

## **Town of Canaan, New York**

### **Town Board Regular Meeting Minutes:**

**October 10, 2022: 6:55 pm – 8:34**

Hybrid Meeting: In Person at Town Hall and via ZOOM

#### **Present**

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

#### **Absent / excused**

Councilperson: William Powers

#### **Also in Attendance:**

Highway Department Superintendent Stephen Van Tassel  
Town Clerk Joshua S. Weisbuch

**Audience:** 0

**Attendees via Zoom:** 1

#### **Moment of Silence and Pledge of Allegiance**

#### **MOTION: Approve September 12 Meeting Minutes**

Councilperson Alan made a motion, seconded by Councilperson Ginny Nightingale, to approve the amended minutes from the September 12<sup>th</sup> Town Board Meeting. 4 AYES: Motion carried.

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

#### **SEPTEMBER BILLS**

Councilperson Ginny Nightingale stated she had been unable to review the bills and would abstain from voting.

Councilperson David Patzwahl presented a request from one of the cemetery mowing contractors to approve an additional, above the budget line, mow for \$1000.00.

Councilperson David Patzwahl made a motion, seconded by Councilperson Alan Miller, to approve the September Bills. 4 AYES: Motion carried.

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

Councilperson David Patzwahl thanked the Supervisor for clarifying the credit card review and payment process. Supervisor reported this process had been followed since the card account had been opened.

**Financials**

Supervisor stated that Code Officer and Clerk lines have been adjusted to remove the 2021 charges received mid-year 2022 and the NYSEDA grant was moved from 2021 to 2022 revenues to align with the 2021 and 2022 budgets. Adjustments will need to be made to the 2021 AUD which will be done at the time the 2022 AUD is submitted. Some additional budget adjustments will need to be made between now and the end of the year. The plan is do them all at one time.

Councilperson David Patzwahl asked about revenues YTD for Dog License fees, had we not collected any fees in 2022. He requested the Town Clerk provide a break out of those fees for the November financials.

There was a question about legal fees and the exposure for the year. Supervisor stated the article 78 proceeding is still outstanding; the Town should know soon if it will be dismissed. Legal fees for the balance of the year will be a function of the Court’s decision and the Town’s next steps.

Supervisor will follow up as to why the CEO.4 account is over budget; it may need to be adjusted.

There were no other questions on Financials.

**SUPERVISOR MONTHLY REPORT: Read by Town Clerk Josh Weisbuch**

TOWN CLERK REVENUES	\$ 510.35
HIGHWAY FUND	\$ 547,664.55
HIGHWAY FUND CAPITAL	\$ 72,934.520
LIGHTING DISTRICTS	\$ 768.15
FIRE DISTRICTS	\$ 300.00
BUILDING INSPECTOR	\$
PLANNING BOARD	\$ 300
RECREATION	\$ 3,498.10
COURT REVENUES (sept 12)	\$ 5,348.00
ZONING BOARD OF APPEALS	\$
TAX COLLECTOR	\$ 0.00

**Proclamation:**

A Proclamation to honor Naomi Adago, Liam Buckenroth and Haley Sherman, Adam's Point Beach Association (APBA) lifeguards and swim instructors for Town of Canaan, for their heroic actions on August 13 was read into the record. Copies will be sent to each of the recipients.

## *Proclamation*

*WHEREAS*, Naomi Adago, Liam Buckenroth, and Haley Sherman are lifeguards for the Adams Point Beach Association and swim instructors for the Town of Canaan Summer Recreation Program,

*WHEREAS*, on August 13, they responded to an accident between a boat and a swimmer, outside the boundaries of the Adams Point Beach, resulting in serious injury to the swimmer,

*WHEREAS*, with lifesaving experience and dedication to their duties, they contacted the Columbia County 911 Communications Center and obtained assistance from emergency services,

*WHEREAS*, the swimmer Catherine Thompson had been critically injured, they used their training to move her from the water to the beach where she could be stabilized until emergency responders arrived on site,

*WHEREAS*, their quick thinking, their prompt and immediate action and unselfish generosity have richly blessed Catherine and her family by saving her life and, in doing so, have set an example for all to follow.

*NOW THEREFORE BE IT RESOLVED*, that I, Brenda Adams, Supervisor, and the Town Board of the Town of Canaan, Columbia County, New York, unanimously express our sincere appreciation and gratitude to Naomi Adago, Liam Buckenroth and Haley Sherman. The citizens of the Town of Canaan have been greatly touched and blessed by their compassion and dedication as evidenced by their lifesaving efforts. Their heroic efforts serve as a testament to the value we place on human life and to the unselfish actions which enrich our community.

IN WITNESS WHEREOF, I have hereunto set my hand to this document in the Town of Canaan, New York, this 10<sup>th</sup> day of October.

Brenda Adams, Supervisor, Town of Canaan, New York

**MOTION to Repeal Resolution 87**

Councilperson Alan Miller made a motion, seconded by Councilperson David Patzwahl to repeal Resolution 87. 4 AYES: Motion carried.

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

The Board discussed paying for the new Highway Department trailer before delivery in order to include the expenditure in the last 2022 CHIPS reimbursement cycle. The trailer is scheduled to leave the factory in the next week; local delivery is expected in the next month. The current delivery date will more than likely miss the cutoff date for the last CHIPS reimbursement cycle.

**MOTION to pay for Highway Department trailer prior to delivery**

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Alan Miller to pay, prior to taking delivery, for the new highway trailer in order to be apply for 2022 CHIPS reimbursement. 4 AYES: Motion carried.

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

**MOTION to adopt a Correlated Color (CCT) standard of 3000K for street lamps replacement**

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Alan Miller adopt a Correlated Color (CCT) standard of 3000K for street lamp replacements. 4 AYES: Motion carried.

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

**MOTION to move \$30,000 to Highway Capital Account**

Councilperson David Patzwahl made a motion, seconded by Councilperson Ginny Nightingale to move \$30,000 to Highway Capital Account per the 2022 budget. 4 AYES: Motion carried.

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

**MOTION to approve additional, final 2022 payment of \$1030 to Lagerwall Lawn Care**

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Alan Miller to approve an additional, final payment of \$1030.00 to Lagerwall Lawn Care for additional cemetery mowing. 4 AYES: Motion carried.

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

**MOTION to move 2023 budget from Tentative to Preliminary with adjustments.**

Councilperson David Patzwahl made a motion, seconded by Councilperson Alan Miller to move the 2023 Tentative Budget from Tentative to Preliminary with adjustments. 4 AYES: Motion carried.

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

**RESOLUTIONS**

**RESOLUTION #90** to approve signing NYSEG contract to replace the Town street light lamps with 3000K LED lights.

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Alan Miller to approve moving of budget from Tentative to Preliminary with adjustments. 4 AYES: Motion carried.

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

**DISCUSSION ON RESOLUTION #91** to participate with Columbia County and the CDRPC to develop a Town Vulnerability Assessment and Climate Adaptation Plan. CDRPC is funding a pilot program with Columbia County and up to sixteen Columbia County towns to develop a list of vulnerable sites and to identify climate mitigation efforts. Cornell Cooperative Extension will provide the technical assistance required to complete the plans to those towns enrolled in the pilot program. Participation in the pilot will count as points for the Town's Bronze Certification. Supervisor stated that this type of plan will be tied to FEMA emergency funding requests in the future and eventually required by the County and State. The Board discussed and agreed that there are no unfunded mandates since all plan recommendations require Town approvals.

**RESOLUTION #91** to authorize the Town to accept technical assistance offered by the Capital District Regional Planning Commission (CDRPC) and participate in a Climate Vulnerability Assessment and Climate Adaptation Plan.

Supervisor Brenda Adams made a motion, seconded by Councilperson Alan Miller to approve authorizing CDRPC to develop a Vulnerability Assessment and Climate Adaptation Plan. 4 AYES: Motion carried.

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

**RESOLUTION #92** to appoint Tom Potter as the coordinator / liaison to the Capital District Regional Planning Commission (CDRPC) to develop a Vulnerability Assessment & Climate Adaptation Plan

Supervisor Ginny Nightingale made a motion, seconded by Councilperson David Patzwahl to approve the appointment of Tom Potter as the coordinator / liaison for the development of a Vulnerability Assessment and Climate Adaptation Plan. 4 AYES: Motion carried.

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

**RESOLUTION #93** De-Acquisition of Surplus Highway Equipment

Councilperson David Patzwahl made a motion, seconded by Supervisor Brenda Adams to approve the De-Acquisition of Surplus Highway Equipment. 4 AYES: Motion carried.

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

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

**RESOLUTION #94** to reappoint Tom Platten to the Board of Assessment Review (BAR)

Councilperson Alan Miller made a motion, seconded by Councilperson Ginny Nightingale to reappoint Tom Platten the Board of Assessment Review (BAR). 4 AYES: Motion carried.

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

**RESOLUTION #95 Budget Adjustment.**

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Allan Miller to approve a budget adjustment for additional costs associated with Town street light buyout, Library electric panel repair and higher costs associated with repairs and services in the Building Account. 4 AYES: Motion carried.

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

**RESOLUTION #96 Purchase of a microphone and speaker system for the Town Hall Meeting Room.**

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Allan Miller to approve purchase of a microphone and speaker system for the Town Hall Meeting Room. 4 AYES: Motion carried.

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

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

The Supervisor reports that a draft budget is expected November 15.

- **Affordable Housing update:**

The BOS approved the creation of a new staff position of Housing Development Coordinator and to create a Columbia County Housing Task Force. The Housing Coordinator position has been posted

and resumes are coming in. Chairman of Board of Supervisors Matt Murell is working on appointments to the Task Force.

- **Columbia Memorial Hospital (CMH) report:**

The Board of Supervisors requested a meeting with the hospital executive staff and board of directors to understand ambulance diversions and long wait times in the hospital. Most issues seem to be related to staffing shortages tied to post pandemic labor market shortages and pay upticks. The County is working to be a good partner to help CMH succeed.

## **Old Business**

**Town Covid Guide & Mask requirement** reviewed again this month.

The Town Board decided to lower the threshold from a mask requirement to a recommendation at Town Hall but will continue to review status at a month to month basis.

The Town Clerk was asked to confirm if the recent Local Law concerning virtual meetings had been filed with NYS in the event circumstances change and the Town needs to go to virtual meetings.

### **Rescue Squad update:**

Supervisor states that meetings with the Chatham Rescue Squad are ongoing. A draft one year, 2023 contract is expected in the next 15 days.

### **Route 295 water management issue**

Changes in personnel at NYS DOT and transition priorities required additional conversations with the State. Culvert pipe replacement is back on the list of projects to be completed this year.

### **Credit Card Policy**

Supervisor hopes to have a Draft Policy for review at the November meeting.

### **Board discussion:**

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

The Supervisor was notified application requirements for grant have been received and work begun. Mike Tucker and CCDC will do much of the work, CEDC and consulting expenses will be covered by the grant.

Question was asked whether the town would receive a larger share of the grant now that one town had removed itself from the process. Supervisor stated she is waiting for an answer.

#### **Zoning & Planning update: Councilperson Ginny Nightingale:**

ZBA completed three minor decisions. Planning Board reviewed a Site Plan and three other decisions. The Supervisor is following up with the ZBA & PB Chairpersons re: 2022 training requirements.

**Climate Smart Task Force report: Supervisor Brenda Adams:**

The Task Force is exploring options for actions to complete their list of actions for Bronze Certification. They had hoped that the street light lamp replacement action would count towards Bronze status but it will not count until the replacement is complete which may take as long as six months.

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

This month's report indicates 8 tons under from last month. Melissa has retired, a replacement has been found. Supervisor stated that contract for this year may include an 8% increase (tied to cost of living). Supervisor has been talking to management about renewal options and believes contract should be extended.

**Recreation Committee report by Councilperson Alan Miller:**

Councilperson Alan Miller sent a letter summarizing the year to the Rec Committee and asked if they needed assistance with hiring staff for the coming season. Supervisor Adams noted the Rec Committee begins the hiring process in January in collaboration with the Adams Point Beach Association (APBA) since the APBA life guards work as swim instructors for the town.

**Traffic Safety Committee report by Councilperson David Patzwahl:**

Committee discussed CR-5 drainage project, New Lebanon's year-long request to decrease weight limit requirements of CR-5 and CR-9, staff transition plan for retiring Michal Duval, and the hiring of an Executive Secretary for 2023.

A Traffic and Railroad Safety Traffic Commission will be staffed to promote safety. Councilperson Patzwahl offered to take part in the work of the Commission.

The new green light requirement for municipal snowplows was not known and Councilperson Patzwahl shared the information he learned from our Highway Supervisor.

Various jurisdictions continue to focus on the Hudson Turnpike railroad bridge. Many drivers do not wait for the new stop light installed this year.

The Bell's Pond intersection in Livingston had 26 accidents as a result of left hand turn crossing roadway.

November 17<sup>th</sup> Traffic Safety Committee is next meeting.

**Supervisor update on County's Fuel contract**

The County accepts bids, does not have contracts with fuel providers. The Supervisor reports she is reviewing the Town Procurement Policy to determine if we need a Resolution to purchase from the County's providers.

### **Discussion of Disability Insurance Advocacy letter request from PERMA**

PERMA requested that towns not support proposed changes to Disability Insurance. Their concerns are that individuals with minimal disabilities would get a much large payment which may be disincentive for going back to work, may also cost municipalities a lot of money.

The Board asked the Supervisor to investigate the issue with Columbia County Human Resources, State Assemblywoman Didi Barrett, State Senator Daphne Jordan and other town officials to understand their opinion of the measure.

### **Assessors report**

Board had no questions.

### **Highway Superintendent report .**

Highlights include:

The Superintendent is planning to attend an additional 2022 conference after winning a raffle among Highway Superintendents. Fees will be paid by NY State and Columbia County.

Training continues for employees on grader. The Superintendent is working to certify himself as a trainer and instructor through DMV. The Superintendent noted that it would be possible to hold a training school at our own Highway Department saving the Town roughly \$2000 per trainee. Training would be held during the normal work week in real-life training situations. The Supervisor asked him to track the costs for fuel, equipment hours, etc. to better understand the costs of in-house training.

September CHIPS reimbursement has been received and processed.

Installed a "No Parking" sign on Peaceful Valley Road for Love's Truck stop overflow.

Supervisor reported a placeholder has been reserved in the 2023 budget for radios at \$9000.00 pending further research and information.

New trailer should ship Friday.

### **Neighbors Helping Neighbors update: Councilperson Ginny Nightingale:**

Councilperson Ginny Nightingale reported that the Queechy Lake Association sent a nice donation to the program, and, sent an outreach letter to their members some of whom also sent donations.

### **Public Discussion**

No questions form Public

### **MOTION to hold the Public Hearing and a Special Budget Meeting on November 7<sup>th</sup> at 7:00pm**

Councilperson Ginny Nightingale made a motion, seconded by Councilperson Alan Miller to hold the Public Hearing and a Special Budget Meeting on November 7<sup>th</sup> at 7:00pm. 4 AYES: Motion carried.

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

Note: the Town Board will meet twice in November:

**Monday November 7:** Public Hearing & Special Budget meeting to approve 2023 budget

**Monday November 14:** November Town Board Meeting

**MOTION to Adjourn at 8:34**

Councilperson David Patzwahl made a motion, seconded by Councilperson Alan Miller to adjourn the meeting. 4 AYES: Motion carried.

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

Respectfully Submitted,

Joshua S. Weisbuch, Town Clerk