

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON JUNE 9, 2026**

Present: Tistrya Houghtling, Supervisor
Joanne Amlaw, Councilmember
Chris Patterson, Councilmember
Steve Powers, Councilmember
Susan Tipograph, Councilmember

Recording Secretary: Marsha (Marcie) Robertson, Town Clerk

Others Present: Peg Munves, CAC Co-Chair & Comp Plan Member &
ZRC Alternate
Sharon Powers, IT Website Support, Shaker
Preservation, ZBA Member, & OMC Co-Chair
Mary Young, NL Rep to CC Office for the Aging &
Traffic Safety
Jim Dawson, Outreach, Marketing &
Communication Co-Chair
Jim Carroll, Planning Board, ZRC & Comp Plan
Member
Bruce Shenker, NL Rep to CC Env. Mgt. Council,
CAC, ZRC, & Comp Plan Member
Ted Salem, ZBA Member, ZRC & Comp Plan
Committee Chair
Chris Dreyfus, Meals on Wheels
Members of the Public

CALL TO ORDER:

The regular monthly meeting was called to order at 6:31pm 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, and a reminder to attendees not to block the aisles with chairs or other items.

MINUTES:

The minutes of the **May 12, 2026 Regular Monthly Meeting**, **May 21, 2026 Special meeting**, and **June 1, 2026 Special meeting** of the Town Board were reviewed.

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

FINANCIAL:

Supervisor's Report:

The Supervisor's Report as of May 31, 2026 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.

A motion was made by Councilmember Powers to accept the Supervisor's report for May as typed. The motion was seconded by Councilmember Tipograph.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Amlaw -	Abstain
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Patterson -	Aye

CERTIFICATE OF APPRECIATION:

The board planned to present Sue Robert with a certificate of appreciation for serving over 20 years as a volunteer delivery drive for meals on wheels. Sue never made it to the meeting.

EXECUTIVE SESSION:

A motion was made by Supervisor Houghtling to enter an Executive Session at 6:33pm and invite Ted Salem and JoAnna Gallup Phillips to join the Town Board for the purpose of interviews to discuss the medical, financial, credit or employment history of a particular person, corporation, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension. The motion was seconded by Councilmember Amlaw.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Amlaw -	Aye
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Patterson -	Aye

A motion was made by Supervisor Houghtling to exit the Executive Session at 6:53pm. The motion was seconded by Councilmember Patterson.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Amlaw -	Aye
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Patterson -	Aye

PRIVILEGE OF THE FLOOR (POF) RESOLUTION:

Supervisor Houghtling reported they all agreed that it was awkward for the members of the board not to be able to answer a simple question. The policy has been revised per the resolution. The board engaged in brief discussion regarding the policy.

TOWN OF NEW LEBANON

RESOLUTION # 21, 2026

ADOPTION OF PRIVILEGE OF THE FLOOR POLICY

JUNE 9, 2026

At the Regular Monthly Meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 NYS Route 22, New Lebanon, New York, duly called and held on the 9th day of June 2026, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling

Seconded by Councilmember Powers

Privilege of the Floor Policy

BE IT RESOLVED THAT the Town Board of the Town of New Lebanon adopts the following policy to be followed at all privilege of the floors held at Town Board Meetings:

1. Purpose: The privilege of the floor is offered at each regular monthly meeting of the Town Board so that members of the public may inform the board of their concerns. There will be one privilege of the floor held at the beginning of the meeting that will only be for members of the public who wish to address the board regarding an action item on the agenda for that night's meeting. There will be a second privilege of the floor held at the end of the meeting that will be for the members of the public who wish to address the board regarding any issues they wish to address. Each person may have up to 3 minutes at each privilege of the floor to address the board.
2. Procedure: The presiding officer (Town Supervisor or Deputy Town Supervisor) will recognize each speaker in turn. After all in person attendees and online attendees have had a turn to speak, the presiding officer shall read any emails sent to supervisor@townofnewlebanon.com in advance of the meeting. The emailed privilege of the floor comments shall follow all the same rules as in person privilege of the floor.
3. Decorum: Person speaking before the board shall:
 - a. State their name;

- b. Address the Board as a whole;
- c. Speak in a calm and respectful manner;
- d. Refrain from personal attacks; and
- e. Refrain from addressing other members of the public.

The presiding officer shall declare any speaker who violates decorum to be out of order.

- 4. Conduct of Board Members: Members of the Board shall give their full attention to the speaker. They may choose to respond to the speaker, but shall not engage in a debate. Any questions asked during privilege of the floor shall either be answered or an explanation shall be given as to how the speaker can obtain the answer outside of the meeting.

This Privilege of the Floor Policy shall be reviewed by the Town Board annually.

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

Roll Call Vote:

Councilmember Steve Powers	Aye
Councilmember Joanne Amlaw	Aye
Supervisor Tistrya Houghtling	Aye
Councilmember Susan Tipograph	Aye
Councilmember Chris Patterson	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: June 9, 2026
Marcie Robertson
New Lebanon Town Clerk

PRIVILEGE OF THE FLOOR (POF):

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.

Per the Privilege of the Floor Policy:

The privilege of the floor at the start of the meeting is for an agenda item or agenda related item, including emails. Anything not relative to the agenda can be presented at the second privilege of the floor.

Mark Baumli: Mark thanked the board for making this change to the POF policy. Mark also asked how the town got to a feasibility study when a sewer district has not yet been approved, he asked questions related to the property for the proposed leach field.

Councilmember Tipograph responded, they will be tabling that agenda item because the board is waiting for information.

Supervisor Houghtling responded, she can answer a few of Mark's questions. They have been in contact with the Coon's family. A sewer/water district has not yet been created. As for a brown field, this is actually an approved, good use for it. She reported that Peg Munves, CAC Co-Chair is working with the engineer on an FAQ section for the town website.

Councilmember Patterson stated that his understanding is that the district needs to be established before they can finalize the feasibility study.

Peg Munves, CAC Co-Chair responded that there is no draft yet and they do not have numbers yet because it is an opt-in process.

Supervisor Houghtling stated the feasibility study cannot be finalized until the board gets the petition. They cannot finalize the map until they know what properties are going to be in the district.

Margaret Robertson: Meg explained the history and why there are two privilege of the floors at the meetings.

Mr. Muadin: (Online) Mr. Muadin spoke regarding the SEQRA for the municipal sewer project and that it should be placed in front of the Planning Board. He stated proper process and procedure are being ignored by jamming the SEQRA and negative declaration of environmental concern through the Town Board out of sequence without precautions being taken to protect the health and environment of the town in order to meet a grant deadline that is needed by the yet approved Tilden Commons.

Supervisor Houghtling read the following emails for privilege of the floor:

Elizabeth Kroboth: Liz wrote regarding her previous POF email from the previous meeting regarding the privilege of the floor policy and how it was incorrectly stated. She clarified that what she believes is that consistency matters. She feels the policy proposed tonight is an incomplete policy because it lacks a time frame in which a resident can expect a response to their question.

Jim Dawson: (In person) Jim commented he has looked into the sequence for looking at the water system. The state does not have a clearly stated process. SEQRA has to be done before the district is created, he has confirmed this information with the town engineer.

BUDGET AMENDMENT #10 OF 2026:

Supervisor Houghtling presented Budget Amendment #10 of 2026. In bringing the rest of the park grant money in, the accountant and Supervisor Houghtling realized that he had misunderstood for Budget Amendment #3 of 2026 and brought it in from the capital reserve accounts for playground and landfill. This undoes that incorrect Budget Amendment and does it correctly, along with bringing in the rest of the grant funding for the playground, and it also brings the sidewalk money reimbursement we received from the grant into the

sidewalk account.

General Fund:

\$ 358,978.00	from A-3930 (State Aid – Playground Grant)
\$ 7,825.00	from A-3940 (State Aid – Landfill Closure)
\$ 8,640.00	from A-3930 (State Aid – Playground Grant)
\$ 358,978.00	to A-7140.45 (Park Plan Project – New Playground)
\$ 7,825.00	to A-5031 (Interfund Revenue – Landfill Closure)
\$ 8,640.00	to A-5031 (Interfund Revenue – Playground Grant)

Sidewalk Capital Project:

\$ 67,866.00	from H-5031 (Sidewalks - Engineer)
\$ 67,866.00	to H-5410.41 (Sidewalks - Engineer)

A motion was made by Supervisor Houghtling to approve the above noted budget amendment #10 of 2026. The motion was seconded by Councilmember Powers.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Amlaw -	Aye
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Patterson -	Aye

AUDIT OF BILLS:

Supervisor Houghtling presented the bills for payment.

2026 Bills:

General Nos. 289 through 321, in the amount of \$76,077.17;
Highway Nos. 68 through 79, in the amount of \$96,417.93; and
H-Capital Project -Sidewalks No. 4, in the amount of \$20,464.18;
As listed on Abstract No. 6 dated June 9, 2026.

HIGHWAY FIRE ABSTRACT:

General Nos. 322 through 329, in the amount of \$24,458.45;
As listed on Abstract No. 6A dated June 9, 2026.

Supervisor Houghtling discussed equipment rental fees not being covered by the insurance and the board held discussion on the insurance coverage particulars.

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

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Amlaw -	Aye
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Patterson -	Aye

COMMITTEE/LIAISON REPORTS:

Supervisor Houghtling stated, committee reports as received to her office by Friday afternoon were sent out to the public and the Town Board. She asked if any board members had any questions or need for clarification on any of the committee reports?

Supervisor Houghtling asked the committee chairs that are present, do any of the committees have any further updates or action that is needed by the Town Board?

Councilmember Patterson gave an update on park related items. The Recreation Commission has just finished painting the tennis court bathrooms tonight. This coming Saturday, they will have another skate park work day. He thanked Peg Munves and Councilmember Amlaw for working with Joe Dwileski to get some of the Trees for Tribs trees transplanted to better locations in the park. The Recreation Commission and the CAC have been doing a lot of maintenance on those trees to make them look as nice as possible. The playground is currently being worked on. Councilmember Patterson mentioned that if anyone is interested in volunteering for any of these types of project to please reach out to him or the Recreation Commission Chair, Danielle.

TASK TRACKING REVIEW:

There were no questions or discussion.

OLD BUSINESS:

Feasibility Study Update and Next Steps:

Supervisor Houghtling stated, this is being tabled.

Alternate PB Member – Letters of Interest Received:

Councilmember Tipograph reported, they have held one interview and have another interview tomorrow.

Supervisor Houghtling stated, they should schedule a special meeting for the appointment. There is also a potential voucher for the playground that she is expecting. It was supposed to be ready for tonight's meeting but the engineer is still waiting on some things, she does not want them to wait another month to be paid.

A motion was made by Supervisor Houghtling, seconded by Councilmember Patterson, and approved unanimously to schedule a special meeting for June 22, 2026 at 3:00pm for the appointment of the Alternate Planning Board member and any other business that comes in front of the Town Board.

Comprehensive Plan Committee – Letters of Interest Received:

A motion was made by Supervisor Houghtling, seconded by Councilmember Powers, and approved unanimously to appoint JoAnna Gallup Phillips to the Comprehensive Plan Committee.

Retirement Resolution:

Supervisor Houghtling reported, they needed more detail on one of the submitted calendars (ROA's), they have received that and reviewed the two calendars that were submitted.

TOWN OF NEW LEBANON

RESOLUTION #22, 2026

STANDARD WORK DAY AND REPORTING RESOLUTION FOR 2026

June 9, 2026

At the regular monthly meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 Route 22, New Lebanon, New York, duly called and held on the 9th day of June 2026, the following Resolution was put forth for enactment:

Proposed by Supervisor Houghtling

Seconded by Councilmember Amlaw

Standard Work Day and Reporting Resolution for 2026

BE IT RESOLVED, that the New Lebanon Town Board hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Not Submitted
Elected Officials						
Highway Superintendent	Peter McCagg	6	1/1/2024 – 12/31/2027	No	40.46	
Town Supervisor	Tistrya Houghtling	6	1/1/2026- 12/31/2028	No	26.84	
Town Clerk	Marsha Robertson	6	1/1/2024- 12/31/2027	No	29.36	
Town Justice	Lorrie Wechter	6	1/1/2025- 12/31/2028	No	2.19	

Tax Collector	Tamara Darcy	6	1/1/2024- 12/31/2027	No	7.07	
Appointed Officials						
Assessor	Kimberly Smith	6	10/1/2025- 9/30/2031	No	10.027	
Dog Control Officer	Maggie Banker	6	1/1/2026- 12/31/2026	No	0.857	
Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Not Submitted
Appointed Officials						

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

Roll Call Vote:

Councilmember Steven Powers	Aye
Councilmember Joanne Amlaw	Aye
Supervisor Tistrya Houghtling	Aye
Councilmember Susan Tipograph	Aye
Councilmember Chris Patterson	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: June 9, 2026
 Marcie Robertson
 Town Clerk
 Town of New Lebanon

Interfund Loan Repayment Resolution:

Supervisor Houghtling reported, back in April they borrowed \$200,000 from the highway fire funds into the general highway fire funds to be able to do the vouchers while waiting for insurance reimbursements. We have received money from the insurance and the law

requires the town to pay the funds back. The attorney prepared the interfund loan repayment resolution that take the \$200,000 out of the general fund and puts it back into the highway fund.

**TOWN OF NEW LEBANON
 RESOLUTION #23, 2026
 INTERFUND LOAN REPAYMENT RESOLUTION
 JUNE 9, 2026**

At the Regular Monthly Meeting of the New Lebanon Town Board, held at the New Lebanon Town Hall, 14755 NYS Route 22, New Lebanon, New York, duly called and held on the 9th day of June 2026, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling

Seconded by Councilmember Amlaw

Interfund Loan Repayment Resolution

WHEREAS, pursuant to Resolution #15, 2026, the Town Board authorized a temporary interfund advance pursuant to General Municipal Law Section 9-a pursuant to which the Highway Fund advanced the sum of \$200,000 to the General Fund; and

WHEREAS, such Resolution required that the General Fund repay the Highway Fund in full no later than the close of the fiscal year; and

WHEREAS, the General Fund has now received payment of insurance proceeds revenue and the Town Board desires to use a portion of such insurance proceeds to repay the Highway Fund in full for such interfund advance;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes and directs the repayment by the General Fund to the Highway Fund in full of the temporary interfund advance made pursuant to General Municipal Law Section 9-a pursuant to Resolution No. 15, 2026, with such repayment to be reflected to the following accounts in the following the amounts:

		General Fund	
		Debit	Credit
Loan From Highway	A 2680	\$200,000	
Cash – 9754 Fire Fund	A 1008		\$200,000
Total		\$200,000	\$200,000

[HISTORY: Adopted 12-13-2004; amended 2-14-2011, 9-13-2016, 11-13-2018, 1-1-2021, 2-9-2021, 10-12-2021, 5-10-2022, 6-14-2022, 12-28-2023, 5-14-2024, 4-1-2025, 2-10-2026 & 6-9-2026]

Purpose; applicability. [Amended 12-28-2023]

This description of employee benefits is presented to all Town employees of the Town of New Lebanon (the "Town") for informational purposes only. This description is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the Town's general policies and procedures governing employee benefits. The Town reserves the right to modify, revoke, suspend, or discontinue any of the procedures, practices, policies, and benefits described herein. Moreover, the language used in this description of employee benefits does not confer any contractual right, either expressed or implied, to remain in the Town's employ or guarantee any fixed terms and conditions of employment. Finally, some of the benefits described herein are covered in more detail in Town policies and procedures or written insurance policies and/or plan documents. This description of employee benefits is only designed as a brief guide and summary of policies and benefits. To the extent that any policy herein is in conflict with any applicable Collective Bargaining Agreement ("CBA"), the CBA will control as it is related to the bargaining unit.

Equal employment opportunity policy. [Amended 12-28-2023]

The Town is committed to equal employment opportunities for all. Employment and promotion are based upon personal capabilities and qualifications without regard to race, color, creed, religion, sex, age, national origin, citizenship or immigration status, disability, military status, sexual orientation, gender identity or expression, genetic predisposition or carrier status, marital status, status as a victim of domestic violence, or any other protected characteristic as established by law. This equal opportunity policy applies to all terms and conditions of employment.

Americans With Disabilities policy statement.

The Town is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"). It is the Town's policy not to discriminate against any qualified employee or applicant with regard to any terms and conditions of employment because of such individual's disability or perceived disability so long as the individual can perform the essential functions of the job. The Town will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Town aware of his or her disability, provided the accommodation does not constitute an undue hardship to the Town.

Civil service; part-time employment.

Pursuant to the Columbia County Civil Service Commission's Rules, positions within the Town are classified as exempt, noncompetitive, competitive, labor, or unclassified. For purposes of applying civil service rules only, part-time employment is considered employment where an individual works less than 20 hours per week.

Work schedule. [Amended 6-14-2022 & Amended 12-28-2023]

The standard workweek for the Town is 40 hours per week (not including unpaid lunch breaks). Employees will be informed of their work schedule at the time of hire. Every effort will be made to maintain this schedule. However, it is sometimes necessary to adjust schedules to cover vacation periods, weather conditions and/or unscheduled absences.

Lunches & Break times

- By law Town employees working more than 6 hours are required to take a minimum of an unpaid 30-minute and may take up to a one hour unpaid lunch. Employees working less than 6 hours a day are not required to take lunch.
- **EXCEPTIONS:** If there is only one person in an office and said office is open to the public, you may be required to be available during your lunch break, if so, you will be paid for the 30-minute lunch. In such instances, the Town will work with the employee to provide a minimum break of at least 20 minutes uninterrupted.
- Lunch break **MUST** be taken between the hours of 11am-2pm by law. Employees should work with their direct supervisor to establish a regular lunch schedule that addresses the operational needs of the department. Lunch breaks may not be taken at the start or the end of an employee shift.
- The Town also provides Employees with a 15-minute paid break for each 4-hour worked. This 15-minute break can be broken up into three 5 minutes breaks (i.e. personal phone calls, smoke breaks, etc.). Personal business should **NOT** exceed the 15-minute break throughout the 4-hour period, nor should the two 15-minute breaks for 8 hours of work be combined into a single 30-minute break.
- As the 15-minute break is paid, employees are expected to remain on town property during their breaks. If you are leaving Town property for non-work-related business, you must clock out and will **NOT** be paid for that break.

Description of employment. [Amended 11-13-2018]

The Town will classify employees as full-time, part-time eligible (20-34 hrs/wk), part-time ineligible (less than 20 hrs/wk), or temporary employees.

- A. Full-time: Employees who are not assigned temporary employment and who are regularly scheduled to work a minimum of 35 hours per week or more on an indefinite, continuing basis. Employees who hold multiple positions within the Town and work a total of more than 35 hours per week among the multiple positions will be considered full-time employees. Full-time employees are eligible for all benefits described herein, unless provided otherwise.
- B. Part-time eligible: Employees who are not assigned temporary employment and who are regularly scheduled to work at least 20 hours per week and less than 35 hours per week on an indefinite, continuing basis. A part-time employee is eligible for limited benefits as described herein, or to the extent required by provision of state and federal laws.
- C. Part-time ineligible: Employees who are not assigned temporary employment and who are regularly scheduled to work less than 20 hours per week on an indefinite, continuing basis. A part-time ineligible employee is not eligible for benefits described herein, unless stated otherwise, or to the extent required by provision of state and federal laws.
- D. Temporary: Employees who are hired for a specific period of time or for the completion of a specific project. The job assignment, work schedule and duration of the position will be determined on an individual basis. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees are not eligible for benefits described herein, unless stated otherwise, or to the extent required by provision of state and federal laws. Examples of a temporary employee include, but are not limited to, a camp counselor hire for the summer or a

snowplow operator hired for the winter season.

Probationary period. [Amended 12-28-2023]

Generally, pursuant to the Columbia County Civil Service Commission's Rules, every permanent appointment from an open competitive list and every original appointment to a position in the noncompetitive, exempt, or labor class shall be for a probationary term of 26 weeks; the Department may extend the probationary period to a maximum of 52 weeks upon written notice to the employee prior to the expiration of the 26 weeks. However, an employee returning to the Town in the same position within 1 year, who has already successfully completed the probationary period is not required to serve another probationary term. The probationary term for promotion shall be 26 weeks. During the probationary period, the employee will have the opportunity to evaluate his or her new position and the employee's supervisor will evaluate the employee's performance and suitability for the position.

Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ANNIVERSARY YEAR

The one-year period beginning on the date an employee commences employment.

CALENDAR YEAR

The period beginning January 1 of any year through December 31 of the same year.

Overtime Pay for Nonexempt Employees and Non-Standard Hours Pay for Highway Employees [Amended 9-13-2016, 2-9-2021, 5-10-2022 & Amended 12-28-2023]

Overtime: The Fair Labor Standards Act (FLSA) provide that nonexempt employees under FLSA who work more than forty hours in a workweek receive overtime pay of one and a half times an employee's regular rate. Only hours actually worked count in the overtime calculation, unless an employee is required to work on a holiday. In that event, the employee will get credit for those hours. Therefore, holidays not worked, vacation days and sick days are not counted even though the employee may have received holiday, vacation, or sick day pay. The Town reserves the right to require employees to work overtime and will make every effort to provide employees with adequate notice. Any overtime hours worked, however, must first be approved by the employee's supervisor.

Ethics and conflicts of interest.

The Town expects its employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the Town and avoid appearances of impropriety. The Town recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to Town business; however, the employee must first disclose possible conflicts so that the Town may assess and prevent potential conflicts of interest. Conflicts of interest occur when employees engage in a business or transaction or professional activity, or incur an obligation of any nature, which is in substantial conflict with the proper discharge of their duties in the public interest. For more information, the ***Town's Code of Ethics*** sets forth standards of conduct for Town employees and provides for penalties for employees who knowingly and intentionally violate such standards of conduct. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact the Board of Ethics for an advisory opinion.

Employee conduct; discipline and discharge.

Employees are expected to report to work as scheduled and to perform their job responsibilities to the

best of their abilities and in a professional manner at all times. Civil Service Law § 75 governs the procedures the Town will follow in disciplinary actions involving employees covered by § 75. Civil Service Law § 75 provides that a covered employee may not be removed or otherwise subjected to disciplinary penalty except for incompetency or misconduct shown after a hearing on stated charges. Such employee is entitled to representation and to summon witnesses to testify on her or his behalf at the hearing. If the employee is found guilty of any charges, the Town may take disciplinary action ranging from a formal letter of reprimand to a fine, a temporary suspension, demotion, or dismissal from service. The disciplinary action taken against an employee shall be based on the nature of the disciplinary violation and/or the employee's employment record with the Town.

Leave policies. [Amended 5-10-2022 & Amended 12-28-2023]

A. Bereavement leave:

1) Employees shall be entitled to the following paid time off in the event of a death in the Employee's family:

(a) 5 days for the death of a spouse or child;

(b) 4 days for the death of a sibling or parent;

(c) 3 days for the death of a grandparent, grandchild, father-in-law, mother-in-law, stepparent, stepchild, spouse's grandparent or any other relative residing in the employee's household;

(d) 1 day for the death of an aunt, uncle, brother-in-law, sister-in-law, spouse's aunt or uncle, son-in-law, daughter-in-law, niece, nephew, or former spouse with children under the age of 19.

2) All Employees shall be entitled to a maximum of 10 days leave for bereavement purposes (if the Employee has unused sick or vacation time, it can be used to extend the aforementioned days of paid leave set forth in sub-paragraph 1).

3) Bereavement leave is to be taken immediately following the death. However, there may be circumstances when the employee's direct supervisor will recognize the need for flexibility, for example, if a memorial service is scheduled at a time in the future, complications due to travel and other extraordinary events.

4) The Town understands the deep impact that death can have on an individual or a family. Therefore, vacation, personal, sick and leave without pay are also options that may be used to extend bereavement leave, with the prior approval of the employee's direct supervisor for the utilization of additional time.

5) The Employer may request the Employee to submit proof of death for the purpose of payment under this provision.

B. Holidays:

(1) The Town recognizes 13 holidays for which most of the Town's business operations will be closed:

New Year's Day

Martin Luther King Day

Presidents Day

Memorial Day

Juneteenth

Independence Day

Labor Day

Columbus Day/ Indigenous Peoples' Day Veterans Day

Election Day

Thanksgiving & Day After Christmas

- (2) In the event that a recognized holiday falls on a Saturday, it will be observed on the preceding Friday, and a recognized holiday that falls on a Sunday will be observed on the following Monday. Part-time eligible employees do not receive paid holidays. Part-time eligible employees may use sick/personal or vacation time for pay for holidays that fall on a normal work day or they may make up the hours on another day within the pay period upon notification and scheduling approval of the employee's direct supervisor.
- C. Military Leave: Employees are entitled to a leave of absence to perform ordered military duty as set forth in New York Military Law. Town employees are entitled to receive their regular pay for a period of such service not exceeding a total of 30 days or 22 working days, whichever is greater, in any calendar year and in any continuous period of absence. Employees who are members of the organized militia or of the U.S. reserves are entitled to a leave of absence for initial full-time training duty or initial active duty for training with the U.S. armed forces. To be reinstated, employees must apply within the first 90 days after discharge. Time spent performing military duty will not be considered an interruption of continuous service.
- D. Sick and personal time: **[Amended 9-13-2016, 11-13-2018, 10-12-2021 & 5-14-2024]**
- (1) Full-time employees: After completing the probationary period, full-time employees will receive 8 hours of sick and personal leave for every one month of full-time employment. Thereafter, at the conclusion of the organizational meeting of the Town Board each year, full-time employees will be credited with 96 hours of sick and personal leave. Unused sick and personal time will accrue to a maximum limit of 288 hours and will be carried over from one calendar year to the next.
- (2) Part-time eligible employees: After completing the probationary period or upon becoming eligible for part-time benefits, part-time eligible employees will receive 4 hours of sick and personal leave for every one month of part-time eligible employment. Thereafter, at the conclusion of the organizational meeting of the Town Board each year, part-time eligible employees will be credited with 48 hours of sick and personal leave. Unused sick and personal time will accrue to a maximum limit of 144 hours and will be carried over from one calendar year to the next.
- (3) Upon termination of employment, employees will not receive any compensation for unused sick and personal time.
- (4) Employees may determine to surrender available sick and personal leave hours in favor of another employee for their utilization. For an employee to be eligible to utilize donated sick leave from the sick bank, they must have exhausted all of their available accruals to date and the need for continued leave must be for a medical emergency for themselves or for an immediate family member defined as parent, child, spouse or domestic partner. Nothing contained in this policy

requires any employee to donate to the sick bank. Donations shall be voluntary to be determined on a global basis or in response to a specific request of a co-worker. Donated sick and personal time shall be paid out at the lower rate.

E. Vacation leave: **[Amended 9-13-2016, 11-13-2018, 1-1-2021 & 5-10-2022]**

- (1) Upon successful completion of the probationary period, full-time employees will become eligible for paid vacation. Full-time employees will receive 40 hours of paid vacation after one year of service. After two years of service, full-time employees will be eligible for 80 hours of paid vacation. Thereafter, full-time employees will receive 8 additional hours per year of service up to a maximum of 160 paid vacation hours per year. Up to 40 paid vacation hours may be rolled over into the next anniversary year upon request from the employee and approval by the Town Board, but those vacation hours must be utilized within 6 months of the employee's anniversary date.
- (2) Upon successful completion of the probationary period or upon becoming eligible for part-time benefits, part-time eligible employees will become eligible for paid vacation. Part-time eligible employees will receive 20 hours of paid vacation after one full year of service or upon obtaining part-time eligible status if they have already fulfilled one full year of service. After two years of service as a part-time eligible employee, they will be eligible for 40 hours of paid vacation. Thereafter, part-time eligible employees will receive 4 additional hours per year of service up to a maximum of 80 paid vacation hours per year. Vacation time for part-time eligible employees may not be rolled over into the next anniversary year.
- (3) Upon leaving Town service, an employee will be compensated for unused vacation time. Employees leaving employment with the Town up to 6 months after their anniversary date will be eligible for 50% of their earned but unused vacation time. If the departure occurs between 6 months and 12 months of their anniversary date, the employee will be entitled to 100% of their earned but unused vacation time; however, any employee terminated for cause will be automatically disqualified from receiving any payment for accrued vacation time.

Employee benefits.

A. Health insurance: **[Amended 2-14-2011, 11-14-2017, 11-13-2018, 5-10-2022 & 12-28-2023]**

- (1) Full-time employees who have worked 90 days are eligible to elect coverage for themselves and their dependents in the Town's group medical plan. Full-time employees hired prior to January 1, 2011, are eligible for 100% paid health insurance by the Town; full-time employees hired on or after January 1, 2011, are eligible for health insurance with 80% paid by the Town and 20% paid by the employee.

Effective January 1, 2019, only full-time employees currently enrolled in the CDPHP plan with the Town paying the premium or a portion thereof will be eligible to continue with this plan. An alternative plan will be available as an option for these current full-time employees and all other eligible employees.

- (2) Part-time eligible employees who have worked at least 20 hours per week for the probationary period of 26 weeks or who successfully completed the probationary period prior to becoming

eligible are eligible to elect coverage for themselves in the Town's group medical plan with 40% of the employee only premium paid by the Town and 60% paid by the employee on a bi-weekly basis as a payroll deduction. Part-time eligible employees may elect coverage for spouses, children or family but part-time eligible employees will pay 100% of the insurances premium(s) over the 40% of employee only premium on a bi-weekly basis as a payroll deduction.

- (3) Paid part-time ineligible employees who have completed the probationary period of 26 weeks are eligible to elect coverage for themselves and dependents in the Town's group medical plan. Part-time ineligible employees will pay 100% of the insurances premium(s) on a bi-weekly basis as a payroll deduction.
- (4) Buy-out option: Full-time employees eligible for health insurance can choose a buy-out option in lieu of medical health insurance at the rates set forth below. In order to qualify for such buyout, the employee must provide proof of insurance and execution of the buy-out participation agreement. The buyout is paid in equal monthly installments included in part of the employee's regular paycheck and subject to all applicable taxes. The buyout will be reduced by 20% for employees required to pay 20% of the insurance premiums. The buyout option is not available for part-time eligible employees.

Buy-Out Option	Annual Rate
Individual	\$2,500*
Employee plus child(ren)	\$4,100*
Employee plus spouse	\$4,800*
Family	\$7,000*

NOTES:

*Dental benefits are still available for full-time eligible employees at the cost set forth in Section 1 even for employees that exercised their right for the health insurance buyout as set forth in section 4.

- B. Health insurance benefits continuation (COBRA): The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Town's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements. Under COBRA, the employee or beneficiary pays the full cost of coverage of the Town's group rates plus an administration fee.
- C. New York State Retirement: All employees may join the New York State Retirement System and

will be offered information about joining when they are hired. Some employees may be required to join the Retirement System. The standardized workday, for retirement purposes only, is a six-hour workday.

- D. Workers' compensation benefits. The Town complies with the provisions of the New York State Workers' Compensation Law and provides benefits to any employee who is injured while working. Any employee who sustains an on-the-job related injury or illness must immediately report the injury or illness to his or her supervisor. Workers' compensation benefits cover replacement income and medical expenses.
- E. Employees covered hereunder who are injured while on duty in the course of their employment and thus entitled to Workers' Compensation payment shall be compensated in the following manner: Any payment received as Workers' Compensation benefits for absence for which the Employee also received full sick leave will be returned to the Town as long as the Employee receives full salary. The Employee shall be entitled to retain any Workers' Compensation benefits for any period for which sick leave pay is not paid or payable.

Firearms and Dangerous Weapons Policy. [Amended 12-28-2023 & 5-14-2024]

The possession of firearms or dangerous weapons (as defined below) while on Town property, or in a Town facility or vehicle, is strictly prohibited. Employees violating this policy may be terminated. The weapons portion of this policy does not apply to law enforcement personnel.

In order for any official or employee of The Town of New Lebanon to carry a firearm or dangerous weapon when on Town property, in Town vehicles, or while conducting Town business, they must be authorized under New York law under one of the various exceptions to the New York Concealed Carry Improvement Act as well as having prior specific written approval of the Town of New Lebanon Board. Such approval shall be granted at the discretion of the Town Board only after receiving proof that the individual has a proper New York State license or permit, if applicable, to carry the weapon in question and qualified as one of the limited exceptions in New York law to possess the firearm while on Town property.

Definitions:

- **Dangerous Weapons:** includes, but not limited to, any firearms, rifles, shotguns, explosive devices or materials, and knives having a blade exceeding five (5) inches in length.
- **Work Site:** Includes all property owned or occupied by the Town of New Lebanon, as well as Town vehicles.
- **Possession:** Includes, but not limited to, the presence of a weapon on the employee, lunch box, tool kit, bag, purse, cabinets, office, etc. Weapons transported in vehicles must be legally stored in compliance with the laws of the State of New York.

Family and Medical Leave Act. [Amended 12-28-2023]

The Family and Medical Leave Act (FMLA) provides all town employees with up to 12 (twelve) work weeks of unpaid, job-protected leave per year, if they are eligible.

LEAVE ENTITLEMENT

An eligible employee shall be entitled to:

- 12 (twelve) workweeks of leave in a 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth;
 - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - to care for the employee's spouse, child, or parent who has a serious health condition;
 - a serious health condition that makes the employee unable to perform the essential functions of his or her job;
 - any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" **or**
- 26 (twenty-six) workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

ELIGIBILITY

Employees are eligible for leave if they have worked for the Town at least 12 months and at least 1,250 hours over the past 12 months. Whether an employee has worked the minimum 1,250 hours of service is determined according to FLSA principles for determining compensable hours or work.

UTILIZATION OF TIME

Time taken off work due to pregnancy complications can be counted against the 12 weeks of Family and Medical Leave.

Employees that are on FMLA leave for the birth, placement or adoption of child, leave time must be taken within 12 months of the birth, placement or adoption of child and in increments of no less than one week at a time. Such requested time shall be on 30 days' written notice to their direct supervisor and the Town Supervisor.

Employees that are eligible for leave may be entitled to utilize leave intermittently and all questions regarding same, as well as obtaining any necessary paperwork should be directed to the Town Supervisor's office. Employees are expected to provide a minimum of 30 days' written notice of anticipated leave except in emergent circumstances.

CALCULATION OF TIME

The Town of New Lebanon utilizes a 12 (twelve) month period forward from the date of an employee's first FMLA leave in order to calculate the utilization of the 12 (twelve) weeks leave.

USE OF ACCRUALS & BENEFITS

The Town of New Lebanon requires all eligible employees to exhaust all available accruals while on FMLA. Employees must identify the leave they intend to use prior to the conclusion of the payroll period.

If an employee shall be on a continuous FMLA leave and has insufficient accruals for the entire leave, employee may be allowed to spread the leave time throughout the various pay periods to assist the employee in their weekly deduction (i.e., union dues, health insurance, etc.). Notwithstanding the aforementioned, if

an employee is on a continuous leave for their own health condition and/or otherwise qualifies for short-term or long-term disability through the Town's disability benefits, employees will only be required to utilize those accruals necessary to receive a complete paycheck between leave time and disability benefits.

When all leave accruals and/or disability benefits (if applicable) are exhausted, the employee will be placed on unpaid leave. Employees absent from work on FMLA shall continue be entitled to health insurance benefits under the same terms and conditions offered while employed. Employees shall remain responsible for their proportionate share of their health insurance, to the extent applicable.

Employees on FMLA do not accrue any leave accrual benefits.

Key Policy. [Amended 12-28-2023]

Signing of Form Required

- Each Town official and employee will sign a form acknowledging the receipt of any and all Town keys assigned to him or her.
- This form will indicate the key issued, the date issued and serial number, if any.

Failure to Return Keys

Any Town official or employee who fails to return Town keys within 15 days of his or her last day of service will be billed the expense of replacement key(s) and re-keying of lock(s). If a lock must be re-keyed for any reason, all keys will be turned in to the Town Clerk within 48 hours of the locks being re-keyed. The Town Clerk will then sign out the new keys to all town officials and employees who are eligible to have keys to the new lock.

Town Clerk's Responsibilities

The Town Clerk is hereby designated as the "keeper of the keys." As keeper of the keys, the Town Clerk's role is limited to providing for the efficient management and recordkeeping relating to the Town's keys, including securing all keys, issuing keys to appropriate persons, and maintaining records relating to the keys. Nothing herein shall be deemed to authorize the Town Clerk to use any keys to access buildings, rooms, or areas to which the Town Clerk does not otherwise have authority to access. In this capacity, he or she will:

- Sign out and collect keys.
- Maintain a written and/or electronic log of key assignments.
- Communicate to the Supervisor any reports of lost or stolen keys.
- Have and maintain a key to every town building and to every lock that exists on any town property or in any town building. All department heads are responsible to ensure that the Town Clerk has a copy of every key for all town buildings as well as every lock that exists for their department.

Policy for Purchasing & Vouchering Items. [Amended 12-28-2023, 5-14-2024, 4-1-2025 & 6-9-2026]

PURCHASING

All department heads who submit a budget request to the Town Board whose requests are approved by the Town Board via adoption of the budget are authorized to make purchases on behalf of their department, in full accordance with the Town's Procurement Policy. Any item listed on a department's itemized budget request and approved in the budget does not need authorization prior to purchase, with the exception of highway equipment purchases exceeding \$10,000. All equipment purchases exceeding \$10,000 for the highway department, even those listed on an itemized budget request and approved in the budget, MUST be approved by the Town Board in accordance with Highway Law, section 142(1)(a).

Department heads, with the exception of the Highway Superintendent, are authorized to make purchases, other than those specifically described in the department's itemized budget as follows:

- Purchases under \$500.00 do not require authorization from the Town Supervisor or Town Board.
- Purchases of \$500.00 to under \$2,500.00 require prior authorization from the Town Supervisor.
- Purchases exceeding \$2,500.00 require prior authorization from the Town Board.
- All purchases, even those that do not require authorization from the Town Supervisor or Town Board, must be made in full accordance with the Town's Procurement Policy.

The Highway Superintendent is authorized to make purchases, other than those specifically described in the highway department's itemized budget as follows:

- Purchases under \$10,000.00 do not require authorization from the Town Supervisor or Town Board.
- Purchases of \$10,000.00 or more require authorization from the Town Board.
- Purchases exceeding \$20,000.00 are required to comply with NYS competitive bidding laws.
- All purchases, even those that do not require authorization from the Town Supervisor or Town Board, must be made in full accordance with the Town's Procurement Policy.

Before any purchase is made, the department head is responsible for knowing the balance in the budget line they wish to charge the purchase to. Except in emergency situations, the budget line must have an adequate balance for the purchase BEFORE the purchase is made. If more money is needed in a budget line before making a purchase, please submit a budget amendment request (see appendix A) to the Town Supervisor for approval at the next Town Board meeting. The order cannot be placed until after the budget amendment request is approved by the Town Board. The Town purchases from some vendors such as Staples and W.B. Mason where the Town Clerk's office acts as the purchasing agent for all

items, regardless of what department the purchases are for. If a department needs to purchase an item from one of these vendors, they may request the purchase via a purchase order (see appendix B) through the Town Clerk's office. All the same rules apply as if the department head were making the purchase directly from a vendor.

Where the Town of New Lebanon is procuring a commodity or service, whether by competitive bid or other type of procurement, that is the subject of a Green NY procurement specification that has received final approval of the NYS Green NY Council pursuant to Executive Order No. 22 (2022), the department head or Town Clerk's office shall follow the Green NY procurement specification to the maximum extent practicable and where cost is reasonably competitive as defined below. Green NY approved procurement specifications can be found online at: <https://ogs.ny.gov/greenny/approved-greenny-specifications>. Based on the recommendation of NYS Green Purchasing Communities program, "reasonably competitive" is defined as maximum 10% above the cost of non-green products. If green products are 10% or more above the cost of non-green products, the Green NY procurement specifications do not have to be followed.

Vouchering

Vouchers should be submitted and signed by the vendor whenever possible. The person who ordered the item is responsible for asking the vendor to submit a voucher signed as "claimant" at the bottom as well as an invoice. To be considered for approval of payment by the Town Board, all bills must include town voucher (see appendix C) and an itemized invoice describing the product or service provided, the date it was provided and the cost. If an invoice is not available, the voucher must describe the product or service provided, the date it was provided and the cost. Tax may not be included on the invoice or the voucher. If the vendor cannot provide a voucher, the person who ordered the item may prepare the voucher based on the invoice and sign as "preparer" at the bottom as well as departmental approval if appropriate.

All vouchers, once prepared, are to be submitted to the Town Supervisor's office. To be included in the Town Board meeting for the month, vouchers must be received by the Town Supervisor's office by the first Tuesday of the month. The Town Supervisor will return any incomplete or incorrectly prepared vouchers to the person who submitted it with an explanation of what needs to be corrected on the incomplete voucher form (see appendix D). If a corrected version of the voucher is not received by the first Tuesday of the month, the voucher will not be considered by the Town Board at that month's meeting.

Training

Annual training will be provided to all department heads and anyone who places orders for the town by the Town Supervisor once each calendar year to ensure that all are properly trained in the policies laid out above. The training will include a full review of this policy as well as the Town's Procurement Policy.

Penalties

If a purchase is made not in accordance with this policy, the person placing the order could

be held personally financially liable for the payment of the invoice.

Review

This policy will be reviewed by the Town Board on an annual basis and updated as needed.

Approved Travel Policy. [Amended 12-28-2023 & 6-9-2026]

General Policy [Amended 2-10-2026 & 6-9-2026]

- A. No travel expenses of any kind shall be reimbursed without prior approval of the Town Board. The department head shall submit the request to the Town Board and shall include in the request whether the training is required or recommended. The Board gives blanket prior approval for mileage expenses incurred in the performance of duties by the following positions; Court Clerk, Deputy Court Clerk, CEO/ZEO/Deputy CEO, Assessor, Town Clerk, Deputy Town Clerk, Tax Collector, Town Supervisor, Highway Superintendent, and Highway Staff.
- B. No travel which includes overnight stays shall be committed to without prior approval of the appropriate department head. Timely submission shall be made to the Town Board member responsible for liaison with that department. The travel approval form (Addendum A) shall be filled out and signed by the employee, the department head and the Town Board liaison. In the event of an emergency requirement, the Board member may approve by telephone or e-mail.
- C. A copy of the itemized hotel/motel bill must be submitted along with either a paid receipt or a credit card charge form and proof of attendance at the training before it can be submitted for reimbursement. Hotel/motel will be booked and/or cancelled and paid for directly by the employee pending reimbursement form the Town upon production of all required documents. If the employee does not attend the training and provide proof of attendance, any costs incurred will be borne solely by the employee and will not be reimbursed by the Town.
- D. Employees will not be reimbursed for travel time to and from seminars or in-service training. Employees paid on an hourly basis will be paid for the hours that they attend seminars or in-service training (not to exceed eight hours per day). Salaried employees that attend seminars or in-service training on weekends may take compensation time equivalent to the hours in seminars or in-service training (not to exceed eight hours per day) with the approval of their supervisor.

Education or In-Service Training Events

For travel to job-related educational events (such as seminars or in-service training), the Board may approve reimbursement only in those cases where the sponsoring organization provides the written evidence of certification or completion which can be presented to the Board upon the employee's return. In cases where such evidence is delayed, the Board will rely upon the employee's written assurance that the documentation is forthcoming. Employees are expected to attend all seminars, classes or meetings included in the event agenda appropriate to their duties and responsibilities and to submit an annotated copy of the event agenda with those attendances noted thereon.

Other Overnight Travel

In any other travel requiring overnight stays, and approved by the Board, the employee will lay out the necessary expenditures and submit an expense report, to the Clerk upon completion of the trip, for reimbursement. The employee will attach a brief statement summarizing:

- A. Reason for the travel.
- B. Meetings attended and list of participants with organizational affiliations.
- C. Accomplishments of the trip.
- D. Any follow-up activities engendered by the trip.

Reimbursement Limitations

No reimbursement shall be made for:

- A. The purchase or consumption of alcoholic beverages.
- B. Personal purchases (including, but not limited to, medicines, personal care items, gifts, movies or entertainment, exercise or other recreational activities, etc.).
- C. Expenses incurred by a person other than the employee. For hotel/motel rooms, if the employee brings additional people, the employee will only be reimbursed for the single room rate.
- D. Upgrades in seating or other accommodations.
- E. Meals in excess of \$55 per day, using the guideline of \$15 each for breakfast and lunch and \$25 for dinner. Employees are expected to participate in meals which are included in program fees without further reimbursement.
- F. Automobile rentals, except if approved in advance. Employees should use their own vehicles in most cases. When necessary, airport or hotel shuttles, Uber and Lyft should be utilized in preference to taxis.

Violations

- A. Employees who violate these rules are required to reimburse the Town for any advances received, or expenses reimbursed (or portions thereof found to be inappropriate) upon written notice from the Town Clerk of such violation.
- B. Employees found to have knowingly, or fraudulently, supplied inaccurate travel documentation to the Town for which they received reimbursement

may be subject to discipline, including, but not limited to, fines, loss of pay, and/or dismissal. The Town may, at its discretion, refer such employees to the judicial system.

Town of New Lebanon Computer, Internet, & Email Usage Policy [Amended 12-28-23]

The computer and email systems are owned by Town of New Lebanon and are provided and intended for business use. All messages and other information communicated through these systems are the property of Town of New Lebanon. With this in mind, incidental and occasional personal use is allowed; however, this privilege should not be abused and must not affect a user's performance of employment related activities. Non-business internet activity will be restricted to break times and/or meal periods only.

Visiting web sites or opening an email that may contain inappropriate material is grounds for disciplinary action. Any spam email that is received must be immediately deleted. The downloading of information should be kept to a minimum. It is extremely important that you are aware of the dangers of opening attachments that may contain a virus. A virus could contaminate Town of New Lebanon's entire computer system. Internet and email usage may be monitored. Misuse of these systems may result in disciplinary actions, up to and including termination.

Examples of misuse of the systems include, but are not limited to:

- offensive or harassing statements based on race, color, religion, creed, sex, disability, age, marital status, sexual orientation, gender identity, genetic information, genetic predisposition, sexual and reproductive health decisions, national origin, criminal history, citizenship status or because he/she is a veteran, disabled or otherwise;
- statements that could be construed as defamatory;
- profane or obscene material;
- violations of copyright or trade secrets;
- sending chain letters;
- soliciting money for religious or political causes; or
- participation in chat rooms or bulletin boards.

Employees encountering or receiving this kind of material should immediately report the incident to the management.

Employees should always conduct themselves in a professional manner. Email messages are sometimes misdirected and often forwarded and may be seen by persons other than the intended recipient. Users should create messages with the same care, judgment and responsibility they would use for letters and memoranda written on Town of New Lebanon letterhead. Email passwords must be made available to the Town at all times. Please notify management if you need to change your password.

Employees cannot use employer-owned equipment, including computers, phones, town-licensed software or other electronic equipment on work time to conduct personal blogging, social networking activities and/or political activities. Use of personal devices while on work time is not allowed and may be addressed

as a performance issue.

Consistent with applicable federal and state law, Town of New Lebanon reserves the right to monitor usage of the computer and email systems for any reason. With this in mind, the privacy of email, and similar data should not be presumed. Employees shall not use unauthorized codes or passwords to gain access to others' files. The unauthorized access of another employee's email or files may result in disciplinary action. Town of New Lebanon reserves the right to terminate any user's access to the mail system and to take other appropriate disciplinary action in the event of misuse or abuse of the mail system.

Questions regarding this policy should be addressed to the management.

Town of New Lebanon Drug Free Workplace Policy [Amended 12-28-2023]

The use of illegal drugs, marijuana, alcohol and prescription drug misuse by employees are inconsistent with Town of New Lebanon's long-standing commitment to a safe and productive work environment. Illegal drugs are controlled substances which are not being used or possessed under the supervision of a licensed health care professional.

Whenever employees are working, operating town vehicles or equipment, present on Town of New Lebanon premises, or present in any other location performing services for the Town, they are prohibited from:

- using, buying, selling, manufacturing, distributing, dispensing, consuming or transferring illegal drugs or marijuana;
- being under the influence of illegal drugs, marijuana or alcohol;
- misuse of prescription drugs; and
- consuming marijuana and/or alcohol.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs, marijuana or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors or other licensed medical practitioners about the effect of prescribed medications on their ability to work safely, and promptly disclose any restrictions to their managers.

In accordance with all applicable federal and state laws, it is a condition of employment that any employee who is convicted of a criminal drug offense notify the town within 5 days of the conviction.

Employees who violate any aspect of this substance abuse policy will be subject to appropriate disciplinary action up to and including termination of employment. Depending on the circumstances, an employee's continued employment, reinstatement, or return to work, may be conditioned on the employee's successful participation in and/or completion of any and all evaluations, counseling, treatments, and rehabilitation programs, and other appropriate conditions as determined by Town of New Lebanon.

Town of New Lebanon Cell Phone Policy [Amended 12-28-2023]

It is the policy of The Town of New Lebanon that personal phones, and portable entertainment devices are not to be utilized for personal business during work hours, with the exception of breaks, lunch, or with the express authorization of your immediate supervisor. The use of social media platforms including but not limited to Snapchat, Instagram, TikTok and Facebook are strictly prohibited during work hours with the exception as above.

In the event an employee receives a personal phone call of an **emergency nature** during work hours, the employee must ensure that they are in compliance with all New York State Motor Vehicle laws, as well as ensuring the safety of themselves and their co-workers.

Employees are expected to complete assigned work; thus, excessive personal phone use may result in disciplinary action.

This policy does not preclude the carrying of personal cellular phones or utilizing personal cellular phones to communicate with Town personnel; however, it does ban their use during the workday as set forth above.

All full-time highway employees, the highway superintendent, the town supervisor, the CEO/ZEO, the Deputy CEO/ZEO and the Animal Control Officer are all eligible for a town issued cell phone or to utilize their personal phone for work purposes and receive a reimbursement of \$25 per month paid via monthly voucher or via one annual voucher for \$300 in December (or upon leaving service for the town at a rate of \$25 per month for each month of service). If an eligible employee has a town issued cell phone it may only be used for town work related business, it may not be used to discuss politics or any other non-work-related matters and it must be used in a way that is consistent with all town policies.

Town of New Lebanon Social Media Use Policy (only section C) [Amended 12-28-2023]

Personal Use of Social Media – Precautions and Prohibitions:

1. All Town personnel shall abide by the following when using social media for their own personal use:
 - a. Town personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this Town for which loyalty and confidentiality are important, impede the performance of duties, impair harmony among co-workers, or negatively affect the public perception of the Town.
 - b. Town personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without the expressed authorization of the Town Supervisor or his/her designee. Municipal policies such as work place violence and harassment apply to all postings in addition to any HIPPA regulations, collective bargaining and confidentiality requirements.

- c. Use speech involving themselves or other Town personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
- d. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings.
- e. Town personnel shall not post, transmit, or otherwise disseminate any information to their personal social media accounts while on duty regardless if from a Town computer or other personally owned device without the expressed authorization of the Town Supervisor or his/her designee.
- f. Personnel will not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of the Town without expressed authorization of the Town Supervisor or his/her designee.
- g. Town personnel that violate this policy may be subject to discipline up to and including termination.
- h. Reporting Violations – Any employee becoming aware of or having knowledge of a social media posting or of any website or web page in violation of the provision of this policy has an obligation to notify his or her supervisor immediately for follow-up action.

Employee Parking Policy [Amended 12-28-2023 & 2-10-2026]

Town employees are to park in the parking spots in the side parking lot by the basketball courts between the hours of 9:00am and 5:00pm, Monday through Friday when they are at town hall working for official town business, unless they need ADA compliance. The court staff is exempt from the employee parking policy only on Thursdays for court.

Smoking Policy [Amended 12-28-2023]

There is no smoking within 50 feet of the town hall. There is a designated employee smoking area near the employee parking area at the picnic table near the mailboxes. All cigarette butts must be disposed of in the provided receptacle at the designated employee smoking area.

State of Emergency Policy [Added 6-9-2026]

The highway department is exempt from this policy as their work is required to continue during a state of emergency. For the safety of our plow crews and to help keep unnecessary vehicles off the road, if a state of emergency is declared that includes the Town of New Lebanon, all town offices will be closed. All employees should work from home if possible. If a position does not allow a work from home option and an employee has regularly scheduled hours that they would be working if it was not a state of emergency, then that employee will be compensated their regular hourly rate for the hours that are scheduled during the state of emergency. If a position does not have regularly set hours nor a regular and consistent schedule, they will not be paid during the state of emergency.

Additional Resolutions and Laws related to Personnel Policies

Code of Ethics
Procurement Policy
Fund Balance Policy
Bank Reconciliation Policy
Electronic Records Policy
Petty Cash Policy
Social Media Use Policy
Public Employer Health Emergency Plan
CDL & Drug and Alcohol Testing Plan & Policy
Investment Policy
Performance Management Policy (Old Compensation Policy)
Data Breach Notification Policy
Policy & Complaint Procedure Regarding Discrimination & Harassment
Workplace Violence Prevention Policy

NOW, THEREFORE, BE IT RESOLVED by the New Lebanon Town Board that the above amended personnel policies is adopted by the Town and shall take effect on **June 9, 2026**.

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

Roll Call Vote:

Councilmember Steve Powers	Aye
Councilmember Joanne Amlaw	Aye
Supervisor Tistrya Houghtling	Aye
Councilmember Susan Tipograph	Aye
Councilmember Chris Patterson	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: June 9, 2026
Marcie Robertson
Town Clerk
Town of New Lebanon

Public Employer Health Emergency Plan & SYP ADA Policy, Procedures & Acknowledgement:

There were no changes noted.

A motion was made by Supervisor Houghtling, seconded by Councilmember Patterson, and approved unanimously to mark the Public Employer Health Emergency Plan & SYP ADA Policy, Procedures & Acknowledgement as reviewed with no changes.

Annual Bids – Fuel; HVAC Work; Plowing; Mower Maintenance; Trucking; Equipment; Liquid Calcium; Truck Repair/Service; Ford Mechanic; and Sand, Stone & Gravel:

A motion was made by Supervisor Houghtling, seconded by Councilmember Amlaw, and approved unanimously to go out to bid on fuel, HVAC work, plowing of the Community Center and EV charging stations, mower maintenance, trucking equipment, liquid calcium, and sand, stone, and gravel with bids due to the Town Clerk by 4:00pm on Thursday, July 9th, 2026.

A motion was made by Supervisor Houghtling, seconded by Councilmember Patterson, and approved unanimously to authorize going out to bid on truck repair/service, and a Ford mechanic pending the Highway Superintendent getting the necessary documentation to the Town Clerk’s Office, with bids due on or before July 9th, 2026 at 4:00pm.

Engineer Proposal for Highway Fire Damage Repairs:

Supervisor Houghtling reported, they received a proposal from Paul McCreary, Engineer for the fire damage to the highway garage to prepare all of the engineer and bid documents and to oversee the bid process and construction. Supervisor Houghtling received in writing from the insurance company that they will cover the entire cost of this quote. The town will pay the engineer and then submit it to the insurance for reimbursement.

A motion was made by Supervisor Houghtling, to approve the proposal for professional services, town highway garage inspection and construction contract bid documents for repairs from Paul McCreary for a total cost not to exceed \$38,000 with the entire cost to be reimbursed by the insurance. The motion was seconded by Councilmember Amlaw.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Amlaw -	Aye
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Patterson -	Aye

Councilmember Powers reported, the insurance adjuster was supposed to come last Friday but emailed him that he will be coming out this Friday. Councilmembers Powers and Amlaw will be meeting with the adjuster.

Highway Loader:

Supervisor Houghtling reported, the insurance company deemed the loader a total loss and issued a check to the town for it. Originally the Highway Superintendent intended to repair the burnt loader but the actual repair quote came in much higher than he was verbally quoted. The town had gone out to bid to sell the burned loader, receiving one bid from Lebanon Springs Excavating in the amount of \$12,501. At the time the bid was not accepted because the Highway Superintendent had planned on repairing the loader. Highway Superintendent McCagg is now requesting that the Town Board accept the bid and move forward with the purchase of a new loader on a state contract.

A motion was made by Supervisor Houghtling, to accept the bid for the burned 2002 928G CAT Loader from Andrew Sandstrom, Lebanon Springs Excavating in the Amount of \$12,501. The motion was seconded by Councilmember Amlaw.

Roll Call Vote:	
Councilmember Powers -	Aye
Councilmember Amlaw -	Aye
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Patterson -	Aye

Purchase Resolution – CAT Model 926 Loader:

**TOWN OF NEW LEBANON
RESOLUTION #25, 2026
AUTHORIZING PURCHASE OF CATERPILLAR MODEL 926 WHEEL LOADER
JUNE 9, 2026**

At a duly called and noticed regular meeting of the New Lebanon Town Board, held on the 9th day of June, 2026, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling
Seconded by Councilmember Powers

AUTHORIZING PURCHASE OF CATERPILLAR MODEL 926 WHEEL LOADER

WHEREAS, the Town suffered the loss of equipment in a fire at the highway garage in January, 2026 and received insurance reimbursement for various items of equipment that were damaged or destroyed in said fire; and

WHEREAS, the Highway Superintendent has sought approval to purchase a Caterpillar Model 926 Wheel Loader and accessories thereto (the “Equipment”) as itemized in Quote No. 6680-01 dated June 9, 2026 (the “Quote”) provided by Milton Cat, Clifton Park, New York, at the purchase price of \$192,323.08; and

WHEREAS, the Quote arises under NYS Contract #PC70866; and

WHEREAS, the Town Board seeks to authorize the purchase of the Equipment pursuant to the Quote, with the purchase price to be paid from insurance proceeds received for the damaged and/or destroyed equipment;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby approves the Highway Superintendent's purchase of the Equipment pursuant to the Quote in the amount of \$192,323.08, to be paid from the insurance proceeds received for damaged and/or destroyed equipment, following delivery of the Equipment and audit and approval of a voucher therefor.

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

Roll Call Vote:

Councilmember Steve Powers	Aye
Councilmember Joanne Amlaw	Aye
Supervisor Tistrya Houghtling	Aye
Councilmember Susan Tipograph	Aye
Councilmember Chris Patterson	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: June 9, 2026
Marcie Robertson
Town Clerk
Town of New Lebanon

ANNOUNCEMENTS:

JUNE:

Monday, June 22nd, 2026 at 3:00pm – Special Town Board Meeting (Planning Board Alternate Appointment)

JULY:

Tuesday, July 14th, 2026 at 6:30pm – Regular Monthly Meeting

Councilmember Tipograph: Susan announced the upcoming Thursday Taco night at the NL Community Center.

Bruce Shenker: Bruce announced the upcoming July 11th Repair Café at the NL Community Center from 10-2.

PRIVILEGE OF THE FLOOR (POF):

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.

Jim Carroll: Jim discussed past budgets pertaining to the LV Seniors and the amount budgeted from year to year and the increase amount for each year. He proposed adding a column to the budget noting the percentage change in the budget item with an explanation, and anything over the 2% tax cap needs to be discussed by the board. He stated, there is no reason any budget item should go up by 60% over three years when there is a 2% tax cap.

Supervisor Houghtling responded, there is too much information related to the budget preparation to add it into a budget. There are detailed budget worksheets that each department head and committee chair are required to complete. These worksheets breakdown what the total budget amount requested is made up of. The entire Town Board has all of these documents to review in the budget process. The public can request these documents from the Town Clerk's office. She stated, she understands what Jim is saying with the additional column, but the budget as it is has a few years prior that can be seen for past budget amounts. Jim and Supervisor Houghtling continued their discussion and she agreed that the additional column might be a good working document for the Town Board for budget workshops.

Chris Dreyfus: Chris reported that Sue Robert forgot to come to tonight's meeting.

Mark Baumli: Mark mentioned an email that he sent to the Town Board today and is looking forward to a response. Mark reported to the board that he and Ed Godfroy attended a meeting in the Albany Rural Cemetery. He noted, public cemeteries are governed by the State of NY which requires them to follow certain guidelines. While he was there, Mark observed that the Albany Rural Cemetery had stones overturned that were not up righted and it was in need of mowing. Mark thanked the town, the volunteers, and those that make donations in New Lebanon to the Cemetery of the Evergreens. These efforts allow the board the opportunity to keep the Cemetery of the Evergreens regularly mowed and attended to which keeps our cemetery looking beautiful and maintained.

Councilmember Amlaw: Joanne mentioned the event held by the American Legion this past Saturday, it was a great event and she thanked them all. Joanne referred to Kevin Fuerst's speech from Saturday and announced that with a grant the cemetery received through the Daughters of the Revolution they were able to purchase a number of markers. You can view them in the Cypress Hill area where the markers have been placed.

Margaret Robertson: Meg announced, a program hosted by the LVHS on Women in the Revolutionary War by Phyllis Chapman at the Town Hall on 6/21/26 at 2:00pm. On 6/27/2026, the Friends of the New Lebanon Railroad Station will present a fundraising program with an Irish band and step dancers from 5-7:00pm at the Church of the Immaculate Conception Meeting Hall. On 7/5/26, the LVHS will host a program with Wally Stock at Shatford Park starting at noon. Meg announced that Ali Bourzgui, a local actor

from Pittsfield who also performed at the Theatre Barn won a Tony Award for Featured Actor in a Musical.

Trina Porte: Trina requested that the Town Board consider doing a Proclamation in support of Juneteenth, and also in support of LGBTQ+++ Crier because they both they both occur this month.

Mr. Muadin (Online): Mr. Muadin stated, he was glad to hear about the budget reports from department heads that are accessible to Town Board members. He commented that the budget as it is released is very general with no specific line items. He encourages the town to put these reports on the website and include them in the information that goes out to the public. Mr. Muadin commented on expenses for the Events committee for painting of pickle ball lines and popcorn for movie night, he was unaware that tax money was being spent that way. Mr. Muadin commented on the discussion of religion in relation to planning events by the Events Committee.

Supervisor Houghtling read the following email privilege of the floor:

Craig Skerkis: Craig wrote in regarding the Meet & Greet events that are being held by the Events Committee with questions about attendance, oversight of the committee, and budgeting for these events.

Councilmember Tipograph responded as liaison to the Events Committee to one of the questions, yes the Meet & Greet events are open to all residents and she will respond to Craig directly with answers to the rest of his questions.

Councilmember Patterson commented, he thinks that the recent flyer that went out for the most recent Meet & Greet event may have caused some confusion because both the Events Committee and the Recreation Commission were mentioned in the flyer. It was an old template and a simple oversight.

ADJOURNMENT:

A motion was made by Supervisor Houghtling, to adjourn the meeting at 8:00pm. The motion was seconded by Councilmember Powers.

Roll Call Vote:

Councilmember Powers -	Aye
Councilmember Amlaw -	Aye
Supervisor Houghtling -	Aye
Councilmember Tipograph -	Aye
Councilmember Patterson -	Aye

Respectfully submitted,

Marcie Robertson
New Lebanon Town Clerk