

**MINUTES OF THE BUDGET WORKSHOP / SPECIAL MEETING OF  
THE TOWN BOARD OF THE TOWN OF NEW LEBANON  
HELD ON OCTOBER 20, 2025**

**Present:** Tistrya Houghtling, Supervisor  
Joanne Amlaw, Councilmember  
Scout Metzler, Councilmember  
Steve Powers, Councilmember  
Craig Skerkis, Councilmember

**Recording Secretary:** Marsha “Marcie” Robertson, Town Clerk

**Others Present:** Sharon Powers, IT Website Support, Shaker Preservation &  
ZBA Member  
Mary Young, NL Rep to CC Office For the Aging & Traffic  
Safety  
Peter McCagg, Highway Superintendent & Playground Design  
Committee Member  
Members of the Public

**CALL TO ORDER:**

The meeting was called to order at 4:30p.m. by Supervisor Houghtling.

**TENTATIVE BUDGET REVIEW:**

Supervisor Houghtling explained the purpose of this budget workshop is to go over the Highway Department budget. The board and Highway Superintendent McCagg went over the highway DA-5110.1 account. They discussed at length the numbers of full-time versus part-time highway staff, benefits, etc.

The board and Highway Superintendent McCagg agreed to leave the money in the budget to update the highway garage bathroom, allow for four part-time employees, and move the full-time HEMM into a full-time laborer rate.

**MISCELLANEOUS BUDGET ITEMS:**

The Town Board reviewed and discussed the 2026 Tentative Budget for all highway account budget lines and discussed with Highway Superintendent McCagg and agreed on the following changes. Supervisor Houghtling will attempt to get the end of year 2025 fund balance early in 2026 from the accountant if possible.

**The following changes were made:**

**Highway Page 1. –General Repairs (Contractual) DA-5110.4, \$195,000 - decrease by -**

\$10,000 to change to \$185,000.

**Highway Page 1. –Machinery (Contractual) DA-5130.4, \$105,000 - decrease by - \$10,000 to change to \$95,000.**

**RESOLUTION – HIGHWAY EQUIPMENT PURCHASE – EQUIPMENT CAPITAL - RESERVE FUND - BOBCAT:**

No one on the board had any questions.

**TOWN OF NEW LEBANON**

**RESOLUTION #30, 2025**

**AUTHORIZING EXPENDITURE FROM EQUIPMENT CAPITAL RESERVE FUND FOR PURCHASE OF T770 T4 BOBCAT COMPACT TRACK LOADER**

**OCTOBER 20, 2025**

At a duly called and noticed special meeting of the New Lebanon Town Board, held on the 20th day of October, 2025, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling

Seconded by Councilmember Powers

***AUTHORIZING EXPENDITURE FROM EQUIPMENT CAPITAL RESERVE FUND FOR PURCHASE OF T770 T4 BOBCAT COMPACT TRACK LOADER***

WHEREAS, pursuant to N.Y. General Municipal Law § 6-c and a resolution adopted by the Town Board on December 30, 2022, the Town Board of the Town of New Lebanon established and funded an Equipment Capital Reserve Fund for the acquisition of equipment, machinery, and apparatus for construction and maintenance; and

WHEREAS, the Highway Superintendent has sought approval to purchase a T770 T4 Bobcat Compact Track Loader and accessories thereto (the “Equipment”) as itemized on a September 30, 2025 quote provided by Goff Equipment Service, Hillsdale, New York; and

WHEREAS, the Town Board seeks to authorize expenditure of funds from the Equipment Capital Reserve Fund for the proposed purchase, but must adopt a resolution subject to permissive referendum, which may not take effect until thirty days after its adoption, or, if within thirty days after its adoption there be properly filed a valid petition requiring a referendum in accordance with applicable law, until approval thereof by affirmative vote of a majority of the qualified electors of the Town voting on such proposition; and

WHEREAS, the quote from Goff Equipment Service is based upon a Sourcewell contract on which the Town may purchase as a substitute to the Town conducting its own competitive bidding process under applicable law; and

WHEREAS, Goff Equipment Service has indicated that the subject price may be subject to change after October 31, 2025 due to potential expiration or modification of the subject Sourcewell contract during the permissive referendum period required under N.Y. Town Law § 91; and

WHEREAS, the Town Board seeks to authorize the purchase of the Equipment, provided: (1) the purchase is made pursuant to a valid piggybacking contract or other established substitute for competitive bidding, such as a valid Sourcewell contract; (2) the final purchase price does not exceed \$85,000; and (3) the permissive referendum period following adoption of this Resolution expires without a referendum being validly demanded pursuant to law, or if a referendum is validly demanded in accordance with applicable law within the time period provided by law, the proposition is approved by affirmative vote of a majority of the qualified electors of the Town voting on such proposition;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Pursuant to N.Y. General Municipal Law § 6-c, as amended, and resolution of the Town Board dated December 30, 2022 establishing the Equipment Capital Reserve Fund, the total expenditure of up to \$85,000 for the acquisition of the Equipment is for a proper purpose for which the Equipment Capital Reserve Fund was established; and
2. The Town Board hereby approves the Highway Superintendent's purchase of the Equipment contingent on the following:
  - a. At the time of the purchase, the purchase is made pursuant to a valid piggybacking contract or other established substitute for competitive bidding, such as a valid Sourcewell contract; and
  - b. The purchase price does not exceed \$85,000; and
  - c. The permissive referendum period following adoption of this Resolution expires without a referendum being validly demanded pursuant to law, or if a referendum is validly demanded in accordance with applicable law within the time period provided by law, the proposition is approved by affirmative vote of a majority of the qualified electors of the Town voting on such proposition; and
3. Upon audit and approval of an itemized voucher for such Equipment presented to the Town Board, accompanied by the statement of the Highway Superintendent approving payment therefor and stating that the subject Equipment has actually been delivered, the Town Board authorizes the total expenditure of up to \$85,000 from the Equipment Capital Reserve Fund to finance the acquisition of such Equipment; and
4. This Resolution is subject to permissive referendum and shall only take effect as set forth in N.Y. Town Law § 91; and
5. The Town Clerk is hereby directed to, within ten (10) days of the date hereof, post and publish a notice setting forth the date of the adoption of this resolution and containing an abstract of this resolution concisely stating the purpose and effect hereof and stating that the resolution was adopted subject to a permissive referendum.

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

Roll Call Vote:

Councilmember Powers	Aye
Councilmember Metzler	Aye
Supervisor Houghtling	Aye
Councilmember Amlaw	Aye
Councilmember Skerkis	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 20, 2025  
Marcie Robertson  
Town Clerk  
Town of New Lebanon

Supervisor Houghtling stated, this resolution is subject to permissive referendum, the Town Clerk has to notice the paper and the town waits 30 days before moving forward with the purchase.

**HIGHWAY INTERIM VOUCHER:**

Supervisor Houghtling stated, the Highway Superintendent has a voucher for repairs and would like the board to authorize her to pay it on an interim voucher.

A motion was made by Councilmember Amlaw to authorize the Supervisor to pay the interim voucher for \$750.00 to Dermody Auto Glass. The motion was seconded by Councilmember Skerkis.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Metzler -	Aye
Supervisor Houghtling -	Aye
Councilmember Amlaw -	Aye
Councilmember Skerkis -	Aye

**BBQ ROOF DEADLINE:**

Supervisor Houghtling stated, they have a request to extend the deadline for the BBQ roof project at the pavilion to November 30th based on a delay in getting the required materials from the vendor.

A motion was made by Supervisor Houghtling, seconded by Councilmember Powers, and approved unanimously to extend the deadline for the BBQ Roof Project to November 30<sup>th</sup>,

2025 and authorize the Town Supervisor to sign an amended agreement with Galusha General Contracting.

**TENNIS COURT BATHROOMS:**

Supervisor Houghtling stated, Karl Galusha contacted her on Friday the 17<sup>th</sup> at 2:54pm that the original scope of work was finished. They discussed not charging fees after that and giving three weeks from that date for the completion of the add-ons. There is also a request that the Supervisor is able to pay on an interim voucher for the entire project once inspected.

A motion was made by Councilmember Skerkis to authorize the Supervisor to pay on an interim voucher the Tennis Court remaining balance with addendums minus prepayments and late fees in full to Galusha Contracting upon written inspection, approval from Jeff Hattat. The motion was seconded by Council Powers.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Metzler -	Aye
Supervisor Houghtling -	Aye
Councilmember Amlaw -	Aye
Councilmember Skerkis -	Aye

A motion was made by Supervisor Houghtling, seconded by Councilmember Powers, and approved unanimously authorizing Galusha Contracting to change two cameras from what is in the scope of work to the ring light/cameras on the exterior of the tennis court bathrooms as proposed.

A motion was made by Supervisor Houghtling to amend the tennis court bathroom contract to increase up to \$200.00 to add two pull handles, one at each door, and to add a grab bar by the toilet and authorize the Supervisor to sign the amended contract with Galusha Contracting. The motion was seconded by Councilmember Amlaw.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Metzler -	Aye
Supervisor Houghtling -	Aye
Councilmember Amlaw -	Aye
Councilmember Skerkis -	Aye

**COUNCILMEMBER METZLER’S APPOINTMENT:**

Councilmember Skerkis stated, he is confident that the motion he is going to make for Scout will carry, be legal, and get him squared away until the end of the year.

A motion was made by Councilmember Skerkis to correct a clerical and statutory error in the June 10, 2025 appointment of Scout Metzler to the Town Board by clarifying that the appointment term runs through December 31, 2025, rather than “November 4, 2025,” consistent with New York law providing that an appointee to an elective town office serves until the end of the calendar year in which the next general election is held. The motion was seconded by Councilmember Amlaw.

Supervisor Houghtling stated, before they vote she’d like to have conversation. She stated that the document Councilmember Skerkis sent out to the whole Town Board, specifically and in the motion language that it recommends states clarifying the appointment of so and so as Town Councilmember was intended. Supervisor Houghtling stated, that is not true.

Councilmember Skerkis replied, he did not say that in his motion.

Supervisor Houghtling stated, she is going by what Councilmember Skerkis sent out to the board for consideration. She stated, the document talks about a summary table and whether Councilmember Metzler is allowed to vote or not allowed to vote. Supervisor Houghtling read aloud from the document with more detail. She stated that this change effects both compensation and powers because right now the appointment is through November 4<sup>th</sup>, it is extending it to December 31<sup>st</sup>, so it is compensation and serving on the Town Board to vote for two more months.

Supervisor Houghtling stated, Councilmember Metzler asked for this to be tabled back in September because he wanted to hear from the Association of Towns (AOT) and from the Attorney as to whether he is or is not allowed to vote on the extension of his appointment. Supervisor Houghtling stated, they received clear advice from AOT that he may not vote and clear advice and recommendation from the Attorney that he may not vote. She stated at last week’s meeting Councilmember Skerkis brought up this clerical approach which is different and the Attorney was very clear that the outcome is the same, which is extending the appointment.

Supervisor Houghtling stated, before voting, she would like every board member to think about when they voted back in June, they voted for something that they later found out was not in compliance with the statute. She stated, no one intentionally or willingly voted for something that was illegal. She stated, in their trainings, they learned if you are acting as a Town Board member and you do something unknowingly you are protected. Supervisor Houghtling commented, if this motion is voted on right now by Councilmember Metzler and Councilmembers Skerkis and Amlaw saying that the original motion was a clerical error, which it was not a clerical error, it was unanimous, intentional, and there is video footage of the meeting where they as a board discussed clearly that their intention is to appoint Councilmember Metzler through November. If you act knowingly and willingly you can be held personally liable.

Councilmember Metzler stated, the memorandum that he received is very vague and it clearly states that he can vote and it also clearly states that he cannot vote.

Councilmember Metzler would like to share it with the public but was informed that they cannot, because then everyone could see that it is both sided. He stated, it is clear the Attorney does not want to say one way or the other. He thinks this should be as simple as a yes or a no.

Supervisor Houghtling stated, the memo says Councilmember Metzler cannot vote on it.

Councilmember Metzler replied, that it says there is no ethical concern on page 3, second paragraph.

Councilmember Skerkis stated, there is a motion on the floor.

Supervisor Houghtling and Councilmember Metzler continued with further discussion on the topic. Councilmember Skerkis joined in the discussion as well. Councilmember Metzler read from the memo regarding financial benefits and he said he previously stated he would forego pay and if he did that his participation would not likely violate Section 16-6J. Their discussion continued regarding the memo. Supervisor Houghtling stated that under Common Law, he may not vote. Councilmember Metzler responded, that it is ethically and municipally okay that he votes.

Councilmember Skerkis asked Supervisor Houghtling why is it such a problem to correct the statutory error that the board made, that she claims no one knew about, what is the hang up with making this correction. He stated, there is a motion on the floor and everybody has beat this to death, let's see if the motion carries and if someone wants to file a suit then the judge will decide if the board did the right thing tonight, not the Supervisor.

Supervisor Houghtling responded, okay but both Councilmember Skerkis and Metzler could be held personally liable.

Councilmember Metzler stated, okay in comparison to the Supervisor voting for the Supervisor position to be full-time at the last meeting. He stated, she can do that but he cannot vote on this tonight.

Supervisor Houghtling responded, there was no vote. A vote comes after a motion and a second, she was polling the board to find out where everyone stood on the issues, and there was no vote.

Councilmember Skerkis asked the Town Clerk to call the Roll on the previously made and seconded motion.

Roll Call Vote:

Councilmember Powers -	Nay
Councilmember Metzler -	Aye
Supervisor Houghtling -	Nay
Councilmember Amlaw -	Aye
Councilmember Skerkis -	Aye

**ADJOURNMENT:**

A motion was made by Supervisor Houghtling to adjourn the budget workshop/special meeting at 5:36pm. The motion was seconded by Councilmember Skerkis.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Metzler -	Aye
Supervisor Houghtling -	Aye
Councilmember Amlaw -	Aye
Councilmember Skerkis -	Aye

Respectfully submitted,

Marcie Robertson  
New Lebanon Town Clerk