

## Town of Canaan, New York November 13, 2023 Public Hearing

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### 7:03-7:05 Public Hearing Local Law # 7 /updated road specifications (*note corrected number*) Public Notice read by Town Clerk

**Present:**

Supervisor Brenda Adams  
Councilperson Ginny Nightingale  
Councilperson David Patzwahl  
Councilperson William Powers

**Absent:**

Alan Miller absent / excused

**Audience:** 4 plus 2 online

Supervisor Adams asked for comments or proposed changes regarding the road specs from anyone present or online. There were no comments or questions. Supervisor Adams asked for a motion to adjourn the public hearing. Councilperson Nightingale made a motion seconded by Councilperson Patzwahl to adjourn. 4 AYES - Motion carried.

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

## Town of Canaan, New York Regular Meeting following Public Hearing

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**Town Board Regular Meeting Minutes:**

**November 13, 2023, 7:05 - 9:11 pm**

Hybrid Meeting: In person at Town Hall and via ZOOM

**Present:**

Supervisor Brenda Adams  
Councilperson Ginny Nightingale  
Councilperson David Patzwahl  
Councilperson William Powers

**Absent:**

Alan Miller absent / excused

**Also in Attendance:**

Town Clerk Joshua Weisbuch  
Highway Superintendent Stephen Van Tassel

**Audience:** 3 plus 2 online

Supervisor Brenda Adams observed this is Veteran's Day week and this year is also the 50<sup>th</sup> anniversary of the peace agreement ending the Vietnam War.

**Moment of Silence**

**Pledge of Allegiance**

## **APPROVALS**

### **MOTION: Minutes October 19 and 30**

Supervisor Adams called for a motion to approve the Minutes as submitted. Councilperson Nightingale made a motion to approve the minutes of October 19<sup>th</sup> and 30<sup>th</sup>, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

### **MOTION: October Bills**

After minimal discussion, Supervisor Adams called for a motion to approve the October bills. Councilperson Patzwahl made a motion to pay the bills, seconded by Councilperson Nightingale. 4 AYES- Motion carried.

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

### **MOTION: YTD Financials / mortgage tax receipts / AIM payment**

Supervisor Adams provided some additional information about the financials: mortgage tax income has been identified for the final payment for 2023 and will be coming in November. Mortgage taxes for FYE 2023 will fall short of projections; it is expected that additional sales tax revenues will make up the shortfall. AIM payment was received, it was included with a CHIPS payment; error will be corrected on next month's financials. Final CHIPS reimbursements are expected before the end of the year. Councilperson Patzwahl mentioned that a few budget lines were over budget; Supervisor Adams replied these items will be part of the end of the year clean up in December. She called for a motion to accept the financials as presented. Councilperson Patzwahl made a motion, seconded by Councilperson Nightingale to accept. 4 AYES - Motion carried.

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

**Supervisor’s Report: read by Town Clerk**

**AT THE END OF OCTOBER THE CASH BALANCES WERE:**  
 GENERAL FUND

GENERAL FUNDS	528,358.70	
GENERAL FUNDS - ARPA	<u>164,512.32</u>	
		\$ 692,871.02
HIGHWAY FUND	563,847.40	
HIGHWAY CAPITAL FUND	<u>32,333.89</u>	
Total Highway Fund cash		596,181.29
CANAAN LIGHTING	104.46	
RICHMOND HILL ASSOCIATION	81.13	
EAST CHATHAM LIGHTING	167.19	
Total Lighting District cash		352.78
AMBULANCE AND FIRE DISTRICT	300	
TRUST & AGENCY CHECKING ACCOUNT	22,891.74	
RECREATION COMMITTEE	3,498.61	
HEALTH REIMBURSEMENT	15,606.92	
CAPITAL IMPROVEMENT FUNDS	4,114.29	

**RESOLUTIONS & MOTIONS**

**Motion to approve the 2024 Budget**

Councilperson Nightingale made a motion, seconded by Councilperson Powers to approve the 2024 Budget. 4 AYES: Motion carried.

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

**Motion to seek proposals for TH & HW generators (use of ARPA funds)**

Supervisor Adams asked the board to consider the use of ARPA funds to purchase generators to make it possible to continue town and highway operations during a power outage, and, for the purpose of operating a warming/cooling center at the Town Hall in emergency conditions. Councilperson Patzwahl made a motion to authorize the Supervisor to seek proposals for the generators, seconded by Councilperson Nightingale to seek proposals. 4 AYES: Motion carried.

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

Councilperson David Patzwahl – yes;  
Councilperson William Powers – yes; and  
Councilperson Alan Miller – absent / excused.

**RESOLUTION 102 of 2023 to approve the Chatham Rescue Squad contract (1-year) to provide ambulance services for 2024**

Supervisor Adams explained the Chatham Rescue Squad Inc, a rescue squad with its principal place of business located in the Village of Chatham, New York, currently provides ambulance services for the Town of Canaan. There will be no changes in services of fees from the 2023 contract. The approval will be subject to a Public Hearing by the Chatham Rescue Squad, pursuant to Section 184, Town Law. The Town Board has determined that it is in the public interest to enter into a 1-year contract with the Chatham Rescue Squad, Inc. Supervisor Adams called for a motion to authorize the Supervisor to sign a 1-year agreement to provide ambulance services for the sum of \$144,388 for the year of 2024. Councilperson Patzwahl made a motion, seconded by Councilperson Nightingale to approve and authorize Resolution 102 of 2023. 4 AYES: Motion carried.

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

**Resolution 103 of 2023 to approve the Red Rock Fire Company contract (3 years) to provide fire and other emergency services for 2024-2026**

The Red Rock Fire Company, Inc, a volunteer fire company located in Red Rock, New York, provides fire protection and other emergency services for the Town of Canaan, New York. Supervisor Adams explained that Canaan's prorated share of the fee is \$600 more than last year, otherwise the terms have not changed. Supervisor Adams asked for questions, then called for a motion to authorize the Supervisor to sign the agreement to provide fire and other emergency services for the sum of \$32,115 for the year of 2024; the sum of \$32,715 for the year of 2025; and the sum of \$33,315 for the year of 2026. Councilperson Nightingale made a motion, seconded by Councilperson Powers to approve Resolution 103 of 2023. 4 AYES: Motion carried.

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

**Resolution 104 of 2023 to approve the CCI contract for phone services (3 years) for phone system upgrade & services**

The Town needs to upgrade its phone system and internet capacity serving the Town Hall, Highway Garage and Library. Supervisor Adams went over the broad strokes of the details, such as the signal extenders and improvements in voicemail. Consolidated Communications, Inc (CCI)

has provided a proposal to increase the capacity of the current phone system through a combination of service and system upgrades and to upgrade internet speeds at various town locations to better meet the requirements of newer software applications and multiple users. The proposal was significantly lower in cost than an alternate provider, and the monthly service numbers provided are within the numbers budgeted for 2023-2024. Supervisor Adams asked for any questions then called for a motion to authorize her to move forward with an agreement with Consolidated Communications, Inc, for the purpose of making such changes. Councilperson Patzwahl made a motion, seconded by Councilperson Nightingale approve the contract in Resolution 104 of 2023. 4 AYES: Motion carried.

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

## **OLD BUSINESS**

**Status of Town Clerk 2022 audit: DEC account reviewed w/ Deputy Clerk, substantially complete, awaiting information from Town Clerk audit; balance of Town Clerk accounts, first audit meeting took place, conversation continues**

Only one more item will need signing off on regarding the DEC account; there will be ongoing conversations regarding the Town Clerk audit.

**Review ongoing virtual or hybrid meeting considerations and mask policy**

No changes; hybrid meetings will continue and masks will continue to be recommended but not required at town building locations.

## **BOARD DISCUSSION**

**NYS Grub Chuk Rd land donation / requests for meeting out**

The first of several responses have come in, meeting date / preparation underway.

**Broadband grant update / CCI response to request for additional information pending**

Engineering studies requested by USDA are in progress with CCI. Construction will not begin pending the completion of the studies.

**Request for private road (Fern Hill Road) donation to Town / pending approval of town road specification**

This request is pending approval of amended road specs. Once road specs are approved, they will be forwarded to the applicant.

**Town Road Specification / local law #7 hearing tonight / approval in December**

Now that the public hearing has been conducted, the local law will be put on the December agenda for a vote.

**Sexual Harassment training due before end of year / notices / link distribution out**

The training is due for everyone before the end of the year. The responses have been slow to date; reminders will follow. The Highway Department has completed their training.

**Vandenberg / Vanderburg / Vanderburgh Road name request / winter project**

Councilperson Ginny Nightingale shared some of her discoveries about the “Vanderburgh” family in Red Rock in the early 1800’s. Supervisor Adams remarked that there are now five different spellings to be considered.

**Planning / ZBA report / Ginny**

Neither board met this month.

**Climate Smart Task Force / Will**

Councilperson Powers spoke about the Climate Adaptability & Vulnerability public workshops led by Cornell Cooperative Extension for Canaan and other Columbia County towns to gather information from each community. The information from the county-wide survey and these meetings will start to frame a local planning document. He praised the efforts of the volunteers in creating a plan going forward. The Canaan Task Force meeting will hold its monthly meeting November 21<sup>st</sup> at 7 pm.

**Public Safety / David**

The next meeting is November 16th when David will revisit the NYS denial of the town’s request to reduce speed on 295, and, request again that state officials meet with town officials to review the site conditions.

**Transfer Station / David**

There was discussion about the monthly report and the spread sheet. Tonnage was higher this month, but overall, tonnage for the year is down. There was some discussion about limiting the number of bags to two per sticker, per week. 2024 stickers will be available in January. The Town Clerk asked the board to consider distributing transfer station stickers in mid-December to get stickers in circulation sooner. The Town Board agreed to the suggestion.

**Domestic Partner registry update / changes to proposed local law with County Attorney**

Supervisor Adams reported some changes were made to the proposed local law and the county attorney is reviewing the changes.

**Maintenance: HW building: black mold identified & cleaned up in boiler room; leaky valve on the boiler replaced; shed roof repair underway to reduce leaks in boiler & oil rooms; HW Super continues to work on quotes to replace the roof**

Supervisor Adams reported that repairs have been completed to replace the boiler valve which appears, along with the ceiling leak, to be the source of the water causing the mold. The

Highway crew will be sealing the roof in the next week. The mold has also been cleaned up and the area will be monitored in the future for the reappearance of any additional mold.

### **Election update: Proposition 5 likely recount**

Supervisor Adams reported that as of last night, there is a 5 vote difference on this proposal. The absentee results will be known Tuesday November 14<sup>th</sup>. If the difference is 20 votes or less, a recount is automatically triggered. A number of people seemed to have been confused by the salary reduction proposal; they did not seem to understand the reduction in salary was a function of separating the Town Clerk and Tax Collector duties. The results of a recount will be known next week.

### **Congressman Molinaro**

Congressman Molinaro's Mobile Office will be at the Town Hall on Thursday, November 16 from 12 to 2 PM. Field rep Alex Horton will be here to answer questions.

### **Board of Assessment Review Date**

Supervisor Adams brought up a request from the chairman of the Board of Assessment Review to change the BAR meeting date due to a personal scheduling conflict. New York State sets the date for the BAR meeting, exceptions are granted if the town assessor has a conflict, *ie*, he/she is holding a hearing in another town(s) on that date. A local law is required to change the date which stays in place until the law is changed. Canaan shares an assessor with Chatham and New Lebanon, both of these towns have passed local laws to change the date so that the state date can be met in Canaan. Discussion ensued. The general consensus was not to change the date as the remaining BAR members are qualified and experienced as a team and would make every effort to compensate for his absence.

### **ASSESSOR'S REPORT (prior month covered October / November)**

#### **HIGHWAY REPORT: read by Stephen Van Tassel – Full Report Attached.**

##### **Summary:**

1. On Wednesday morning November 1st, we had a couple of trucks out road-checking; only one truck had to put the plow down on the east side in the high elevations.
2. We have successfully installed the additional 10-ft piece of culvert pipe on Cemetery Road and now are beginning to install the guiderail where it once was, as well as other locations around town in preparation for winter. (See attached photos)
3. The crew and I have installed our first ever Beaver Deceiver Culvert pipe on Old Queechy Road. There are a few other locations around town we believe could also use a similar type of device; we will be narrowing down what size and style deceiver best suits other areas and try them out; one place is the Town Park. (See attached photos).
4. The beaver dam at the Town Park was successfully removed, using an underwater approach. A wet suit was borrowed from the Canaan Fire Company.
5. We have wrapped up all the remaining shoulder work from our recent paving projects, with help from the Town of Ghent Highway Department.

6. A NYS DOT Representative attended our recent County association meeting and I asked about the meeting for the speed limit on 22/295.
7. The annual NYS Highway and Publics Works Expo was last month. A couple of the crewmembers and I ventured out to see all the new equipment and trucks they had to offer.

The board praised Highway Supervisor van Tassel for his good work.

## **PUBLIC DISCUSSION**

1. One comment about the Clerk's Report being called the Supervisor's Report.
2. The Town Board welcomed incoming Councilperson Brian Lifsec.
3. Some discussion about the distribution of stickers for the Transfer Station. It was clarified that Recycling stickers are not free and are printed by Columbia County and sent to the towns for sale before the first of the year. It was decided that additional marketing of the transfer station stickers would be beneficial. Once stickers are in stock, the news will be posted on the town website, published in the newsletter, and posted on the town Facebook page.
4. Councilperson Patzwahl commented that the signs on State Route 295 with letters missing are on the list for repair/replacement as part of ongoing repairs. There does not appear to be any vandalism, the letters on the signs are wearing off.

Supervisor Adams asked the Board for a motion to go into Executive Session for a Personnel Matter, as per Open Meetings Law 105, subsection 1(f). Councilperson Nightingale made a motion seconded by Councilperson Patzwahl to go in to Executive Session at approximately 8:15 PM. 4 AYES: Motion carried.

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

**Recording stopped.**

## **EXECUTIVE SESSION Personnel Matter**

**MOTION to Adjourn the Executive Session and return to the Town Board meeting at 9:11 pm**

Councilperson Nightingale made a motion seconded by Councilperson Patzwahl to adjourn the Executive Session at approximately 9:11 PM. 4 AYES: Motion carried.

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



Councilperson David Patzwahl – yes;  
Councilperson William Powers – yes; and  
Councilperson Alan Miller – absent / excused

The Supervisor noted that no decisions or actions had been taken in Executive Session.

If there was no other business, Supervisor Brenda Adams called for a motion to adjourn the meeting. Councilperson Patzwahl made a motion, seconded by Councilperson Nightingale to adjourn. 4 AYES: Motion carried.

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

**NEXT MEETING:**

Regular meeting December 11, 2023 at 7 PM

Respectfully submitted  
Rebecca Nebesar  
Deputy Clerk II