

**Town of Canaan, New York**  
**Town Board Regular Meeting Minutes Amended**  
**September 12, 2022: 7:05 pm – 9:05pm**  
Hybrid Meeting: In Person at Town Hall and via ZOOM

**Present**

Supervisor Brenda Adams  
Councilperson Alan Miller  
Councilperson Ginny Nightingale  
Councilperson David Patzwahl  
Councilperson Will Powers

**Also in Attendance:**

Highway Department Superintendent Stephen Van Tassel  
Town Clerk Joshua Weisbuch

**Audience:** 1

**Attendees via Zoom:** 6

**Public Hearing for Local Law #2 of 2022 opened at 7:05**

The Town Clerk read the Public Notice.

The Supervisor asked for comments. There were no comments from the Board or from the Public.

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Alan Miller, to close the Public Hearing. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

**Regular Meeting opened immediately after the Public Hearing**

**Moment of Silence and Pledge of Allegiance**

**August 8<sup>th</sup> Meeting Minutes**

Councilperson David Patzwahl made a motion, seconded by Councilperson Ginny Nightingale, to approve the amended minutes from the August 8th, 2022 Town Board Meeting. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – abstain;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and

Councilperson William Powers – yes.

## **AUGUST BILLS**

A discussion ensued on about the use of the town credit card; the Board asked the Supervisor to come up with a credit card policy to specify procedures for uses and access to the card.

Councilperson David Patzwahl made a motion, seconded by Councilperson Alan Miller, to approve the July Bills. 5 AYES- Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

## **FINANCIALS**

*Councilperson Ginny Nightingale asked about the Lighting District deficit. The Supervisor replied that Lighting District accounts will need to be further funded to reflect the higher cost of electricity and address the account deficit.*

## **SUPERVISOR MONTHLY REPORT: Town Clerk Josh Weisbuch**

<b>TOWN CLERK REVENUES</b>	<b>\$ 287.67</b>
<b>HIGHWAY FUND</b>	<b>\$ 392,899.94</b>
<b>HIGHWAY FUND CAPITAL</b>	<b>\$ 72,933.30</b>
<b>LIGHTING DISTRICTS</b>	<b>\$ 1,655.35</b>
<b>FIRE DISTRICTS</b>	<b>\$ 300.00</b>
<b>BUILDING INSPECTOR</b>	<b>\$</b>
<b>PLANNING BOARD</b>	<b>\$ 300</b>
<b>RECREATION</b>	<b>\$ 3,498.10</b>
<b>COURT REVENUES</b>	<b>\$ 5,348.00</b>
<b>ZONING BOARD OF APPEALS</b>	<b>\$</b>
<b>TAX COLLECTOR</b>	<b>\$ 0.00</b>

## **RESOLUTIONS**

**RESOLUTION #81** to approve Local Law #2 of 2022 Authorizing Virtual Public Meetings

Councilperson Alan Miller made a motion, seconded by Councilperson David Patzwahl to approve the establishment of Local Law #2 of 2002 authorizing the use of videoconferencing by public bodies (until July 1, 2024). 5 AYES- Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;

Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

**RESOLUTION #82** for the De-Acquisition / Recycling of Surplus Computer Hardware, Printers and Tables

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Alan Miller, to approve De-Acquisition / Recycling of Surplus Computer Hardware, Printers and Tables. 5 AYES: Motion carried. 5 AYES- Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

**RESOLUTION #83** to approve an Agreement with NYSEG to replace the Town Street Light with LED street lights

Supervisor Adams stated that converting current cobra head streetlights to LED (Light Emitting Diodes) lamps will cost roughly \$2700 when Town buys out the life of the cobra head bulbs. This is approximately the cost of one year of energy use from non-LED bulbs thus cost is paid back in one year. Installing LED lamps will qualify for points toward the Climate Smart Communities Bronze certification from New York State. Councilman Miller stated that new LED lights savings were tabulated in current 6 cent / kilowatt fee: if rates increase savings would be more.

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Will Powers, to authorize the Supervisor to sign an Agreement with NYSEG for the conversion of Town street lights. 5 AYES- Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

**RESOLUTION #84** Canaan Library Electric Panel Replacement

The Chatham School District has been awarded grant funds for the purpose of upgrading the current heating system with a mini-split unit that would provide heating and cooling with lower operational costs. In order to install the new unit, the ancient, and now we understand dangerous, electrical panel needs to be replaced by the Town. The Board authorized the Supervisor to expedite the replacement as soon as possible. Multiple bids are preferred for the purchase but the Town Procurement Policy allows the Supervisor to act on one bid under urgent circumstances.

Councilperson David Patzwahl made a motion, seconded by Councilperson Alan Miller, to authorize the Supervisor to replace electrical panel at Canaan Library. 5 AYES- Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

**RESOLUTION #85** to Appoint Andrei Vankov to the Climate Smart Task Force

Councilperson William Powers made a motion, seconded by Ginny Nightingale, that Andrei Vankov be appointed, effective immediately, to the Canaan Climate Smart Task Force to fill out a term ending December 31, 2022 5 AYES- Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

**RESOLUTION #86** to approve Climate Smart Task Force Grant Application

Councilperson Ginny Nightingale made a motion, seconded by Alan Miller, that approves the Climate Smart Task force application for a \$6000.00 ecological grant from The Partners for Climate Smart Action of the Hudson valley for habitat restoration work at Stoddard Park. 5 AYES- Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

**RESOLUTION #87** Appointment of NYMIR Insurance Broker

The Supervisor reported that the Town currently purchases property and liability insurance from NYMIR through an approved NYMIR broker. Health insurance is purchased from another broker that is also an approved NYMIR broker. The Supervisor is asking the Board to consolidate all insurance through same broker, beginning January 1, 2023 to streamline operations. According to NYMIR, the fee and compensation structures are the same from broker to broker so there would not be a financial impact for the Town. Supervisor Adams noted that she has found the health insurance broker very responsive to Town needs and would like the board to approve this budget neutral decision.

Councilperson Alan Miller made a motion, seconded by William Powers, that the Town of Canaan consolidate its insurance purchases with NYMIR approved broker, Marshall & Sterling, beginning January 1, 2023. 5 AYES- Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;

Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

**RESOLUTION #88** to Approve Inter-Fund Transfer to Highway Department for work on gate for Town Swim Program

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Alan Miller, approving an Inter-Fund transfer to the Highway Department for work on gate for Town Swim Program at Adam's Point Beach. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

**RESOLUTION #89** to Approve to Appoint Sheri Mulligan as Assessor's Clerk

Councilperson David Patzwahl made a motion, seconded by Councilperson Alan Miller, for Town of Canaan to Approve the appointment, effective immediately, of Sheri Mulligan as the Assessor's Clerk for the town of Canaan. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

**Report from County Board of Supervisors by Supervisor Brenda Adams:**

- **Public Health:** Even with covid cases on the rise, the County is still in the low-risk category. County Health Clinics are now offering the new bivalent covid boosters as well vaccinations for monkeypox and seasonal flu. Check out the Columbia County Health Department web site and local pharmacies for times and availability.
- **County Budget:** Various departments are working with home committees to present their budgets for review and discussion.
- **Affordable Housing update:** Housing plan recommendations from the Patterns for Progress housing study included two recommendations: to appoint a Columbia County Affordable Housing Development Director; second, to create a Columbia County Affordable Housing Task Force. Both recommendations made it through the Economic Development and Finance committees and expected to be voted on this week on the county level. The Director's position will be funded with ARPA funds and is budget neutral.

**Old Business**

**Town Covid Mask requirement**

After discussion, including the county's low risk classification, the recent increase in requests for home test kits, anecdotal stories of increased infection numbers in the community, as well as staff concerns about ongoing exposure, the Board decided to keep Town Hall mask mandate for another month and to have another review in October.

The Supervisor stated she has an open query with David Harrison with Emergency Management for a resupply of home tests.

### **Speeding on County Route 5:**

Highway Department Superintendent Stephen Van Tassel presented highlights of the recent speed study by Columbia County Engineers. The Supervisor stated that the data had been requested to support a prospective Town request for a possible speed reduction from 45 to 40. The County Engineer stated, in his opinion, the data would not support a decrease but could be used to increase the speed. The Engineer recommended the Town not share the data if it wanted to keep the current speed limit. The data, if broken down further, could be used for more effective speed enforcement in the future. The Highway Superintendent agreed to follow up with the Engineer for the additional information and to share that information with Councilperson Patzwahl who will continue to coordinate with State Troopers on enforcement issues.

Town resident Bruce Jackson questioned the validity of the study. He stated the sign was directly in front of his house, not the optimal location for the study. He stated that he had lived there for 30 years and that there is a “non trivial” amount of people going 65-75 mph.

The Supervisor responded the Town’s first response to his concerns had been to consider reducing the speed limit but it turns out that the data does not support this approach. She said that the management tool we have in hand now is to use this data to work with law enforcement for more targeted enforcement.

A member from the audience asked about the status of the State Troopers moving their barracks from New Lebanon. Supervisor Adams confirmed they will be moving and stated the New Lebanon Supervisor is working with the agency to ensure consistency of coverage. Councilperson David Patzwahl agreed and said he heard they plan to leave one or two people in the area and/or barracks.

Additional discussion followed about the use/effectiveness of speed signs, locations for signs and enforcement on other roads including Peaceful Valley Road, Frisbee Street and County Route 24, and map apps that direct traffic along Town roads increasing traffic and speed.

### **Highway report: Superintendent Steven van Tassel (see attached) Highlights include:**

- **Radio Towers:** Working on radio replacement project for 2023. Believes Town can use a combination of County 911 and private towers; working to confirm coverage, availability and costs.
- **Highway garage work:** Seeking quotes for roof repair including insulation.
- **NYS Pollinator Protection Plan:** Frisbee Street is one of the locations along I-90 where New York State has been planting wild flowers in conjunction with its 500 miles of Highway Beautification project.
- **NYS Green Light Law:** New York State has passed a law requiring green lights for new vehicle purchases for those vehicles used in snow removal and roadwork. Superintendent reported

that existing vehicles can still use amber but replacements going forward will need to be with green lights.

## **Board discussion**

### **Broadband Grant USDA Application:**

The Supervisor stated that access to the earmarked Broadband grant funds is still on hold pending the USDA ReConnect application now expected later this month. She spoke with new Congressman Pat Ryan to bring this matter to his attention and to request his support in seeing the grant through.

**Zoning & Planning update: Councilperson Nightingale:** No Planning Board Meeting this month. The ZBA met to consider one application. The Supervisor discussed upcoming training for Planning Board and the ZBA. Annual training is required by the State and the Town to serve on these boards. She suggests that the Chairman of each Board check in with board members to ensure the training requirement is met.

**Sexual Harassment training:** Required by all Town employees and volunteers that interact with the public. Deputy Town Clerk Heather O'Grady is currently managing process for town and sending out web links.

### **Climate Smart Task Force report by Councilperson Will Powers:**

Councilperson Powers reports that the Task Force met and discussed a grant proposal (on tonight's agenda) and discussed the Town's Energy Audit with respect to the Highway Garage. They also discussed next program steps for their planned Bronze certification application at the end of this year / beginning of next.

**Recreation Committee report by Councilperson Alan Miller:** The Rec Program is over for the year. Councilperson Miller acknowledged the devastating Queechy Lake accident and the quick response of the APBA lifeguards.

### **Transfer station report by Councilperson David Patzwahl:**

This month's report indicates 55.5 tons of MSW & C & D waste compared to 50.45 tons for the same period last year. Most of increase came from C&D. Year to Date total is 394.94 tons, 18.2 tons under last year at this time of 413.1 tons.

### **Rescue Squad updates:**

The Supervisor stated that five Town Supervisors, representatives from the Columbia County Emergency Management team, and the Mayor of the Village of Chatham have continued to meet with the Chatham and Valatie Rescue Squads re: service for 2023. County officials have expressed concerns about the sustainability of providing these services not only in these five towns but also county wide. The Board of Supervisors has elected to fund a county-wide study of rescue squads this year to survey the needs of residents and service providers in the current financial and job environment.

### **Canaan Highway request to piggyback on County Fuel contracts:**

Information gathering is now complete with the identification of a Town Procurement Policy, the Supervisor will review contracts against the policy and seek an opinion from the Association of Towns as to whether a Resolution is required.

**Other issues:**

**Newsletter:** going out soon, additional submissions should be sent immediately to be included.

**Queechy Lake accident**

A meeting of stakeholders including representatives from the Town, Department of Environmental Conservation, Berkshire Farm, the Queechy Lake Club and the Adams Point Beach Association took place this month. Issues reviewed included

- Discussion of the accident (a boat hit a swimmer) and its impact on the families, lake users, and resources
- DEC 's inconsistent policy implementation
- Lack of posting at Boat Launch site prohibiting swimming
- Lack of enforcement of the swimming prohibition
- Boat Launch site used for purposes outside of those identified in its agreement and on its website
- What can be done to make the lake safer

DEC subsequently posted a list of allowable activities at the site, noting that all others are prohibited, including swimming. They agreed to provide additional enforcement, as staff allowed, for the remainder of the season. The Town asked for a clearer message with regard to swimming but has not received a response.

At the request of the community members, staff identified a 1936 Town Resolution setting a speed limit at Queechy Lake. Absent any subsequent legislation (none has been identified) the regulation is still in place. The Columbia County Sheriff's Department would have enforcement responsibility and noted that speed is difficult to enforce on a lake. More likely, speeding violations would fall under reckless behavior. The speed limit information was immediately distributed to the Queechy Lake Club and the Adams Point Beach Association to advise the public of this information quickly.

**Budget Workshop**

With Board approval, the Workshop will be held before the next Canaan Town Board meeting at 6:00 PM on October 10, 2022.

**Update: Flooding issues on SR 295:** Project work is still scheduled for this year.

**Assessors Report:** received, no questions.

**Public Discussion:**

**Planes flying close and/or landing on lake.**

Ms. Dwyer reported that a neighbor had called her about low flying planes; Ms. Dwyer also asked about planes landing on the lake. The Supervisor replied the last time we explored this issue it was planes out of West Springfield Air Base practicing drone flying. Councilperson David Patzwahl responded that a plane has not landed on lake in the last 10 years.

**295 & 22 speed limit**

Ms. Dwyer again expressed concerns with the current speed limits approaching the intersections of State Routes 295 and 22. Councilperson David Patzwahl offered to follow up with the Traffic Safety Committee again to understand when and how current limits were established. The committee meets next on September 22.

**Loss of power at intersections of 295 and Route 22 during storms**

Ms. Dwyer stated that State Routes 295 and 22 often lose power during snow and ice storms and that it is a hazard. Residents have found the light enough of a worry to drive their personal cars to the intersection and park their cars with hazard lights blinking in order to offer a warning. The Board insisted this was not a good idea, and a risk to those individuals, and asked, instead, for law enforcement to be called. Ms. Dwyer mentioned that police often take too long to arrive. The Supervisor suggested that anyone call her via the town cell phone and she will get the intersection covered via her municipal NYSEG contact.

**Town Hall Sound issues:**

Online individuals mentioned there is difficulty hearing all the individuals who speak at the Town Board meeting. The Supervisor stated she hopes to address that issue with a microphone / speaker system for the Town Hall that is being considered and priced. A request was made for any purchase to include a hand held microphone for use by the public.

**MOTION to Adjourn at 9:05 pm**

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Alan Miller to adjourn the meeting. 5 AYES- Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Alan Miller – yes;  
Councilperson Ginny Nightingale – yes;  
Councilperson David Patzwahl – yes; and  
Councilperson William Powers – yes.

Respectfully Submitted,

Joshua S. Weisbuch, Town Clerk