

## **Town Board Regular Meeting Minutes**

**February 12, 2024 7:07 – 8:44 pm**

Hybrid Meeting: In person at Town Hall and via ZOOM

### **Present:**

Supervisor Brenda Adams  
Councilperson Brian Lifsec  
Councilperson William Powers

### **Excused:**

Councilperson Ginny Nightingale  
Councilperson David Patzwahl

### **Also in Attendance:**

Town Clerk Joshua Weisbuch  
Highway Superintendent Stephen Van Tassel

**Audience:** 0 plus 2 online

### **Moment of Silence**

Supervisor Adams asked for all to remember: Ron Davis for his many years of community service to the town; Joanne Hanson, Town Librarian who broke her hip and is recovering; and all Canaan friends and family who need our thoughts.

### **Pledge of Allegiance**

## **APPROVALS**

### **Minutes January 8, 2024**

Supervisor Adams called for a motion to approve the minutes. Councilperson William Powers made a motion to approve, seconded by Councilperson Brian Lifsec. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

### **Bills**

Supervisor Adams mentioned a labor charge on the phone bill, but called for a motion to approve the bills. Councilperson Brian Lifsec made a motion to approve, seconded by Councilperson William Powers. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**YTD Financials / 4<sup>th</sup> Q sales tax / encumbrances / 2022 DEC check cut to town / tax collections**  
 Supervisor Adams pointed out that income from 4<sup>th</sup> Q sales tax made the revenue line in the HW budget whole and was higher than the shortfall in mortgage taxes in 2023. With the acceptance of the audit of the 2022 DEC account, the town share of the DEC fees have been reconciled and paid to the town. She also pointed out the tax collection is proceeding well, and the fire company checks have been cut and mailed first, after which will come the Town of Canaan and the Lighting Districts. Supervisor Adams called for a motion to accept the financials. Councilperson William Powers made a motion to approve, seconded by Councilperson Brian Lifsec. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
 Councilperson Brian Lifsec – yes; and  
 Councilperson William Powers – yes.

**SUPERVISOR’S REPORT / TOWN CLERK:** read by Town Clerk Joshua Weisbuch

<b>TOWN CLERK REVENUES</b>	<b>\$ 598.00</b>
<b>HIGHWAY FUND</b>	<b>\$ 604,999.95</b>
<b>HIGHWAY FUND CAPITAL</b>	<b>\$ 32,334.43</b>
<b>LIGHTING DISTRICTS</b>	<b>\$ 7,260.05</b>
<b>AMBULANCE AND FIRE DISTRICTS</b>	<b>\$ 251,875.83 *</b>
<b>BUILDING INSPECTOR</b>	
<b>PLANNING BOARD</b>	<b>\$ 300.00</b>
<b>RECREATION</b>	<b>\$ 3,498.55</b>
<b>COURT REVENUES</b>	<b>\$ 3301.00**</b>
<b>ZONING BOARD OF APPEALS</b>	
<b>TAX COLLECTOR</b>	

- \* Fire Departments: Includes Canaan, East Chatham & Red Rock
- \* January Fines & Forfeitures – Deposited January 16, 2024

**RESOLUTIONS & MOTIONS**

**Resolution 47 of 2024: Town Board audit of 2023 accounts**

The Canaan Town Board audited the Town Clerk, Tax Collector, Supervisor, and the Town Justices’ financials for the Fiscal Year Ending December 31, 2023 on January 23, 2024. The financial books of said offices were found to be in order. Supervisor Adams called for a motion to accept the audit. Councilperson Brian Lifsec made a motion to approve, seconded by Councilperson William Powers. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
 Councilperson Brian Lifsec – yes; and  
 Councilperson William Powers – yes.

**Resolution 48 of 2024: Application for acquisition of Thruway land at B3**

Supervisor Brenda Adams explained the acquisition process which begins with an application that is estimated to take nine to twelve months; she will request the application fee be waived. The New York State Thruway Authority is the owner of certain lands located at the NYS Thruway B3 Exit and near Milepost 23.27, Town of Canaan, New York and consisting of approximately 2.22 acres (“subject property”). The New York State Thruway Authority has provided the Town of Canaan with the opportunity to acquire the subject property. The proposed purchase price is ONE (\$1.00) DOLLAR for the subject property of +- 2.22 acres. The Canaan Town Board has determined that acquisition of the subject property will be beneficial to the Town of Canaan by providing nearby parcels a possible means of ingress and egress over a public way. Town Supervisor Brenda Adams called for a motion to the Town of Canaan to authorize her to enter into a contract to purchase the subject property as set forth hereinabove for the purchase price of ONE DOLLAR (\$1.00), subject to and contingent upon delivery of a land purchase contract, title and deed, provided by the NYS Thruway Authority and that she be hereby authorized to execute and file a real property application with the NYS Thruway Authority in connection with the acquisition of the subject property, to enter into a land purchase contract with the NYS Thruway Authority to purchase the subject property, and to sign all documents necessary to effectuate the conveyance of the subject property to the Town of Canaan. Councilperson William Powers made a motion to approve, seconded by Councilperson Brian Lifsec. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**Resolution 49 of 2024: for Highway Superintendent to go out to bid for materials & services**

The Town Highway Department has a policy of seeking annual proposals for the purchase of goods and services. The Town Highway Superintendent has requested to go out to bid for 2024 goods and services. Supervisor Brenda Adams made a motion to approve, seconded by Councilperson William Powers 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**Resolution 56 of 2024: to approve transfer of funds to HRA account**

The Canaan Town Board replenishes the Health Reimbursement Account annually in March or on an “as needed” basis. HRA expenses were unusually high in December, resulting in a low account balance. Supervisor Brenda Adams requested approval for a budgeted transfer of \$25,000 to the HRA account, allocating \$17,000 to the General Fund and \$8,000 to the Highway Fund. Councilperson Brian Lifsec made a motion to approve, seconded by Councilperson William Powers. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**Resolution 57 of 2024: to approve Town Highway Department purchase of high band radios**

The Town Highway Department has a regular policy of upgrading and/or replacing equipment as needed and in 2022 requested updated or high band radios to provide improved coordination with other departments and agencies and to gain greater coverage in our rural area. Radios ordered over 18 months ago are now in stock, and available on NYS OGS contract. The Highway Department has provided an updated quote to replace 7 radios (5 trucks, two pieces of equipment and 3 mobile radios) that includes installation and a 10-year high band radio license. Supervisor Adams called for a motion for the Town of Canaan to authorize the Highway Superintendent to purchase the radios from Pittsfield Communications for a price not to exceed \$10,600. Supervisor Brenda Adams explained that this purchase is important for reliable and effective communications, and she made a motion to approve, seconded by Councilperson Brian Lifsec. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**Resolution 58 of 2024: to appoint Brian Lossow to Planning Board**

The Planning Board has a vacancy and the town has posted said vacancy via Public Notice in the paper of record. Brian Lossow, a current member of the Zoning Board of Appeals has indicated his interest in serving on the Planning Board. Mr. Lossow, should he be appointed to the Planning Board, intends to resign from the Zoning Board of Appeals (ZBA). The vacancy on the Zoning Board will be advertised. Supervisor Adams expressed her gratitude to Brian Lossow and called for a motion that Brian Lossow be appointed, effective his resignation from the ZBA, to the Town of Canaan Planning Board for the term ending December 31, 2030. Councilperson Brian Lifsec made a motion to approve, seconded by Councilperson William Powers. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**Resolution 59 of 2024: to appoint Esperanza Sanchez as Emergency Response Coordinator and Elijah Falkner as Planning / Logistics Officer**

Supervisor Brenda Adams explained that the Town of Canaan’s Emergency Management Plan is required to be regularly updated and staffed at all times. Currently, Emergency Response Coordinator and Logistics Officer positions are vacant. She praised the talents and commitments of Town residents Esperanza (Epi) Sanchez and Elijah Falkner who possess professional and organizational skills that qualify them for these positions. Supervisor Adams called for a motion to approve that Esperanza (Epi) Sanchez be appointed as Emergency Response Coordinator and Elijah Falkner as Planning & Logistics Officer for the term of one year ending December 31, 2024, and, these appointments revert to the annual organizational appointment schedule effective this date. Councilperson William Powers made a motion to approve, seconded by Councilperson Brian Lifsec. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**Resolution 60 of 2024: to approve Nolan Propane proposal to install propane tanks at the Town**

### **Hall & Garage for emergency generators**

The frequency, strength and duration of weather-related emergencies has increased over the last few years and the town must respond to these emergencies with certain basic services, including heating and cooling locations for residents without power, water, heat or cooling. The Town of Canaan has purchased back-up electrical generators to keep the town offices and town garage operational and to provide basic services to its residents. The Town of Canaan has identified quotes from two vendors to provide propane tanks and fuel for the same or equivalent equipment: the lower bid is for three 120-gallon tanks at the Town Hall and one 500-gallon tank at the Highway Garage with an annual rental of \$500 per location per year for a total of \$1000, per year as a rental with tanks sized to provide power for three days. The lower bid is the preferred fuel vendor and lowest price on Columbia County fuel contract. Some discussion ensued. Supervisor Brenda Adams called for a motion that the Town Board authorize her to move forward with the installation of fuel tanks and the purchase of propane fuel from Nolan Propane, with the condition that the installation of tanks and first year's rental not to exceed \$2500, and the fuel to be purchased on county contract, CC Bid #23-011, funding for same to be provided by ARPA monies to the extent possible (fuel may be exempt). Councilperson Brian Lifsec made a motion to approve Resolution 60, seconded by Councilperson William Powers. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**Resolution 61** to approve 3-year contract for fixed rate for electricity supply  
Supervisor Adams pulled this resolution pending receipt of complete information.

### **Resolution 62 of 2024: to waive building fee for generator installation**

The Town of Canaan plans to purchase and install emergency generators at the Town Hall and Highway Garage. The town is paying for any/all other costs related to the transaction including but not limited to site improvements, equipment, installation of equipment and fuel tanks, etc. Town Supervisor Brenda Adams requested permission to waive the building fee for this project as being in the interest of the public good and she called for a motion to waive the fee (not the process). Supervisor Brenda Adams made a motion to approve, seconded by Councilperson William Powers. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

Added note: Building permits are required for heat pumps and emergency generators. Supervisor Adams notes this is an opportunity to educate Canaan residents about the requirement for permits for these items as it seems, per a conversation with the Code Enforcement Officer, this information is not widely known.

### **Resolution 63 of 2024: to approve 2023 budget adjustments See Attached.**

Supervisor Adams called for a motion to approve the final adjustments provided by the accountant. Councilperson Brian Lifsec made a motion to approve Resolution 63 for budget adjustments, seconded by Councilperson William Powers. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**Motion: to revise Resolution 51 EV charging station rate**

The EV Charging Stations have been successfully installed in Stoddard Park, with service now available to the community. There are electricity and cloud storage expenses for the service. The town envisions this service to be budget neutral. Supervisor Brenda Adams called for a motion to authorize her to coordinate a data management plan with the vendor for the users of this service to be billed for their usage at a rate of \$4.25 for two hours (correcting the previously approved 1-hour period). Councilperson William Powers made a motion to approve, seconded by Councilperson Brian Lifsec. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**Motion: to accept report of audit of 2022 Town Clerk accounts**

Supervisor Adams opened the floor to discuss the independent audit of the 2022 Town Clerk accounts and answer any questions. She first gave an overview of the discrepancies and errors that were corrected. The independent bookkeeper used QuickBooks to create a parallel record leaving the Town Clerk's BAS record intact. Supervisor Adams requested the Town Clerk review the report as soon as possible and advise the board of any questions or changes. The report did not address the financial and labor impacts associated with delays, continuing errors, and payments. She said the findings are comprehensive and listed details of the problems, solutions and recommendations for recording transactions, and the reassignment of these duties to someone other than the town clerk. Some discussion ensued. Supervisor Brenda Adams then called for a motion to accept the audit from the bookkeeper and give the Town Clerk time to review the draft report. Councilperson Brian Lifsec made a motion to accept the 2022 audit report and the plan for Town Clerk Josh Weisbuch to reply to the report by close of business on 2/19/2024, seconded by Councilperson William Powers. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**OLD BUSINESS**

**Status of Town Clerk 2022 audit: / draft report**

Covered already.

**Generator equipment ordered/ propane tank installation proposal above**

Covered already

**NLCSD letter for tax exemptions / county resource issue move to March**

It's a busy time for the assessors and the office of Real Property with the various March 1<sup>st</sup>

deadlines, staff have requested additional time to prepare supporting data for the letter; this issue be moved to March.

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

Continuing the current policy

#### **BOARD DISCUSSION**

#### **NYS Grub Chuk Rd land donation / resolution to approve application**

Nothing to add.

#### **Broadband grant update / CCI submitted more information / awaiting USDA acceptance**

Things are moving. Another we hope, final, set of documents was submitted to USDA, the documents have been forwarded to the environmental group for review.

#### **Vandenberg / Vanderburgh Road name request / winter project / responses coming in**

A resident wrote a letter. David and Ginny will continuing work on this.

#### **Planning / ZBA report / Ginny**

No report this month as Ginny was absent/excused.

#### **Climate Smart Task Force / Will**

Ten people came to the recent meeting, re-energizing the pathway to acquiring silver status. If the task force successfully completes a number of actions/programs, the town will be eligible for up to \$100,000 in grant money.

#### **Public Safety / Stephen**

Stephen attended the meeting for David this month. There was discussion about road signs and local safety concerns. One letter about two recent accidents on 295 and 22 was received. Post Road was also discussed, potentially changing the road to one way, and changing the blinking light at the CR5/ 295 intersection to a solid one. It was noted that stop signs are sometimes ignored. Supervisor Adams will write a letter asking for a meeting with the county and state agencies. Discussion of the issues ensued. Plans are in the works to improve safety at these troublesome intersections.

#### **Transfer Station / Brenda**

Supervisor Brenda Adams studied the past four years of tonnage that shows a large increase in municipal solid waste at the end of 2023, (not C & D). The upshot will be more monitoring. A couple regularly using the transfer station have been identified as non-residents; they have been advised the transfer station is for residents only.

#### **Domestic Partner registry update /pending changes to proposed local law with County Attorney /no progress**

#### **Maintenance: The kitchen sheet rock repair scheduled**

This is among the work scheduled for this month.

**BAR / request change of meeting date for 2024 / local law in March / pending approval of Chatham local law**

**Annual Financial Disclosures due January 15**

Supervisor Adams and Town Clerk Weisbuch are working on the list as to how many people have updated their file. “Back of the envelope” estimate is about 15 out of 35. There is a question as to whether the filing update has to be done annually; for the moment it will be done annually.

**Community Day Planning / tentative date**

June 15th is the tentative date, confirmation pending on a committed food truck vendor.

**Stoney Kill clean-up & Community Gardening day planning underway**

No equipment / alteration of the banks is permitted on the bank; work can be done from the stream manually. Potential dates in April or May.

**Hazard Mitigation survey**

The Newsletter committee will send out the survey for community participation. The survey is an integral component of the updated town and county Hazard Mitigation Plans which will qualify the town and county for FEMA funds.

**Citizen Preparedness course with New Lebanon**

Elijah Falkner identified a two-hour training course that will be sponsored by the Town of Canaan, the Canaan Protective Fire Company, and potentially the Town of New Lebanon. Event will be held at the Canaan Fire House, working on a date in the spring.

**Pro Housing Community Letter & Application**

New Lebanon was the first in the state to certify as a Pro-Housing Community. Supervisor Adams will initiate the Town’s letter / application in March.

**Energy Use at the Town Hall/ rates and usage higher in 2023**

The town has identified a potential vendor that will provide a fixed rate over a multiple year period. The explanation for the spike in electricity consumption has not been definitively explained – it may be due to increased use of the Town Hall post-covid as more meetings come offline and are in person, the water fountain returned to use at the park, faulty data entry, furnace inefficiency, lights left on. In 2023 the Town Hall used more electricity than the highway garage; last year’s Town Hall use was 12,000 KWH, an increase of 6,000 KWH year over year.

**ASSESSOR’S REPORT** (see attached)

**HIGHWAY REPORT:** Read by Highway Supervisor Stephen van Tassel (see attached)

**Summary:**

- The weather has been quite unpredictable lately. Tree damage has been handled. The dirt roads are a top priority for maintenance. We have been using both our steel edge plows and rubber edge plows during the storms because the rubber edges glide over the soft dirt roads preventing them from digging in. Plows parts from Austerlitz and New Lebanon.



- We have a new hire at the Highway Department, starting out as an MEO because they have a Class B license. The start date is contingent on pre-employment drug test and a LENS check.
- I met with a paving contractor Valley Paving Inc. to go over the roads and intersections on the 284 Agreement for 2024 that we plan to resurface/pave this year, contingent on how much funding we receive for CHIPS in April. I asked them to quote some additional roads in case we receive a surplus of funding. I will contact a couple more vendors to compare pricing.
- CSX has asked if the Town has any plans on installing blacktop or concrete curbing between their crossing signals and the edge of our roads. Columbia County engineer Ray Jurkowski said he can look into it.
- Our oldest truck on the fleet (#8) has had a major engine component fail. To avoid causing more damage we have set the truck aside. Eric Coons, a local diesel mechanic diagnosed the truck. He found a piece of the cam follower in the oil pan. The repair estimate varies from \$15,000-\$16,000; with quotes for parts and services from 2-3 different vendors, I plan to make a decision come March.
- Road side mowing tractor situation: I am looking to have an outside source come in again and diagnose the tractor. We have attempted to narrow down the electrical issue that is causing the tractor to be inoperable.
- I have received an updated quote from our radio vendor (Pittsfield Communications). The radios ordered over 1 ½ years ago are in stock, ready for installation. The radio quote is to replace 7 of the existing radios (5 trucks/2 equipment) and acquire 3 hand held portable radios, two for the highway for flagging duties and one for a base station/portable radio use for the Supervisor's office. The low band radio licenses expire 10/11/2024, renewal is free and we believe in keeping the license going because New Lebanon Highway still runs low band. High band radio licensing has a small fee at the 10-year mark.
- A medium size culvert pipe on Goetz Rd installed nearly 30 years ago failed recently. We patched the hole in the road for now, but plan to replace the pipe when some good weather arises. We have the pipe in stock.
- We will be taking some time to install a 3ft x 5ft stone pad at the Town Hall for the upcoming generator installation, to better prevent the water from reaching the generator if the surrounding area floods.
- On Feb 2<sup>nd</sup> a Stream Restoration Technician from Trout Unlimited Jeremiah Stone and I met at two different locations here in town to evaluate if these locations can qualify to be rebuilt or reconstructed to enhance their ecological function.
- On February 5<sup>th</sup> Pat and I drove up on a car accident at the 22/295 intersection involving a tractor trailer and two cars. Pat checked if everyone was ok while I blocked State Route 22 and radioed 911. After assisting everyone off the roadway, Pat and I stayed to direct traffic until the Canaan Fire Company arrived while a NYS trooper and ambulance aided the occupants involved, only one occupant asked for medical attention.

Supervisor Adams added that the garage bathrooms have been painted, and a cleaning person is being hired for regular cleaning.

**PUBLIC DISCUSSION**

Supervisor Adams asked if anyone has any questions for the board. A participant online tried to ask a question, but the board had trouble hearing. Supervisor Adams apologized and it was requested that the question be texted or written in the chat. After a few minutes, it was determined there was no question.

Supervisor Adams called for a motion to adjourn at 8:44. Councilperson Brian Lifsec made a motion to approve, seconded by Councilperson William Powers. 3 AYES - Motion carried.

Supervisor Brenda Adams – yes;  
Councilperson Brian Lifsec – yes; and  
Councilperson William Powers – yes.

**NEXT MEETING:**

Regular Meeting March 11, 2024 at 7 pm

Respectfully submitted,  
Rebecca Nebesar  
Deputy Clerk 2