hazel “Cissy” Hernandez, ZEO & Building Dept Admin  
Jeff Hattat, CEO  
Michelle Bienes, PZ Clerk  
Jon Tingley, Town Attorney  
Members of the Public

**CALL TO ORDER:**

The Special Town Board and Planning Board Meeting was called to order at 4:49pm by Supervisor Houghtling.

Attorney, Jon Tingley explained that this is a joint meeting of the Town Board and Planning Board. He stated that these meetings aren't typically handled in this fashion but he thought it was important since both boards are parties to the litigation that he is asking to discuss today. He suggested that because the Town Board is the governing board of the town that this meeting be procedurally handled as a Town Board meeting. The Supervisor will be the presiding officer and run the meeting procedurally.

Attorney Tingley stated that the purpose of this meeting is to discuss pending litigation between a site plan applicant, Camp DD versus the Town of New Lebanon and the

Planning Board of the Town of New Lebanon. He stated that there is a provision of the public officer's law that allows the boards to go into Executive Session to discuss matters like that. Attorney Tingley is asking that the boards go into Executive Session to discuss this litigation. It is important that while litigation is pending, their conversations not be public as it may impact the case if their adversary is privy to their conversation. Attorney Tingley suggests that each board motions, seconds and votes on entering into Executive Session for the purposes of discussing the Camp DD versus the Town of New Lebanon Article 78 proceedings with an invitation to the other board to attend.

**EXECUTIVE SESSION:**

A motion was made by Supervisor Houghtling that the Town Board enter into an executive session at 4:52pm for the purpose of discussing pending litigation of Camp DD versus the Town of New Lebanon Article 78 proceeding and invite the Planning Board to attend. The motion was seconded by Councilmember Gordon.

Roll Call Vote:

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

A motion was made by Planning Board Member and Chair, Elizabeth Brutsch that the Planning Board enter into an executive session at 4:52pm for the purpose of discussing pending litigation of Camp DD versus the Town of New Lebanon Article 78 proceeding and invite the Town Board to attend. The motion was seconded by Planning Board Member, Monte Wasch.

Roll Call Vote:

Planning Board Member & Chair Brutsch -	Aye
Planning Board Member Carroll -	Aye
Planning Board Member Hanna -	Aye
Planning Board Member Muse -	Aye
Planning Board Member Wasch -	Aye
Planning Board Member Gawron -	Aye
Planning Board Member Young -	Aye

Supervisor Houghtling stated for anyone watching the live stream, that the camera will go dark and when the board comes out of Executive Session, it will come back on. Anyone attending in person that is not a part of the Planning Board or Town Board was asked to wait outside of the meeting room.

A motion was made by Supervisor Houghtling for the Town Board to exit Executive Session

at 7:11pm. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

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

A motion was made by Planning Board Member and Chair, Elizabeth Brutsch for the Planning Board to exit Executive Session at 7:12pm. The motion was seconded by Planning Board Member, Brent Gawron.

Roll Call Vote:

Planning Board Member & Chair Brutsch -	Aye
Planning Board Member Carroll -	Aye
Planning Board Member Hanna -	Aye
Planning Board Member Muse -	Aye
Planning Board Member Wasch -	Aye
Planning Board Member Gawron -	Aye
Planning Board Member Young -	Aye

**ADJOURNMENT:**

A motion was made by Supervisor Houghtling, to adjourn the meeting at 7:12pm. The motion was seconded by Councilmember Buckenroth.

Roll Call Vote:

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

A motion was made by Planning Board Member and Chair, Elizabeth Brutsch to adjourn the meeting at 7:12pm. The motion was seconded by Planning Board Member, Monte Wasch.

Roll Call Vote:

Planning Board Member & Chair Brutsch -	Aye
Planning Board Member Carroll -	Aye
Planning Board Member Hanna -	Aye
Planning Board Member Muse -	Aye
Planning Board Member Wasch -	Aye

Planning Board Member Gawron -	Aye
Planning Board Member Young -	Aye

*Respectfully submitted,*

Marcie Robertson  
New Lebanon Town Clerk