TOWN OF NEW SCOTLAND
TOWN BOARD MEETING
September 14, 2016 - 7:00 PM
AGENDA

1.	**Call to Order**	*Mr. LaGrange*
2.	**Pledge of Allegiance**	
3.	**Invitation to the General Public to Comment on Agenda Items: Please use the microphone available and state your name for the record**	*Mr. LaGrange*
4.	**Approval of the Minutes of the Following:** • **August 10, 2016 Regular Town Board Meeting** • **August 31, 2016 Special Town Board Meeting** **Announcement:** • **AARP Defensive Driving, Oct 7th , 9AM-3:30PM at Community Center** • **Fall Brush & Leaf Bag Clean-up October 11 – November 18**	*Ms. Deschenes*
5.	**Notice received re: Hudson Valley Italian Restaurants, Inc. filing for liquor license for restaurant "Track 32"**	*Ms. Deschenes* *Attachment #1*
6.	**Discussion/Action re: request for speed limit reduction on Thacher Park Rd.**	*Mr. LaGrange* *Attachment #2*
7.	**Discussion/Action re: Proposed Local Law E of 2016, regarding cargo/shipping containers used as storage**	*Mr. LaGrange* *Attachment #3*
8.	**Discussion/Action re: Proposed Local Law F of 2016, regarding notice to residents of pending applications for permits and approvals**	*Mr. LaGrange* *Attachment #4*
9.	**Discussion/Action: Proposed Local Law G of 2016, amending Chapter 190 of the Code to establish regulations regarding solar photovoltaic systems & solar farms.**	*Mr. LaGrange* *Attachment #5*
10.	**Discussion/action- re: Acceptance of Roadway & Utility Infrastructure at Phase 2 of Colonie Country Club-Estates**	*Mr. LaGrange* *Attachment #6*
11.	**Discussion/Action regarding Emergency Medical Service (Ambulance service) coverage as of October 15, 2016**	*Mr. Greenberg*
12.	**Authorize Supervisor to sign agreement with Bauer Appraisal Group to prepare appraisal report for the Voorheesville Area Ambulance building, 21 Voorheesville Ave., Voorheesville, NY**	*Mr. LaGrange* *Attachment #7*

13.	**Appointment of Board of Assessment Review member Sarita Winchell for a term 10/1/16 to 9/30/21**	*Mr. LaGrange*
14.	**Discussion re: Intermunicipal Agreement with Town of Bethlehem and the Heldervale Water and Sewer Districts**	*Mr. LaGrange* *Attachment #8*
15.	**Authorize Supervisor to execute "Addendum to June 25, 2007 Water Purchase Agreement" with the Village of Voorheesville regarding the Colonie Country Club Water District**	*Mr. LaGrange* *Attachment #9*
16.	**Highway and Parks:**	*Ken Guyer*
	• **Request to change job title for highway employee James Kendall, from EO-1 at pay rate $20.96 to EO-1 with Class A License at pay rate $21.26 effective September 19, 2016**	
	• **Annual Highway Vehicle & Equipment Inventory**	*Attachment #10*
	• **Adoption of Civil Service Job Description for Dog Warden**	*Attachment #10a*
	• **Adoption of Town of New Scotland Dog Warden Duties**	*Attachment #10b*
	• **Discussion/Action re: dedication of West Street**	
17.	**Discussion/Action re: hiring of Lawrence Salvagni as Equipment Operator I – Water/Sewer Maintenance, part-time at a pay rate of $23.31 and on an as needed basis.**	*Mr. LaGrange*
18.	**Report and recommendation re: examination/audit of the 2015 Justice Court records**	*Ms. Snyder &* *Mr. Greenberg* *Attachment #11*
19.	**Report and recommendation re: examination/audit of the 2014 & 2015 Supervisor/Chief Financial Officer records**	*Ms. Snyder &* *Mr. Greenberg* *Attachment #12*
20.	**Report and recommendation re: examination/audit of the 2013 Supervisor/Chief Financial Officer records**	*Mr. LaGrange &* *Ms. Snyder* *Attachment #13*
21.	**Liaison Reports**	*Various Board Members*
22.	**Departmental Monthly Reports:**	
	• **Town Clerk, August 2016**	*Attachment #14*
	• **Registrar, August 2016**	*Attachment #14a*
	• **Justice Wukitsch, June, July, August 2016**	*Attachment #14b*
23.	**Invitation to the Public to Discuss Non-Agenda Items**	*Mr. LaGrange*

24.	**Pay the Bills**	*Mr. LaGrange* *Attachment #15*
25.	**Approve any Budget Modifications**	*Mr. LaGrange* *Attachment #16*
25.	**Adjourn**	*Mr. LaGrange*

rev 1/22/16

OFFICE USE ONLY
○ Original ○ Amended Date _____

ATTACHMENT #1

NEW YORK STATE OF OPPORTUNITY. State Liquor Authority

Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a Local Municipality or Community Board

(Page 1 of 2)

1. Date Notice Was Sent: Sep 6, 2016 1a. Delivered by: Certified Mail Return Receipt Requested

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License

☒ New Application ☐ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☐ Class Change

For **New** applicants, answer each question below using all information known to date.
For **Renewal** applicants, set forth your approved Method of Operation only.
For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s).
For **Corporate Change** applicants, attach a list of the current and proposed corporate principals.
For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation.
For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type.

This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board

3. Name of Municipality or Community Board: Town of New Scotland

Applicant/Licensee Information

4. License Serial Number, if Applicable: _____ Expiration Date, if Applicable: _____

5. Applicant or Licensee Name: Hudson Valley Italian Rests Inc

6. Trade Name (if any): Track 32

7. Street Address of Establishment: 1368 Indian Fields Road

8. City, Town or Village: New Scotland ,NY Zip Code : 12127

9. Business Telephone Number of Applicant/Licensee: (518) 945-1930

10. Business Fax Number of Applicant/Licensee: (518) 945-1824

11. Business E-mail of Applicant/Licensee: lilsal@mhcable.com

12. Type(s) of Alcohol sold or to be sold: ☐ Beer & Cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

13. Extent of Food Service: ☒ Full food menu; Full Kitchen run by a chef or cook ☐ Menu meets legal minimum food availability requirements; Food prep area at minimum

14. Type of Establishment: Restaurant

15. Method of Operation: (Check all that apply)
☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☒ Recorded Music ☐ Karaoke
☐ Live Music (Give details: i.e. rock bands, acoustic, jazz, etc.): _____
☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment
☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel
☐ Other (specify): _____

16. Licensed Outdoor Area: (Check all that apply)
☐ None ☒ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
☐ Sidewalk Cafe ☐ Other (specify): _____

rev 1/22/16

OFFICE USE ONLY
◯ Original ◯ Amended Date _____

NEW YORK STATE OF OPPORTUNITY. | State Liquor Authority

Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a Local Municipality or Community Board

17. List the floor(s) of the building that the establishment is located on: First Floor

18. List the room number(s) the establishment is located in within the building, if appropriate:

19. Is the premises located within 500 feet of three or more on-premises liquor establishments? ◯Yes ◉No

20. Will the license holder or a manager be physically present within the establishment during all hours of operation? ◉Yes ◯No

21. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee.

22. Does the applicant or licensee own the building in which the establishment is located? ◉ Yes (If Yes SKIP 23-26) ◯ No

Owner of the Building in Which the Licensed Establishment is Located

23. Building Owner's Full Name:

24. Building Owner's Street Address:

25. City, Town or Village: State: Zip Code :

26. Business Telephone Number of Building Owner:

Representative or Attorney representing the Applicant in Connection with the application for a license to traffic in alcohol at the establishment identified in this notice

27. Representative/Attorney's Full Name: Paul M. Salvino

28. Street Address: 30 Salvino Drive

29. City, Town or Village: Athens State: NY Zip Code : 12015

30. Business Telephone Number of Representative/Attorney: (518) 945-1930

31. Business Email Address : lilsal@mhcable.com

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

32. Printed Name: Paul M. Salvino Title Representative/Director

Signature: **X** Paul M Salvino

ATTACHMENT #2

To: Town of New Scotland 8/2/2016

We the undersign, land owners of property just outside of Thacher Park on Rt. 157 Thacher Park Road, would like to have the speed limit changed to 30 mph on both sides of the road in the area of our properties. This is a dangerous area with curves and limited visibility. Currently one side of the road is 35 mph the other side is 55 mph. We have a bad speeding problem here.

Peter G. Ten Eyck II — Peter Adler

Kathleen A Crouse — Todd S. Crouse

Mary Boyce — Stacy Boyce

William J Zinzow — LINDA C. ZINZOW

Mary Boyce

431 Thacher Park Rd.

Voorheesville, New York 12186

(518) 596-2070

July 26, 2016

To whom it may concern:

This letter is being written to request a change in speed limit for the stretch of route 157 (AKA Thacher Park Rd.) that runs past my Home. The speed limit increases from 30 to 55 at my mailbox and preceding an "S" curve in the road. As people leave the park even though the speed limit is still 30 they increase their speed well before the speed limit actually changes and it is very dangerous for me to walk to my mailbox or when I am doing gardening and property maintenance at the end of my driveway. Very few people slow down or pull away to avoid me even though I try to get well over to the side of the road whenever a car comes by. Pulling into or out of the driveway has also been a challenge. Imagine stopping to make a left turn into the driveway and as you are turning the car behind you crosses the double yellow line and passes you on the left narrowly escaping an accident. Cars come down from the park at such excessive speeds that there have been several near misses. The Town of New Scotland has just recently granted a special use permit to Indian ladder farms to operate a food stand across the street as well and I'm sure that the 55 MPH speed limit will be a danger to anyone pulling in or out of their road side area. Our concern is safety and we would appreciate a proactive approach to avoid accidents before they happen. In the surrounding area the speed limits are 30 and 40 MPH but our 2 mile stretch of road from Route 85 to the park is uncharacteristically 55 MPH even though there are a lot of deer and other hazards.

We would greatly appreciate your review of this situation and we hope that you will be able to see the prudence in acting for the safety of residents and drivers alike.

Thank you

Steven and Mary Boyce

Todd & Kathleen Crouse
355 Thacher Park Rd
Voorheesville, NY 12186

July 31, 2016

To Whom It May Concern:

As residents of Thacher Park Rd, we have noticed an increase in traffic along the road and it is predicted to increase more as the Thacher Park Visitor Center is completed.

The speed limit is 55 coming up the road from Rt. 85. We believe it would be beneficial to drop the speed limit along the S curve just prior to the already marked reduced speed limit as you begin to enter the park.

Sincerely,

Todd & Kathleen Crouse

August 1, 2016

To Whom It May Concern:

This letter is being written to request a change in the speed limit on the stretch of route 157 that goes through our property, as we have property on both sides of the road. Over the years it has been very difficult and dangerous at times to get equipment, mowers, tractors, etc., from one side of the road to the other. Even just trying to cross the road on foot can be dangerous because of the S curve on the road coming down from the park. We are looking to have the 55 mph speed limit sign moved 1200 feet south from its present location. The way the speed limit is set now is extremely dangerous.

Recently there has been a large increase in traffic to the park. With the new rope course, cliff climbing and caving about to open up in the park, traffic is expected to increase by about 30 percent.

Currently the State Police won't give tickets to people heading out of the park past the Boyce residence at 431 Thacher Park Road, because the speed limit is 55 mph on that side of the road and 35 mph on the other side.

With the new farms stand going in, the 55 mph speed limit will surely be a danger to anyone pulling into or out of the road side area. Our concern is safety for us and people going to use the farm stand. We would appreciate a proactive approach to avoid accidents before they happen.

We would appreciate your reviewing this situation and hope that you will be able to see the prudence in acting for the safety of the residents and drivers.

Thank you,

William J. Zinzow

Linda C. Zinzow

ATTACHMENT #3

Local Law Filing NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

Town of New Scotland
Proposed Local Law E of the year 2016

A Local Law regarding cargo/shipping containers used as storage; temporary storage structures; construction trailers.

Be it enacted by the Town Board of the Town of New Scotland as follows:

SECTION I. PURPOSE AND FINDINGS

To preserve property values and aesthetic resources of the Town, the Town has determined that regulation of cargo containers, shipping containers, and other structures used for temporary or permanent storage is appropriate. It is the intention of the Town Board to maintain a clean, wholesome and attractive community and to guard against the creation of nuisances and conditions that may: (A) endanger the health, safety and welfare of the residents; (B) create fire hazards; (C) reduce the value of properties; (D) interfere with the use and enjoyment of adjoining properties; and (E) interfere with the well-being of the public. The Board finds that from time to time containers are needed by the citizens of the Town for various reasons, including but not limited to construction or storage of personal belongings. Nevertheless, the presence of containers can have a negative impact on health, safety, and welfare of the citizens of the Town. This Local Law is intended to minimize the adverse effects that containers may have by regulating the amount of time and location, which they may be parked or stored on property. The purpose of this law is to protect the public health, safety, and welfare of the residents and aesthetic resources, and the general welfare of the Town and its residents. The Town finds that regulation of cargo containers is in the best interest of the Town.

SECTION II. AMENDMENT TO CHAPTER 190-31 OF THE TOWN ZONING LAW

The Code of the Town of New Scotland, Albany County, New York, Chapter 190, entitled "Town of New Scotland Zoning Law" is hereby amended as follows:

1. Section 190-99, entitled "Definitions" is amended by adding the following definitions:

   CARGO CONTAINER - a standardized reusable vessel, which is usually made of steel, that was: (i) originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or (ii) originally designed

for or capable of being mounted or moved by rail, truck or ship by means of being mounted on a chassis or similar transport device. “Transport containers” and “portable site storage containers” having a similar appearance to and similar characteristics of cargo containers, shall be included, in the definition of “cargo containers.”

PORTABLE SITE STORAGE CONTAINERS or “PODS” – a container, usually made of plastic, used for the temporary storage and/or transport of household or office furnishings and accessories.

ACCESSORY STORAGE CONTAINER – a storage container that is an accessory use for which a permit has been issued in accordance with Section 190-31.

2. Chapter 190 is hereby amended by deleting Section 190-31, and replacing it with the following:

Section 190-31 Cargo/shipping containers; temporary storage structures; construction trailers.

A. Containers Prohibited In Residential and Commercial Zones Without A Permit. Except as expressly permitted by the provisions of Section 190-31, cargo containers, portable site storage containers and pods are not permitted to be used for storage, or any other use, on property zoned for residential or commercial uses, or on property the primary use of which is residential or commercial, including the following zoning districts: Residential Forestry (RF); Residential Agricultural (RA); Medium Density Residential (MDR); Residential Conservation (R2); Residential Hamlet (RH); Commercial Hamlet (CH); and Commercial (COM). In addition:

(i) No containers shall be used for habitable purposes or as a temporary or permanent residence.

(ii) A container that is not removed at the appropriate time shall be deemed to be an illegal structure and may be removed by the Town of New Scotland, which shall assess such fines, costs, and expenses against the property on which the storage container is located to be collected and enforced in the same manner as real property taxes.

B. Temporary Use of Containers Permitted With Permit (Residential Property). Notwithstanding the provisions set forth in subsection A of this section, the temporary placement of portable site storage containers, or “pods,” on residentially zoned properties, or on properties the primary use of which are residential, for the limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding sixty (60) days per residence in any one calendar year, provided the owner of the property applies for, and obtains, a permit in accordance with the provisions of Subsection D of Section 190-31.

C. Containers Permitted During Construction Upon Issuance of Temporary Permit. Notwithstanding the provisions set forth in subsection A and B of this section, construction contractors may, upon issuance of: (i) a building permit and, (ii) a temporary permit by the Building Inspector, use cargo containers and/or portable site storage containers for the temporary location of equipment and/or materials during the period the contractor is engaged in construction on the property where the cargo container and/or portable site storage containers are located. If construction ceases or is abandoned, the cargo container, and/or portable site storage containers, must be removed from the property. In no event shall the cargo container or portable site storage container remain on the premises for a period longer than 180 days. Prior to the expiration of the 180 day period, the owner or contractor may apply to the Zoning Board of Appeals ("ZBA") for an extension of the permit, and the ZBA shall have the authority to extend the permit for not longer than 180 days.

D. Short Term Use of Pod Permitted With Permit (Non-Residential Property). Where an Accessory Storage Container is permitted under Section 190-31, a permit shall be required prior to the placement of a cargo container or portable site storage container, or pod, on a lot that is not zoned for residential use (i.e. commercial or industrial zoning districts). If temporary storage in a cargo container or portable site container, or pod, is needed for a period in excess of thirty (30) days, an application for a temporary permit shall be made to the Building Inspector. The application shall be accompanied by the following:

1. Five (5) copies of a detailed plan (handwritten sketch plans are acceptable) showing the proposed location of the accessory cargo storage container, including but not limited to setbacks from the property lines and other structures on the property.

2. Details regarding the cargo container including but not limited to height, width, length, floor area and color.

3. Method of screening, if any.

4. Such other information as the Building Inspector may require to adequately review an application. The Building Inspector has the authority to issue the permit under this subsection.

5. Payment of the permit fee, which fee shall be established by resolution of the Town Board.

6. The permit shall be valid for a period not in excess of 360 days. The permit may not be extended or renewed.

E. Long Term Use of Containers In Industrial Zoning District. Upon application for site plan approval, the Planning Board may issue a permit for a permitted

accessory cargo storage container in the Industrial (IND) zoning district, provided that:

1. The container shall not exceed 10 feet in height, and shall be located in the side or rear yard.

2. The container shall be set back at least 20 feet from any side or rear lot line or 50 feet from a side or rear lot line adjacent to a residence district or lot in residential use and at least 10 feet from the main building.

3. The container shall not occupy more than 10% of the required yard area in which it is proposed to be situated.

4. A maximum of one (1) cargo storage container shall be permitted on each lot, unless the Planning Board waives this requirement.

5. The container shall have a maximum of 320 square feet of floor area.

6. If visible from any adjoining lot or any bounding street right of way at any time during the year, an accessory cargo storage container shall be appropriately screened with either landscaping so as to provide an opaque sight barrier at least equal to the height of the container or by an opaque fence or similar barrier of equal height.

7. A solid, firm base surface shall be provided for the cargo storage container capable of sustaining the load of the cargo storage container and its contents.

8. The siting of the cargo storage container shall not be placed so as to negatively impact drainage on any adjacent lot by diversion or impoundment of storm water flows.

9. The cargo storage container may not occupy any required off-street parking spaces or fire lanes in any district.

10. Containers used in a manner that constitute a principal use, such as a storage yard, mini-warehousing establishment, or a motor freight terminal shall be subject to the regulations of the Town's Zoning requirements. In such a case, all containers shall be subject to the minimum set back requirements of the zoning district in which they are located. The placement of containers on a property shall not negatively impact the use/enjoyment of the adjoining property.

11. A container shall be permitted only for purposes as an accessory use to the principal use of the lot on which such container may be located.

12. The stacking of materials on top of any container shall be prohibited.

F. Exceptions. Nothing herein shall be construed to restrict the use of cargo containers or portable site storage containers for:

(i) Agricultural uses in an Agricultural District, provided the cargo container is being used in support of an agricultural use on the property in question;

(ii) Temporary placement of portable site storage containers or pods for less than thirty (30) days (in any one calendar year) and for the limited purpose of loading and unloading household furnishings, office furnishings or commercial inventory, fixtures or equipment;

(iii) By the Town of New Scotland transfer station;

(iv) For a natural disaster or emergency, including a fire, flood, sewer storm; Notwithstanding this exception, any cargo container used for more than sixty (60) days for such natural disaster or emergency shall require a permit or waiver by the Zoning Board of Appeals;

(v) Active military operations; and

(vi) Containers used in a manner that constitute a principal use, such as a storage yard, mini-warehousing establishment, or a motor freight terminal shall be subject to the regulations of the Town's Zoning requirements. In such a case, all containers shall be subject to the minimum set back requirements of the zoning district in which they are located.

G. Current Violations – Time to Comply. All owners of property within the Town shall have 180 days from the effective date of this Local Law to bring properties which currently contain accessory cargo storage containers that are in violation of this Local Law and Chapter 190 into full compliance with the provisions of this law.

H. Presumptions. The placement of a cargo container or portable site storage container without compliance with this section of the Zoning Law shall be prima facie evidence of the violation of this law by the owner, tenant or other occupant of the premises upon which such item(s) are located.

I. Penalties. A person who shall knowingly violate any of the applicable provisions of this Local Law or any lawful order, notice, directive, of the Town of New Scotland Code Enforcement Officer shall be subject to a fine of Two Hundred Fifty Dollars ($250.00). Each day during which there is a failure to comply with the provisions of this law or any order issued by the Code Enforcement Officer shall constitute a separate offense. The property owner shall be given written notice, and 10 days to correct the violation, of the provisions of this law and

notice that the container must be removed. The cost of enforcement and removal may be assessed to the property owner as a special ad valorem tax levy.

J. Appeals. Appeals of any enforcement action or determination of the Building Inspector shall be determined by the Zoning Board of Appeals of the Town of New Scotland.

SECTION III. SEVERABILITY

Each separate provision of this local law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION IV. REPEAL OF OTHER LAWS

All local laws in conflict with provisions of this Local Law are hereby superseded. This Local Law supersedes any inconsistent provisions in Chapter 110 and Chapter 190 of the Town of New Scotland Code, relating to highway specifications, zoning and permitted and special uses.

SECTION V. EFFECTIVE DATE

This Local Law shall take effect immediately, as provided by law, upon filing with the Secretary of State.

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the Town of New Scotland was duly passed by the New Scotland Town Board on _____ 20__, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No.____ of 20___ of the Town of New Scotland was duly passed by the New Scotland Town Board _____ on 20 ____ , and was (approved) (not approved) (repassed after disapproval) by the _____ _____and was deemed duly adopted on _____,

20 _____ , in accordance with the applicable provisions of law.

*** Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

Local Law Filing NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

ATTACHMENT #4

Town of New Scotland
Proposed Local Law F of the year 2016

A Local Law regarding notice to residents of pending applications for permits and approvals issued by Planning Board, Zoning Board of Appeals, and Town Board.

Be it enacted by the Town Board of the Town of New Scotland as follows:

SECTION I. PURPOSE AND FINDINGS

The Town has received comments from residents that the minimum notice requirements set forth in New York State law and the Town of New Scotland Code for applications for permits and approvals for real estate development projects is inadequate to provide notice to many residents and landowners that may be effected or interested in commenting on a proposal. In an effort to provide a supplemental means of notifying residents of pending applications for approvals, this Local Law is intended to increase the distribution of notices of public hearings that are mailed to landowners, and post a sign on the property so that residents who do not live nearby have another means of being notified that an application is pending regarding the subject property. The Town finds that additional notice to residents and landowners of pending applications will protect the public health, safety and welfare of residents of the Town, and will promote the convenience and general welfare of the Town and its residents.

SECTION II. AMENDMENT TO CHAPTER 190 OF THE TOWN CODE

Chapter 190 of the Town of New Scotland Code is hereby amended by adding the following:

§ 190-101 Supplemental Notice Requirements For Applications For Certain Permits and Approvals from the Planning Board, Zoning Board of Appeals, and Town Board.

A. <u>Approvals Requiring Supplemental Notice</u>. An applicant for any permit or approval from the Planning Board, Zoning Board of Appeals, or Town Board which requires a public hearing shall comply with the provisions of this Section 190-101 regarding supplemental notice. This notice provision applies to applications seeking permits or approvals for:

1. Subdivision of land (minor or major subdivision);

2. Special use permit;

3. Site plan approval;

4. Variance (use and area variances);

5. Cluster development;

6. Rezoning and/or amending of Zoning Law for project;

7. Planned Unit Development.

The foregoing permits and approvals shall be referred to as an "Approval" or "Approvals" under this section of the Zoning Law.

B. Notice To Neighboring Property Owners. Notwithstanding the provisions of Chapter 164, entitled "Subdivision of Land," and Chapter 190, entitled "Zoning," an applicant for an Approval requiring a public hearing shall: (i) post a sign in accordance with subsection D, and (ii) provide prior written notice to all property owners within 1,000 feet of the lot subject to the application for an Approval. The written notice shall be mailed (post-marked) by regular mail and certified mail, return receipt requested not less than ten (10) days prior to the date of the scheduled hearing, and not more than forty-five (45) days prior to the hearing. The applicant shall be responsible for the cost of postage and mailing the notice, and shall provide proof of mailing (in a form approved by the Building Inspector ("Inspector"), or his duly authorized assistant) on or before the hearing date.

C. Deposit. At the time the application is filed, the Inspector shall approximate the cost of mailing ("mailing deposit"), and the applicant shall pay: (i) the cost of mailing notices; plus (ii) a $75.00 deposit for the sign deposit (the "Deposit").

D. Sign. Within twenty (20) days of filing an application for an Approval, the applicant shall post a sign on the lot that is the subject of the application, which sign is intended to provide the public with notice that an application for an Approval is pending. The sign shall satisfy the following criteria and standards:

(i) The sign shall be installed in a location that is visible to the public; and not less than fifteen (15) feet, and not more than thirty (30) feet, from the edge of pavement of the nearest road providing access to the property that is the subject of the application. In the event the subject parcel does not have frontage on a public road, or is located in a densely, populated area, the Inspector shall determine, after consultation with the applicant and landowner, a safe and appropriate location for the sign.

(ii) The sign shall be in a standard format, color, font and style to be determined by the Inspector, which shall be provided to all applicants at the time the application is accepted for filing.

(iii) The sign shall state, in words or substance, that: (a) an application has been filed with the Town of New Scotland which seeks an Approval; (b) the type of approval sought (e.g., subdivision, site plan, special use permit, variance); and (c) the telephone number of the Building Department and the Town website for further information regarding the application/project.

(iv) The sign shall remain installed on the property until an Approval is granted for the Project (whichever Approval is first granted). In the case of an Approval relating to an existing single-family residence, the sign may be removed after the hearing has been conducted and closed.

(v) The Building Department shall purchase and maintain a sufficient number of sign frames and signs, which can be installed on the applicant's property.

E. Sign Deposit/Consent/Authorization. At the time the application is filed for the Approval, the applicant (and the property owner, if the applicant is not the owner of the property) shall sign a Consent and Authorization (in a form approved by the Inspector) consenting to the posting of the sign on the private property, and authorizing the Building Department to install and/or remove the sign.

F. Return of Sign/Deposit. When the Approval has been granted, or the application for the Approval is denied or withdrawn, the applicant shall remove the sign and sign frame and return it to the Town Building Department in good order and condition. When the sign frame is returned in good order and condition, the sign frame deposit shall be returned to the applicant within thirty (30) days of the return. If a sign frame has been materially damaged, the applicant can repair or replace the frame at the applicant's sole cost and expenses, or forfeit the sign deposit. If the application does not proceed to a hearing, or the application is withdrawn prior to hearing, the applicant may apply for a refund of the mailing deposit, and the deposit shall be refunded within thirty days of the application for a refund. If no application for a refund is made within 30 days, the mailing deposit shall be deemed forfeited.

G. Notice of Hearing Date. Ten (10) days prior to the first scheduled public hearing regarding the Approval sought by the applicant, the applicant shall be responsible for stapling a supplemental sign on the sign frame, stating the date and time of the public hearing. (The Inspector shall provide a standard form for the supplemental sign.) If a public hearing is adjourned or rescheduled, the new date also must be posted. If a hearing is continued on subsequent dates, no additional posting is required.

H. Compliance Required Prior to Hearing. No public hearing regarding an application for an Approval shall proceed unless the Chair of the Planning Board or Zoning Board or the Supervisor (as the case may be) determines that the applicant has complied with the notice and sign posting requirements of this section; the application shall be deemed incomplete until compliance has been achieved. The Chair or Supervisor (as the case may be) of such Board, shall have the discretion to waive any minor defect in compliance.

I. Exemptions. The notice provisions do not apply to the following:

(i) A zoning amendment introduced by the Town Board, which does not apply to a specific project;

(ii) Applications for building permits not requiring an Approval;

(iii) [**OTHERS?**]

J. Non-Compliance (No Private Enforcement). An applicant's failure to comply with the notice provisions set forth in Section 190-101 may be grounds for denial of an application or rescheduling of a hearing, but enforcement shall be in the discretion of the Chair or Supervisor (as the case may be). Failure to comply with the notice provision of this Section shall not be grounds for an Article 78 proceeding or other challenge by a private citizen seeking to annul or vacate an Approval.

K. Appeals. If an applicant or landowner objects to the sign posting provisions of this section, the applicant/landowner may appeal to the Zoning Board of Appeals and request a waiver/variance from the provisions of this section, and the Zoning Board of Appeals is hereby granted authority to grant a waiver or variance in the event of hardship or special circumstances.

SECTION III. SEVERABILITY

Each separate provision of this local law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION IV. REPEAL OF OTHER LAWS

All local laws in conflict with provisions of this Local Law are hereby superseded. This Local Law supersedes any inconsistent provisions in Chapter 164 and Chapter 190 of the Town of New Scotland Code, relating to subdivisions and zoning approval notifications.

Local Law Filing NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

ATTACHMENT #5

Town of New Scotland
Proposed Local Law G of the year 2016

A Local Law amending Chapter 190 of the Code of the Town of New Scotland to establish special regulations regarding solar photovoltaic (PV) systems and solar farms.

Be it enacted by the Town Board of the Town of New Scotland as follows:

SECTION I. PURPOSE AND FINDINGS

Solar energy is an abundant and renewable energy resource and its conversion to electricity will reduce dependence on nonrenewable energy resources and decrease the greenhouse gas emissions that result from the use of conventional energy sources. It is the purpose of this Local Law to encourage and to promote the safe, effective and efficient use of installed solar photovoltaic (PV) systems that reduce consumption of utility-supplied energy while protecting the health, safety and welfare of adjacent and surrounding land uses and properties. It is the intent of this law: a) to promote energy efficiency and conservation, and the use of renewable energy in the Town; b) to support "green" energy generating systems; and c) to support New York State in meeting its renewable energy goals.

SECTION II. AMENDMENTS TO CHAPTER 190 OF ZONING LAW

The Code of the Town of New Scotland, Albany County, New York, Chapter 190, entitled "Town of New Scotland Zoning Law," is hereby amended as follows:

1. Amend Article V, Special Regulations by adding a new §190-57-A, "Solar Photovoltaic (PV) Systems and Solar Farms," to read as follows:

A. Applicability.

(1) This Section applies to building-mounted, building-integrated and ground-mounted solar photovoltaic systems installed and constructed after the effective date of this Section.

(2) This Section also applies to any upgrade, modification or structural change that alters the physical size, electric generation capacity, location or placement of an existing solar PV system.

(3) Nonconforming solar PV systems. Nonconforming solar PV systems existing on the effective date of this Section may be altered or expanded provided such alteration or expansion does not increase the extent or degree of nonconformity.

(4) Properties with approved Site Plan. Notwithstanding the requirements of §128-68.C.(2)(e) of this Chapter, for any lot that has an Approved Site Plan, the installation of a "by-right" solar PV system on the lot shall not be considered a change to the approved site plan. This provision shall not be interpreted to exempt lots with an Approved Site Plan from other requirements of this Section.

(5) Prohibition. Solar PV systems attached to the side of a building are prohibited unless they are designed as a building integrated system.

B. Definitions. For the purpose of this Section the following terms shall have the meanings indicated.

BUILDING-INTEGRATED SOLAR PV SYSTEM: A solar PV system that is designed and constructed as an integral part of a principal or accessory building. Components of a building-integrated system are designed to replace or substitute for architectural or structural elements of a building and generally complement, blend with or form part of a building's architectural appearance. Such components will generally maintain a uniform plane with, and/or form a part of, the walls, window openings, roofing and/or other building elements into which they are integrated. Such a system is used in lieu of a separate solar PV system where components of the system are designed and attached to a building independent of building architecture. A building-integrated system may occur within vertical facades, replacing view glass, spandrel glass or other façade material; within semitransparent skylight systems; within roofing systems, replacing traditional roofing materials; or within other building envelope systems.

BUILDING-MOUNTED SOLAR PV SYSTEM: A solar PV system that is attached to the roof of a building

GROUND-MOUNTED SOLAR PV SYSTEM: A solar PV system, including its specialized solar racking or other mounting system, which is installed on the ground and not attached to any other structure.

GROUND-MOUNTED SOLAR PV SYSTEM, SMALL SCALE: A ground-mounted solar PV system that is limited to a system capacity of 12kW and generates no more than 110% of the kWh's of electricity consumed over the previous 12 month period by land use(s) existing on the lot where the system is located. In applying this standard, electricity consumption shall be determined by submission of utility bills showing electric usage over said 12 month period.

GROUND-MOUNTED SOLAR PV SYSTEM, LARGE SCALE: A ground-mounted solar PV system that has a system capacity greater than 12kW or generates more than 110% of the kWh's of electricity consumed over the previous 12 month period by land use(s) existing on the lot where the system is located. In applying this standard, electricity consumption shall be determined by submission of utility bills showing electric usage over said 12 month period.

KILOWATT (kW): A unit of electrical power equal to 1,000 Watts, which constitutes the basic unit of electrical demand. A watt is a metric measurement of power (not energy) and is the rate (not the duration) at which electricity is used. 1,000 kW is equal to 1 megawatt (MW).

KILOWATT-HOUR (kWh): A unit of energy equivalent to one kilowatt (1kW) of power expended for 1 hour of time.

LOT COVERAGE: Notwithstanding the definition of lot coverage found elsewhere in this Chapter, for the purpose of this Section lot coverage shall also include the area covered by a solar panel (or physically connected group of panels) as measured on a horizontal plane projected from the perimeter of said panel (or group of panels) vertically to the ground. For panels where the tilt angle is adjusted by week, month, season or other time period, lot coverage shall be determined by the tilt angle producing the greatest lot coverage.

NET METER: A meter used to measure the flow of electricity from the solar PV system to the electric utility grid for the purposes of net metering.

REMOTE NET METERING: An arrangement with the electric utility that allows for the kilowatt hours (kWh) generated from a solar PV system located at a specific site to be credited towards kWh of consumption at a different location.

SOLAR ARRAY: Any number of electrically connected solar photovoltaic (PV) panels that are connected to the same inverter.

SOLAR PANEL: A large, flat piece of equipment containing photovoltaic cells that use the sun's light or heat to create electricity.

SOLAR PHOTOVOLTAIC (PV) SYSTEM: A solar energy collection system consisting of solar photovoltaic cells, panels and/or arrays, and solar related equipment, which rely upon solar radiation as an energy source for collection, inversion, storage and distribution of solar energy for electricity generation. A solar PV system may be building-mounted, ground-mounted or building-integrated.

C. Facilities Permitted By-right.

(1) By-right Solar PV Systems. In order to encourage use of solar PV systems in the Town, the following systems shall be permitted by right in any zoning district in the Town, provided the system is generating **a minimum of eighty percent (80%)** of the electricity for the land use(s) located on the same lot as the system, and further provided that the system meets the standards for by-right systems identified in this Section. By-right systems require a Building Permit.

(a) Building-integrated solar PV systems. Building-integrated solar PV systems are permitted to face any rear, side and front yard area.

(b) Building-mounted solar PV systems. Building-mounted solar PV systems are permitted to face any rear, side and front yard area.

(2) Standards for By-right Systems

(a) Accessory Use. By-right solar PV systems shall be considered an accessory use.

(b) Maximum system size. By-right solar PV systems shall be limited to a system capacity of 12kW and generate no more than 110% of the kWh's of electricity consumed over the previous 12 month period by land use(s) existing on the lot where the system is located. In applying this standard, electricity consumption shall be determined by submission of utility bills showing electric usage over such 12 month period.

(c) By-right facilities shall comply with all applicable New York State Building Codes.

(d) Building-mounted solar PV systems.

[1] For a building-mounted system installed on a sloped roof:

i. The highest point of the system shall not exceed the highest point of the roof to which it is attached.

ii. Solar panels shall be parallel to the roof surface, or tilted with no more than an 18 inch gap between the module frame and the roof surface.

[2] For a building-mounted system installed on a flat roof, the highest point of the system shall not extend more than 5 feet above the height of the roof.

[3] For a building-mounted system, solar panels shall be set back no less than three feet from the edge of the roof to allow for fire access and ventilation. On sloped roofs, this requirement does not apply along that portion of the bottom edge located more than three feet from a side edge. In the event New York State shall adopt regulations that govern the placement of roof mounted solar panels for fire prevention purposes, said regulations shall supersede this setback provision.

D. Facilities Requiring a Special Use Permit.

(1) Solar PV Systems Requiring a Special Use Permit. Except as provided in Subsection C, entitled *Facilities Permitted By-right*, no solar PV system shall be constructed or installed without first obtaining a Special Use Permit and Site Plan Approval from the Planning Board. In addition, all solar PV systems shall require a Building Permit. Solar PV systems requiring a Special Use Permit and Site Plan Approval shall include, but not be limited to:

(a) Ground mounted solar PV systems.

(b) Building mounted and building integrated solar PV systems that have a system capacity greater than 12kW or generate more than 110% of the kWh's of electricity consumed over the previous 12 month period by land use(s) existing on the lot where the system is located. In applying this standard, electricity consumption shall be determined by submission of utility bills showing electric usage over said 12 month period.

(c) Except as provided in Subsection (C), regarding *Facilities Permitted By-right*, Solar PV systems, regardless of size, that generate and provide electricity, through a remote net metering agreement or other arrangement, to an off-site user or users located on a lot(s) other than the lot on which the system is located.

(d) Solar PV systems, regardless of size, mounted on carports or canopy structures covering parking facilities.

(2) Classification: Solar PV systems requiring a special use permit may be classified as either an accessory use or a principal use as set forth below.

(a) Principal use. A solar PV system constructed on a lot and providing electricity to an off-site user or users through a remote net metering agreement or other arrangement, shall be considered a principal use. All ground mounted solar PV systems that are classified as a principal use shall adhere to the area, yard and bulk requirements of the zoning district in which the system is located, unless such regulations are modified by other provisions of this Section.

(b) Accessory use/accessory structure. A solar PV system shall be considered an accessory use/accessory structure when generating electricity for the sole consumption of a principal use(s) or building(s) located on the same lot as the system. Notwithstanding the location and maximum coverage provisions for accessory uses/accessory structures found elsewhere in this Chapter, all large scale ground mounted solar PV systems that are classified as an accessory use/accessory structure shall adhere to the minimum area, yard and bulk requirements for principal uses within the zoning district in which the system is located, unless modified herein by other provisions of this Section.

(3) Standards for Facilities Requiring a Special Use Permit.

(a) Small scale ground mounted solar PV systems as accessory use. Notwithstanding the location and height standards for accessory structures and accessory uses found elsewhere in this Chapter, the following height, location and minimum yard/setback standards shall apply to small scale ground-mounted solar PV systems that are classified as an accessory use.

[1] Location. Small scale ground-mounted solar PV systems may be located within the side or rear yard. Location in a front yard is prohibited, including location in any front yard of a corner lot.

[2] Rear and side yard. Small scale ground-mounted solar PV systems shall be permitted in a required minimum side yard or rear yard setback, provided that such system shall be set back not less than 10 feet from any rear or side lot line.

[3] Height. Small scale ground-mounted solar PV systems shall not exceed a height of 12 feet.

[4] Lot coverage. Small scale ground-mounted solar PV systems shall comply with the lot coverage requirements as defined in this Section.

(b) Large scale ground-mounted solar PV systems and ground mounted systems classified as a principal use.

[1] Setbacks. Large scale ground-mounted solar PV systems are subject to the minimum yard and setback requirements for the zoning district in which the system is located. No part of a ground-mounted system shall extend into the required yards and/or setbacks due to a tracking system, or short-term or seasonal adjustment in the location, position or orientation of solar PV related equipment or parts.

[2] Setback to residential district. If a large scale ground mounted solar PV system is located on a lot that adjoins a residential district, an additional setback shall be provided between the residential district and all site improvements associated with the system. The additional setbacks are intended to provide a visual buffer between the residential district and ground mounted system. The additional setback, as well as the minimum setback area, shall be planted with a mixture of evergreen and deciduous plantings at a height so as to provide, as much as practicable a visual screen of the ground mounted system from residential uses. The species type, location and planted height of such landscaping shall be subject to the approval of the Planning Board.

i. Large-scale ground mounted solar PV systems located in a residential district shall be set back an additional 120 feet from the minimum yard setback along all property lines that abut a lot located in a residential district. This additional setback dimension shall also apply to the front yard setback when the lot on the opposite side of the street is located in a residential district.

ii. Large-scale ground mounted solar PV systems located in commercial and mixed-use districts shall be set back an additional 110 feet from the minimum yard setback along all property lines that abut a lot located in a residential district. This additional setback dimension shall also apply to the front yard setback when the lot on the opposite side of the street is located in a residential district.

[3] Utility Connections. Utility lines and connections from a large-scale ground mounted solar PV system shall be installed underground, unless otherwise determined by the Planning Board for reasons that may include poor soil conditions, topography of the site, and requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

[4] Fences. Notwithstanding the provisions found in this Chapter, fences not exceeding 8 feet in height, including open-weave chain link fences and solid fences, shall be permitted for the purpose of screening or enclosing a large-scale ground mounted solar PV system regardless of the district in which the system is located, provided said system is classified as a principal use.

[5] Barbed Wire. Fences intended to enclose a large scale ground mounted solar PV system may contain barbed wire canted out.

[6] Height. Large-scale ground-mounted solar PV systems may not exceed 12 feet in height.

[7] Minimum Lot Size. Large scale ground mounted solar PV systems shall adhere to the minimum lot size requirements for the zoning district in which the system is located, except that for residential districts, the minimum lot size shall be 1-acre.

[8] Lot Coverage Requirements. Large scale ground-mounted solar PV systems shall adhere to the maximum lot coverage requirement for principal uses within the zoning district in which they are located. The lot coverage of a large scale ground-mounted solar PV system shall be calculated based on the definition of lot coverage found in this Chapter.

[9] Signs. Large scale ground-mounted solar PV systems classified as a principal use shall adhere to the sign requirements for the zoning district in which they are located.

[10] Location in Front Yard Prohibited. Notwithstanding the requirements regulating location of accessory structures found elsewhere in this Chapter, large scale ground-mounted solar PV systems classified as an accessory use shall be prohibited in a front yard, including location in any front yard of a corner lot.

(c) Building-mounted solar PV systems.

[1] For a building-mounted system installed on a sloped roof:

i. The highest point of the system shall not exceed the highest point of the roof to which it is attached.

ii. Solar panels shall be parallel to the roof surface, or tilted with no more than an 18 inch gap between the module frame and the roof surface.

[2] For a building-mounted system installed on a flat roof, the highest point of the system shall not extend more than 5 feet above the height of the roof.

[3] For a building-mounted system, solar panels shall be set back no less than three feet from the edge of the roof to allow for fire access and ventilation. On sloped roofs, this requirement does not apply along that portion of the bottom edge located more than three feet from a side edge. In the event New York State shall adopt regulations that govern the placement of roof mounted solar panels for fire prevention purposes, said regulations shall supersede this setback provision.

E. Placement on Nonconforming Buildings.

(1) Notwithstanding the area, lot and bulk requirements of this Chapter, building-mounted and building integrated solar PV system may be installed:

(a) On the roof of a non-conforming building that exceeds the maximum height restriction, provided the building-mounted system does not extend above the peak or highest point of the roof to which it is mounted.

(b) On a building that does not meet the minimum setback or yard requirements, provided there is no increase in the extent or degree of nonconformity with said requirement.

(c) On a building that exceeds the maximum lot coverage requirements, provided there is no increase in the extent or degree of nonconformity with said requirement.

F. Abandonment and Decommissioning.

(1) Applicability and purpose. This section governing abandonment and decommissioning shall apply to large scale ground mounted solar PV systems with a rated capacity of 200 kW or more, hereinafter referred to as commercial solar PV systems. It is the purpose of this section to provide for the safety, health, protection and general welfare of persons and property in the Town of Bethlehem by requiring abandoned commercial solar PV systems to be removed pursuant to a decommissioning plan. The anticipated useful life of such systems, as well as the volatility of the recently emerging solar industry where multiple solar companies have filed for bankruptcy, closed or been acquired creates an environment for systems to be abandoned, thereby creating a negative visual impact on the Town. Abandoned commercial systems may become unsafe by reason of their energy producing capabilities and serve as an attractive nuisance.

(2) Abandonment. A commercial solar PV system shall be deemed abandoned if the system fails to generate and transmit electricity at a rate of more than ten percent of its rated capacity over a continuous period of one year. A commercial solar PV system also shall be deemed abandoned if following site plan approval initial construction of the system

has commenced and is not completed within eighteen months of issuance of the first Building Permit for the project.

(a) Extension of time. The time at which a commercial solar PV system shall be deemed abandoned may be extended by the Planning Board for one additional period of one year provided the system owner presents to the Board a viable plan outlining the steps and schedules for placing the system in service or back in service, at no less than 80 percent of its rated capacity, within the time period of the extension. An application for an extension of time shall be made to the Planning Board by the commercial solar PV system owner prior to abandonment as defined herein. Extenuating circumstances as to why the commercial solar PV system has not been operating or why construction has not been completed may be considered by the Board in determining whether to grant an extension.

(3) Removal required. A commercial solar PV system which has been abandoned shall be decommissioned and removed. The commercial solar PV system owner and/or owner of the land upon which the system is located shall be held responsible to physically remove all components of the system within one year of abandonment. Removal of the commercial solar PV system shall be in accordance with a decommissioning plan approved by the Planning Board.

(4) Decommissioning and removal. Decommissioning and removal of a commercial solar PV system shall consist of:

(a) Physical removal of all above and below ground equipment, structures and foundations, including but not limited to all solar arrays, buildings, security barriers, fences, electric transmission lines and components, roadways and other physical improvements to the site,

(b) Disposal of all solid and hazardous waste in accordance with local, state and federal waste disposal regulations,

(c) Restoration of the ground surface and soil,

(d) Stabilization and re-vegetation of the site with native seed mixes and /or plant species (excluding invasive species) to minimize erosion.

Upon petition to the Planning Board, the Board may permit the system owner and/or landowner to leave certain underground or above ground improvements in place provided the owner can show that such improvements are part of a plan to redevelop the site, are not detrimental to such redevelopment and do not adversely affect community character or the environment

.

(5) Special use permit conditions. The following conditions shall apply to all special use permits issued for a commercial solar PV system. No special use permit shall be issued unless the Planning Board finds that the conditions have been or will be met.

(a) Decommissioning plan. All applications for a commercial solar PV system shall be accompanied by a decommissioning plan to be implemented upon abandonment and/or in conjunction with removal of the system. The decommissioning plan shall address those items listed in this Section and shall include:

[1] An estimate of the anticipated operational life of the system,

[2] Identification of the party responsible for decommissioning,

[3] Description of any agreement with the landowner regarding decommissioning,

[4] A schedule showing the time frame over which decommissioning will occur and for completion of site restoration work,

[5] A cost estimate prepared by a qualified professional engineer, estimating the full cost of decommissioning and removal of the solar PV system,

[6] A financial plan to ensure that financial resources will be available to fully decommission the site.

(b) Financial surety. Prior to the issuance of a Building Permit and every three years thereafter the commercial solar PV system owner and/or landowner shall file with the Town evidence of financial security to provide for the full cost of decommissioning and removal of the solar PV system in the event the system is not removed by the system owner and/or landowner. Evidence of financial security shall be in effect throughout the life of the system and shall be in the form of an irrevocable letter of credit or other security acceptable to the Planning Board. The irrevocable letter of credit shall include an auto extension provision, to be issued by an A-rated institution solely for the benefit of the Town. The Town shall be entitled to draw on the letter of credit in the event that the commercial solar PV system owner and/or landowner is unable or unwilling to commence decommissioning activities within the time periods specified herein. No other parties, including the owner and/or landowner shall have the ability to demand payment under the letter of credit. Upon completion of decommissioning, the owner and/or landowner may petition the Town to terminate the letter of credit. In the event ownership of the system is transferred to another party, the new owner (transferee) shall file evidence of financial security with the Town at the time of transfer, and every three years thereafter, as provided herein.

[1] Amount. The amount of the surety shall be determined by the Town Engineer based upon a current estimate of decommissioning and removal costs as provided in the decommissioning plan and subsequent annual reports. The amount of the surety may be adjusted by the Town upon receipt of an annual report containing an updated cost estimate for decommissioning and removal.

(c) Annual report. The commercial solar PV system owner shall on a yearly basis provide the Town Building Inspector a report showing the rated capacity of the system, and the amount of electricity that was generated by the system and transmitted to the grid over the most recent twelve month period. The report shall also identify any change in ownership of the solar PV system and/or the land upon which the system is located, and shall identify any change in the party responsible for decommissioning and removal of the system upon its abandonment. The annual report shall be submitted no later than 45 days after the end of the calendar year. Every third year, to coincide with the filing of evidence of financial security, the annual report shall also include a recalculation of the estimated full cost of decommissioning and removal of the commercial solar PV system. The Town may require an adjustment in the amount of the surety to reflect any changes in the estimated cost of decommissioning and removal. Failure to submit a report as required herein shall be considered a violation subject to the penalties of this Section and Chapter.

(6) Decommissioning and removal by Town. If the commercial solar PV system owner and/or landowner fails to decommission and remove an abandoned facility in accordance with the requirements of this Section the Town may enter upon the property to decommission and remove the system.

(a) Procedure. Upon a determination by the Building Inspector that a commercial solar PV system has been abandoned, the Building Inspector shall notify the system owner, landowner and permittee by certified mail: (a) in the case of a facility under construction, to complete construction and installation of the facility within 180 days, or (b) in the case of a fully constructed facility that is operating at a rate of less than 10 percent of its rated capacity, to restore operation of the facility to no less than 80 percent of rated capacity within 180 days, or the Town will deem the system abandoned, and commence action to revoke the special use permit and require removal of the system. Being so notified, if the system owner, landowner and or permittee fails to perform as directed by the Building Inspector within the 180 day period, the Building Inspector shall notify the system owner, landowner and permittee by certified mail that the solar PV system has been deemed abandoned and the Town intends to revoke the special use permit within 60 days of mailing said notice. The notice shall also state that the permittee may appeal the Building Inspector's determination of abandonment to the Planning Board and request a Hearing on the matter. Said appeal and request for Hearing must be made and received by the Town within 20 days of mailing notice. Failure by the permittee to submit an appeal and request for Hearing within the 20 day period will result in the special use permit being deemed revoked as stated herein. In the event the permittee appeals the determination of the Building Inspector and requests a hearing, the Planning Board shall schedule and conduct said hearing within 60 days of receiving the appeal and request. In the event a Hearing is held, the Planning Board shall determine whether the solar PV system has been abandoned, whether to continue the special use permit with conditions as may be appropriate to the facts and circumstances presented to the Board, or whether to revoke the permit and order removal of the solar PV system. Upon a determination by the Building Inspector or Planning Board that a special use

permit has been revoked the decommissioning plan must be implemented and the system removed within one year of having been deemed abandoned or the Town may cause the removal at the owner and/or landowner's expense. If the owner and or landowner fail to fully implement the decommissioning plan within one year of abandonment, the Town may collect the required surety and use said funds to implement the decommissioning plan.

(7) Removal by Town and reimbursement of Town expenses. Any costs and expenses incurred by the Town in connection with any proceeding or work performed by the Town or its representatives to decommission and remove a commercial solar PV system, including legal costs and expenses, shall be reimbursed from the financial surety posted by the system owner or landowner as provided in this Section. Any costs incurred by the Town for decommissioning and removal that are not paid for or covered by the required surety, including legal costs, shall be assessed against the property, shall become a lien and tax upon said property, shall be added to and become part of the taxes to be levied and assessed thereon, and shall be enforced and collected with interest by the same officer and in the same manner, by the same proceedings, at the same time and under the same penalties as are provided by law for the collection and enforcement of real property taxes in the Town.

G. Reimbursement for Costs of Review by Town Designated Engineer.

(1) The Applicant for a special use permit shall be responsible for reimbursing the Town for the cost of the engineering review by the Town Designated Engineer. The amount of the escrow shall be commensurate with the scale of the project.

(2) The Planning Board may use the Town Designated Engineer (TDE) and retain consultants and/or experts necessary to assist the Town in reviewing and evaluating the Application.

(3) An Applicant shall deposit with the Planning Board funds sufficient to reimburse the Town for all reasonable costs of TDE and consultant evaluation and consultation in connection with the review of any Application. An initial deposit of $1,500.00 (the "Initial Deposit") shall be filed with the Application. The Town will maintain a separate escrow account for all such funds. The Town's consultants/experts shall invoice the Town for their services in reviewing the Application. If at any time during the process the escrow account has a balance of less than $500.00, the Applicant shall immediately, upon notification by the Town, replenish said escrow account so that it has a balance of at least $500.00. Such additional escrow funds shall be deposited with the Town before any further action or consideration is taken on the Application. In the event that the amount held in escrow by the Town is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall be promptly refunded to the Applicant.

(4) The total amount of the funds needed as set forth in subsection (3) of this section may vary with the scope and complexity of the project, the completeness of the Application

and other information as may be needed to complete the necessary review, analysis and inspection of any construction or modification. In the event the Planning Board determines that the Initial Deposit will be insufficient for review of the Application, the Planning Board shall notify the Applicant, and the Applicant shall supplement the escrow fund within thirty (30) days of notice from the Building Inspector of the estimated amount of the review fees necessary to process the Application.

(5) Notwithstanding anything to the contrary in this section, the Planning Board may waive, or decrease, the amount of the Initial Deposit for small scale projects.

H. Guidelines for Future Solar Access.

(1) New structures shall be sited to take advantage of solar access insofar as practical, including the orientation of proposed buildings with respect to sun angles, the shading and windscreen potential of existing and proposed vegetation on and off the site, and the impact of solar access to adjacent uses and properties.

(2) To permit maximum solar access to proposed lots and future buildings, wherever reasonably feasible, consistent with other appropriate design considerations and to the extent practicable, new streets shall be located on an east-west axis to encourage building siting with the maximum exposure of roof and wall area to the sun. The Planning Board shall also consider the slope of the property and the nature and location of existing vegetation as they affect solar access.

(3) The impact of street trees on the solar access of the surrounding property shall be minimized to the greatest possible extent in selecting and locating shade trees. Every effort shall be made to avoid shading possible locations of solar collectors.

(4) When the Planning Board reviews and acts upon applications for subdivision approval or site plan approval, it shall take into consideration whether the proposed construction would block access to sunlight between the hours of 9:00 a.m. and 3:00 p.m. Eastern Standard Time for existing approved solar energy collectors or for solar energy collectors for which a permit has been issued.

(5) The Planning Board may require subdivisions to be platted so as to preserve or enhance solar access for either passive or active systems, consistent with the other requirements of the Town Code.

(6) The plan for development of any site within cluster subdivisions shall be designed and arranged in such a way as to promote solar access for all dwelling units. Considerations may include the following:

(a) In order to maximize solar access, the higher-density dwelling units should be placed on a south-facing slope and lower-density dwelling units sited on a north-facing slope.

(b) Subject to the Town's setback requirements, structures should be sited as close to the north lot line as possible to increase yard space to the south for reduced shading of the south face of a structure.

(c) A tall structure should be sited to the north of a short structure.

G. Solar Easements.

(1) Where a subdivision or land development involves the use of solar energy systems, solar easements may be provided. Any such easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.

(2) Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include but not be limited to:

(a) A description of the dimensions of the easement including horizontal and vertical angles measured in the degrees or the hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed.

(b) Restrictions on the placement of vegetation, structures and other objects which may impair or obstruct the passage of sunlight through the easement.

(c) Enumeration of the terms and conditions, if any, under which the easement may be revised or terminated.

(d) An explanation of the compensation for the owner of the real property subject to the solar easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.

2. Amend §§ 190-11; 190-12; 190-14; 190-17; 190-18, "Schedule of Uses," by amending the Schedule of Uses chart set forth in Chapter 190 to indicate that "solar PV systems, principal use" is a permitted land use following special use permit approval in the Residential Forestry (RF); Residential Agricultural (RA); Residential Conservation (R2); Commercial (COM); and Industrial (IND) zoning districts.

3. Amend §§ 190-11; 190-12; 190-14; 190-17; 190-18, "Schedule of Uses," by amending the Schedule of Uses charts to indicate that "solar PV systems, by-right," "Building-Integrated PV Systems," and "Building Mounted Solar PV Systems" are permitted land uses in all zoning districts, provided the applicant satisfies all provisions of this law.

4. Amend §§ 190-11; 190-12; 190-13; 190-14; 190-15; 190-16; 190-17; and 190-18, "Schedule of Uses" by amending the Schedule of Uses chart to indicate that "Ground-Mounted Solar PV System, Small Scale," is a permitted land use following special use permit and site plan approval

in the Residential Forestry (RF); Residential Agricultural (RA); Medium Density Residential (MDR); Residential Conservation (R2); Residential Hamlet (RH); Commercial Hamlet (CH); Commercial (COM); and Industrial (IND) zoning districts, provided the applicant satisfies all provisions of this law.

SECTION III. SEVERABILITY

Each separate provision of this local law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION IV. CONFLICT WITH OTHER LAWS

Where this Law differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the County, State or Federal government, the more restrictive or protective law of the Town and the public shall apply.

SECTION V. REPEAL OF OTHER LAWS

All local laws in conflict with provisions of this Local Law are hereby superseded. This Local Law supersedes any inconsistent provisions in Chapter 190 of the Town of New Scotland Code, relating to zoning.

SECTION VI. EFFECTIVE DATE

This Local Law shall take effect immediately, as provided by law, upon filing with the Secretary of State.

SECTION VII. AUTHORITY

This Local Law is enacted pursuant to the Municipal Home Rule Law. This Local Law shall supersede the provisions of Town Law to the extent it is inconsistent with the same, and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the Town of New Scotland was duly passed by the New Scotland Town Board on _____ 20__, in accordance with the applicable provisions of law.

Stantec Consulting Services Inc.
3 Columbia Circle, Suite 6
Albany NY 12203-5158
Tel: (518) 452-4358
Fax: (518) 452-9234

ATTACHMENT #6

July 8, 2016 (Revised August 5, 2016)
File: 195115048

Attention: Douglas LaGrange, Supervisor
Town of New Scotland
2029 New Scotland Road
Slingerlands, New York 12159

Dear Mr. LaGrange,

Reference: Colonie Country Club Estates – Phase 2 – NYS Route 85A
Acceptance of Roadway and Utility Infrastructure – Phase 2
Town of New Scotland, Albany County, New York

This letter transmits our conditional recommendations to the Town Board for consideration in accepting the Phase 2 road Right-of-Way (ROW), Storm Sewer Conveyance and Water Systems within the Colonie Country Club Estates subdivision located on Maple Road (NYS Route 85A).

The ROW to be considered for acceptance includes:

1. Country Club Lane (Approximately 1,060' in length)

The attached resolution describes the exact stationing of the ROW. The ROW descriptions and other legal paperwork have been reviewed and forwarded to J. Michael Naughton, Town Attorney, with a copy of this letter.

The road and stormwater drainage facilities were constructed in late 2015, in accordance with the approved project plans dated (revised) November 6th, 2009, and the approved Phase 2 plans dated June 2, 2015. Work completed substantially complies with the specifications for acceptance of streets and all public utilities within the street ROW for the Town of New Scotland.

All water system components were installed in late 2015 and were satisfactorily tested under Stantec observation. All water system components were installed in accordance with the approved project plans and substantially comply with the specifications for acceptance of public utilities within the street ROW for the Town of New Scotland.

Work that remains to be completed along with the estimated cost is given in the table below. The total amount for each Phase should be placed in escrow or irrevocable letter of credit by the owner/developer and released only upon satisfactory completion as outlined for each individual work item.

Reference: Colonie Country Club Estates – Phase 2 – NYS Route 85A
Acceptance of Roadway and Utility Infrastructure – Phase 2
Town of New Scotland, Albany County, New York

Colonie Country Club Estates – Phase 1 Dedication					
	Remaining Work Item	*Quantity*	*Unit Cost*	*Estimated Cost*	*Escrow Release Requirement(s)*
1.	Furnish and Install Roadway Pavement Top Course	1005 ton	$89.50 / ton Installed	$90,000	After 90% lot buildout and upon complete and satisfactory installation
2.	5% Binder Course Repair	100 ton	$70 / ton Installed	$7,000	After 90% lot buildout and upon complete and satisfactory installation
3.	Concrete ROW Monuments	8	$150 ea.	$1,200	Upon complete and satisfactory installation
4.	Wood Chip Trail and Hemlock Plantings	1	LS	$4,125	Upon complete and satisfactory installation
			PHASE 1 TOTAL	**$102,325**	

The Letter of Credit for outstanding work in Phase 1 can be reduced by $5,100 to the total above due to the completion of previous Item 4 – Furnish and Install Streetlights, and Item 5 – Furnish and Install Electrical Service to Water Meter Hotbox. At this time the minimum Phase 1 total that should be placed in escrow or irrevocable letter of credit is **$102,325.** The developer has provided to the Town and is maintaining a Letter of Credit in the amount of $107,425 for Phase 1.

Colonie Country Club Estates – Phase 2 Dedication					
	Remaining Work Item	*Quantity*	*Unit Cost*	*Estimated Cost*	*Escrow Release Requirement(s)*
1.	Furnish and Install Roadway Pavement Top Course	260 ton	$104 / ton Installed	$27,100	After 90% lot buildout and upon complete and satisfactory installation
2.	5% Binder Course Repair	26 ton	$80 / ton Installed	$2,100	After 90% lot buildout and upon complete and satisfactory installation
3.	Concrete ROW Monuments	1	$150 ea.	$150	Upon complete and satisfactory installation
			PHASE 2 TOTAL	**$29,350**	

Reference: Colonie Country Club Estates – Phase 2 – NYS Route 85A
Acceptance of Roadway and Utility Infrastructure – Phase 2
Town of New Scotland, Albany County, New York

At this time the Phase 2 total that should be placed in escrow or irrevocable letter of credit is **$29,350.** The Developer has provided to the Town and is maintaining a Letter of Credit in the amount of $29,350 for Phase 2.

Colonie Country Club Estates – Phase 3 (Future Work)					
	Remaining Work Item	*Quantity*	*Unit Cost*	*Estimated Cost*	*Escrow Release Requirement(s)*
1.	Remove and dispose offsite, existing Country Club access roadway	1	LS	$15,000	Upon complete and satisfactory removal and disposal
2.	Furnish and Install Roadway Pavement Binder Course	680 ton	$80 / ton Installed	$54,530	95% release upon complete and satisfactory installation. 5% Binder course repair to be held until after 90% lot buildout
3.	Furnish and Install Roadway Subbase	1,450 cy	$17 / cy Installed	$24,960	Upon complete and satisfactory installation
4.	Furnish and Install Roadway Separation Fabric	4,000 sy	$1.50 / sy Installed	$6,000	Upon complete and satisfactory installation
5.	Furnish and Install Water System	1,220 lf	$62 / lf Installed	$75,850	Upon complete and satisfactory installation
6.	Furnish and Install Storm Drainage Conveyance System	941 lf	$44 / lf Installed	$41,240	Upon complete and satisfactory installation
7.	Furnish and Install Permanent Stormwater Surface Sand Filter Treatment System	1 ea	$34,500 / ea Installed	$34,500	Upon complete and satisfactory installation
8.	Concrete ROW Monuments	2	$150 ea.	$300	Upon complete and satisfactory installation
9.	Retaining Wall and Site Distance Improvements along NYS Route 85A	1	LS	$50,000	Upon complete and satisfactory installation
(FUTURE) PHASE 3 TOTAL				**$302,380**	

Reference: Colonie Country Club Estates – Phase 2 – NYS Route 85A
Acceptance of Roadway and Utility Infrastructure – Phase 2
Town of New Scotland, Albany County, New York

Prior to commencing Phase 2 construction, the applicant was required to revisit the Planning Board to amend the phased buildout approval. Phase 2 and Phase 3 were originally approved to be constructed in unison, primarily due to the location of the permanent Stormwater treatment system which treats runoff from both Phase 2 and 3. The applicant proposed to construct the limited Phase 2 infrastructure in addition to a temporary Stormwater sediment trap located within Phase 3 boundary. The applicant's intent was to treat the runoff from Phase 2 with this temporary facility in the interim time period between Phase 2 and Phase 3 infrastructure development. Review and negotiation of the proposed re-phasing found this approach to be acceptable with conditions imposed, summarized below:

1. If within 24 months after Phase 2 is completed the Applicant has not undertaken Phase 3, the temporary Stormwater Sediment Trap shall be replaced with a permanent treatment system, the location of which will be determined upon review with the Town.

2. The Applicant shall provide in escrow or letter of credit, the full value of Phase 2 and 3, and maintain said security until work is satisfactorily completed.

3. Applicant shall provide a stabilized access road to the temporary stormwater facilities to facilitate inspection and maintenance.

4. The temporary Stormwater Sediment Trap installed in Phase 2 will not be dedicated to the Town. Operation/maintenance of the temporary Stormwater Sediment Trap shall remain the responsibility of the applicant/developer.

In connection with the second condition noted directly above, at this time the Phase 3 total that should be placed in escrow or irrevocable letter of credit is **$302,380.**

Stantec recommends the board consider a conditional acceptance, contingent upon satisfaction of the following items, each to be certified as complete by the Building Inspector, Stantec and the Town Attorney:

1. Submission of one complete Mylar set and 3 complete paper sets of final record drawings (last revised 08/05/16):

2. Submission of a separate monetary check made to the Albany County Clerk's Office for filing easements and street right-of-ways. (This amount may be determined by calling the Albany County Clerk's Office);

3. Submission of a separate monetary check for a property Tax Report from Albany County in the amount of $25.00;

4. Submission of HOA documentation for review and approval by Town Attorney as related to PB Condition 4;

5. Review/Modification /Approval of License Agreement by Town Attorney;

Reference: Colonie Country Club Estates – Phase 2 – NYS Route 85A
Acceptance of Roadway and Utility Infrastructure – Phase 2
Town of New Scotland, Albany County, New York

6. Submission of a revised Legal Description incorporating the following revisions:

    a. Omit the incorrect text "Town of Colonie" from the title and replacing with "Town of New Scotland";

    b. Page 1; fourth paragraph; item number 2; revise to read as follows: "*...central angle of 83°15'31" to a point...*"

    c. Page 2; item number 3; revise to read as follows: "... central angle of *83°15'35" to a point;*"

7. Submission of supplemental escrow or irrevocable letters of credit meeting the values outlined above;

8. Satisfaction of any other conditions as determined necessary upon Building Inspector, Town Attorney, and other Town Staff review.

Stantec is requesting that the Town Board review and consider this dedication package for conditional approval at the August Town Board meeting. Should there be additional questions, please feel free to contact us at your earliest convenience.

Regards,

STANTEC CONSULTING SERVICES INC.

R. Mark Dempf, PE
Senior Principal
Tel: (518) 452-4358
Fax: (518) 452-9234
Mark.Dempf@stantec.com

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Project Manager
Tel: (518) 452-4358
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BAUER APPRAISAL GROUP, INC.
125 WOLF ROAD
ALBANY, NEW YORK 12205

(518) 459-3791 • FAX (518) 438-4114
E-Mail: brbauer@nycap.rr.com

Bruce R. Bauer, MAI, SRA, CCIM
NYS Certified General Appraiser 46-315
VT Certified General Appraiser 80-81
NYS Licensed Real Estate Broker

Appraisals • Consultations
Feasibility Studies

ATTACHMENT #7

August 24, 2016

J. Michael Naughton, Esq
For the Town and Village of New Scotland
c/o Young/Sommer, LLC
Executive Woods
5 Palisades Drive
Albany, NY 12205

Re: Appraisal
21 Voorheesville Avenue
Voorheesville, New York

Dear Mr. Naughton:

Thank you for considering Bauer Appraisal Group, Inc. to prepare an Appraisal Report (summary format) for the above captioned property.

The report will be written and conform to the Codes of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, along with the Uniform Standards of Professional Appraisal Practice (USPAP) adopted by the Appraisal Standards Board of the Appraisal Foundation.

We agree to deliver 3 copies of the report within 4 weeks of your authorization to proceed with this assignment. Our fee to complete the appraisal is $1,800, payable upon completion of the report and its delivery. If additional copies are requested, they will be available for a fee of $30.00. If any portion of the balance becomes delinquent, interest will be charged on the unpaid balance at the rate of 1.5% per month along with all costs of collection including Court costs and reasonable legal fees.

If you desire to cancel this agreement, written notice must be delivered to our office, and it is agreed the firm shall be compensated for services rendered at our hourly rate of $210 for the time actually spent on the assignment not to exceed the total fee quoted above. Our fee for pretrial preparation, courtroom appearance, and testimony will be billed at our prevailing hourly rate at the time if required in the context of this appraisal assignment (minimum 3 hours).

- continued -

The existence of potentially hazardous material used in the construction or maintenance of the building(s) or grounds and/or the existence of toxic wastes, which may or may not be present, will not be considered in the appraisal. We are not qualified to detect such substances and would urge you to consult an expert in this field, if so desired.

The intended users of this appraisal report are the clients named herein. The intended purpose is to determine the property's market value for acquisition.

If the terms and conditions set forth herein and in the attached Contingent and Limiting Conditions are agreeable, please indicate your approval by signing and returning one copy of this contract.

Very truly yours,

BAUER APPRAISAL GROUP, INC.

Bruce R. Bauer, MAI, SRA, CCIM
NYS Certified General Real Estate Appraiser 46-315

BRB/amc

The above terms are agreed to by the undersigned, jointly, and severally.

_____ _____
Signature Date

Name and phone number for admittance: _____

_____

CONTINGENT AND LIMITING CONDITIONS

This appraisal report is prepared for the sole and exclusive use of the appraiser's client, named in the Function of the Appraisal section of this report. No third parties are authorized to rely on this report without the express written consent of the appraiser.

The legal description furnished to us is assumed to be correct. We take no responsibility for matters legal in character nor do we render any opinion as to the title, which is assumed to be good and marketable. All existing liens and encumbrances have been disregarded and the property is appraised as though free and clear under responsible ownership and competent management.

The sketch (if included) in this report is included to assist the reader in visualizing the property. We have made no survey of the property and assume no responsibility in connection with such matters. We believe the information that was furnished to us by others to be reliable, but we assume no responsibility for its accuracy.

Disclosures of the contents of this appraisal report are governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any conclusions of value, the identity of the appraisers or the firm with which he is connected, or any reference to the Appraisal Institute) shall be disseminated to the public or any public means of communications without the prior consent and approval of the undersigned.

We are not required to give testimony or to appear in court by reason of this appraisal, with reference to the property in question, unless arrangements have been previously made thereof.

The distribution of the total valuation in this report between land and improvements (if reported) applies only under the existing programs of utilization. The separate valuations for land and buildings must not be used in conjunction with any other appraisal and invalid if so used.

The appraiser assumes that there will be no hidden or unapparent conditions of the property, subsoil, or structural elements that would render it more or less valuable than otherwise comparable property. The appraiser assumes no responsibility for such conditions or for engineering investigations that might be required to discover such conditions. It is assumed that underground improvements along with utilities are in place and connected.

In this appraisal assignment, the existence of potentially hazardous material used in the construction or maintenance of the building (if any), and/or existence of toxic waste, which may or may not be present on the property, has not been considered. The appraiser is not qualified to detect such substances and we urge you to retain an expert in this field, if desired.

The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible noncompliance with the requirements of the ADA in estimating the value of the property.

ADDENDUM to JUNE 25, 2007
WATER PURCHASE AGREEMENT

THIS ADDENDUM, is entered into this 26 day of July, 2016, by and between the Town of New Scotland, Albany County, New York (the "New Scotland") and the Village of Voorheesville, Albany County, New York ("Voorheesville").

WHEREAS, on June 25, 2007, New Scotland and Voorheesville entered into the annexed Water Purchase Agreement, which was intended to allow New Scotland to secure a connection to, and supply from, the Voorheesville water system; and

WHEREAS, pursuant to Paragraph five (5) of the Water Purchase Agreement, New Scotland agreed to pay Voorheesville "for the actual amount of water consumed at a rate equal to two times the rate charged to" Voorheesville's in-Village, residential customers; and

WHEREAS, pursuant to the Water Purchase Agreement, New Scotland has installed a master water meter ("Master Meter") at the location of the current interconnect between the two parties' water systems—to determine the total volume of water transmitted from Voorheesville to New Scotland ("Total Usage), for which Total Usage New Scotland is obligated to pay Voorheesville; and

WHEREAS, New Scotland has also caused to be installed an individual water meter ("Individual Meter") at each residence located within New Scotland that receives water that passes through the Master Meter—to determine the total volume of water consumed by each residence ("Individual Usage"); and

WHEREAS, the rates Voorheesville charges to its in-Village, residential customers vary depending on the gallons of water consumed by each residential customer; and the parties wish to clarify the manner in which Voorheesville's rates shall be applied to New Scotland's Total Usage; and

WHEREAS, Voorheesville also bills the minimum annual usage charge ("Minimum Charge") due by each customer in advance (including at the time any new customer connects to the system).

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. At the time each new customer receiving water that passes through the Master Meter connects to the system, Voorheesville shall charge and New Scotland shall pay, the Minimum Charge due for that customer for the balance of Voorheesville's then-current fiscal year (calculated as two-times the Minimum Charge that an in-Village, residential customer would be obligated to pay).

2. Each year thereafter, Voorheesville shall continue to charge and New Scotland shall continue to pay, the Minimum Charge due for each customer receiving water that passes through the Master Meter—in advance.

ATTACHMENT #9

3. In addition, on an annual basis, Voorheesville shall give New Scotland five (5) days prior written notice of the date ("Reading Date")—during the first two weeks in May—on which Voorheesville shall determine New Scotland's Total Usage for the prior year.

4. On the Reading Date, New Scotland shall determine the Individual Usage for each Individual Meter during the same time period; and provide that information to Voorheesville. In the alternative, New Scotland can permit—and provide necessary access for—Voorheesville to take the readings itself.

5. For all water that passes through an Individual Meter, Voorheesville shall charge, and New Scotland shall pay, two times the rate that would be charged to an in-Village, residential customer—consuming the same number of gallons of water as the Individual Usage and taking into account any Minimum Charge already paid.

6. For any water that passes through the Master Meter but does not pass through an Individual Meter ("Overage"), Voorheesville shall charge, and New Scotland shall pay, two times the rate that would be charged to an in-Village, residential customer—consuming the same number of gallons of water as the Overage and taking into account any Minimum Charge already paid.

7. In the event New Scotland fails to determine the usage for each Individual Meter as of the Reading Date, or to provide that information to Voorheesville, or to timely permit necessary access for Voorheesville to determine the Individual Usage on its own, Voorheesville shall be entitled to charge, and New Scotland shall be obligated to pay, two times the rate that would be charged to an in-Village, residential customer—consuming the same number of gallons of water as New Scotland's Total Usage during the period in question.

8. Except as clarified by this Addendum, all other provisions of the Water Purchase Agreement shall remain in full force and effect.

By VILLAGE OF VOORHEESVILLE

Robert D. Conway, Mayor

Dated: 07/26/2016

By TOWN OF NEW SCOTLAND

Douglas LaGrange, Supervisor

Dated: _____

2016 Highway Vehicle and Equipment Inventory

TOWN ID	YEAR	VEHICLE DESCRIPTION	CONDITION	PURCHASE DATE	COST	VIN	MILEAGE
							9/16
11	2008	International Dump	GOOD			1HTXEAHR58J657622	40,638
4	2006	International Dump	GOOD			1HTWZA8R86J254084	50,446
12	2002	International Dump	FAIR			1HTGEAHR32H513016	132,670
1	2000	Ford Dump	POOR			2FZHEECB6YAB53115	127,363
9	1995	Ford Dump	POOR			1FDYK90L6SVA64931	
2	2016	Mack Dump Truck	NEW		$119,987/$70,948 plow	1M2AX02C3GM002346	7,395
8	1997	International Dump	FAIR			1HTGEAUR9VH437599	60,942
6	1995	International Dump	POOR			1HTGEAUR4SH647698	251,886
3	2014	International Dump w/ plow	NEW	5/13	$173,326.55	1HTGPSJR5EH531869	
20	2006	Chevy	GOOD			1GCHK24U6E119541	113,624
23	2006	Chevy	GOOD			1GCHK33U06F255752	116,063
13	2008	Chevy	POOR			1GCHK24K98E215864	111,350
22	2012	Chevy 2500 extended cab	GOOD	3/12	$30,617.51 with plow	1GC2KVCG1CZ228808	53,729
5	2011	International Dump	GOOD			1HTWZSHR9BJ360043	44,744
10	1998	International Tandem Dump	FAIR			1FDZS96W6WVA11187	306,207
	2003	John Deere Loader	FAIR			DW544HX587140	4993 HOURS
	2008	Case Loader	GOOD			N8F206137	2629 HOURS
	2006	Gradall/excavator	GOOD		$208,716.00	EF649319	5711HOURS
	1968	Cat Grader	FAIR			13K1364	
	2002	Case Backhoe	GOOD			CK438963	2002 HOURS
7	2007	Ford F550 Dump	FAIR			1FDAF56P67EA01621	149,582
	2008	Chipper	FAIR				
	2011	Chipper 150XP	GOOD			4FMU516XBR024202	1,997
	2002	Hamm Roller	GOOD		$80,000.00		1823 HOURS
	1994	Ford Mower	FAIR				5495 HOURS
	2013	T4030 New Holland tractor w/ flail mower	GOOD		$53,262.10		
	1998	Trailer Eager Beaver	GOOD			112H8V317WL051647	
		Road widener	POOR				
	2010	ROSCO Sweeper RB48	GOOD		$32,950.00	model 4850 serial #55014	1398 HOURS
	2015	Skid Steer S570 T4 W/snowblower	NEW		$37,806.72	ALM413517	208 HOURS
	2006	Mauldin Paver	GOOD				1819 HOURS
AC-18	2011	Chevy Van	GOOD			1GCWGFFA6B1167033	22,000

ATTACHMENT #10

MISCELLANEOUS HIGHWAY EQUIPMENT

DESCRIPTION	CONDITION	PURCHASE DAT	COST	SERIAL #
Bobcat 48" pallet fork teeth and frame	Good	4/16/2015	$611.80	#6540182 #6712927
Stone Jumping Jack Tamper	Poor			
NBW Plate Tamper	Fair			
Stone Tamper	Good			
Ariens Snow blower	Fair			
Stihl Chain Saw MS 211 16"	Fair			
Husqvarna Chain Saw 272xp 24"	Fair			
Husqvarna Chain Saw 455 Rancher 18"	Fair			
Husqvarna Chain Saw 235 16"	Poor			
Echo weed trimmer SRM 225	new	7/12/16	$219.00	T79914122442
Husqvarna Chain Saw 455 Rancher 20"	Good	7/26/12	$399.00	20115000608
Echo ppt 266 pole saw	Good	12/10/12	$599.00	E04212009078
Stihl Chain Saw MS 211	Good	3/13/13	$279.95	288419926
Stihl chain saw MS 291	Good	3/16/15	$441.30	500448837
Stihl Pole Saw HT 101 12"	poor			
150'-15000lb Bull Line Rope	Poor	2/12/12	$247.68	
Snapper 20" push mower	poor			
Husqvarna 20" push mower	poor			
IBC water tote	good	4/25/15	$150.00	
Echo Weed Trimmer 230	good			
Husquvarna 525BX leaf blower	new	6/16/16	$269.95	20154900665
SRM-225 Echo weed trimmer	Good	6/20/12	$199.00	
SRM-225 Echo weed trimmer	new	7/6/15	$200.00	S89312767236
DeWalt 4 1/2" grinder	good	7/20/14		
Milwaukee grinder/sander	Good			
Makita 7" grinder	good	8/1/14	$259.00	
6" Bench grinder	fair			
Milwaukee 3/8" Hand Drill	Good			
Circular Saw 7 1/4	good	8/8/13	$128.00	
2014 Stihl chain saw MS441C 24"	new	2/14	$950.25	176392544
Metabo Chop Saw	good	8/17/16	$350.00	CS 23-355
Rigid 5HP Shop Vac	Good			
Black & Decker 1/2" Electric Drill	Fair			
Northwest Transit Level	Fair			
Microline Road Measuring Device	Good			
Oxygen/Acetylene Torch Set	Good			
Honda Welder/Generator	good			

Miller Syncrowave Arc Welder	Good			
Miller Millermatic 250x mig welder	Good			
NAPA 85-107 Fleet Charger(battery charger)	Poor			
80 gal Air Compressor	Good			
20 gal Sandblaster	Fair			
2-3/4"pneumatic impact gun	Fair			
1/2" pneumatic impact gun	good			
1/2" cordless impact gun	Good	8/18/14	$259.00	
20V premium hammerdrill	Good	9/2/14		
Steam Pressure Washer	Poor			
Steam Pressure Washer	New	1/19/16	$3,500.00	HPB392007A/SN#11091090-100051
Port-a-power Hydraulic Ram System	New	1/4/16	$439.00	
1 1/2T Hydraulic Floor Jack	fair			
3 1/2T Hydraulic Floor Jack	Fair			
10T Hydraulic Floor Jack	Fair			
20T Hydraulic Floor Jack	Fair			
2013 pallet truck (Transfer Station)	Good	1/9/13	$830.00	ID #7071200
10T Hydraulic Floor Jack	Fair			
9000LB Rotary Floor Mounted Truck Lift	Good			
Pneumatic Tire Bead Seater	Good			
Stinger 1500lb Dolly 1769A	Good	11/12/12	$530.00	
ATD 300lb tire car	Good	11/12/12	$76.00	
Battery Jump Pac ES 1224	Good	11/12/12	$535.00	
Jack-5000lb side crank square mitt	Good	4/24/13	$96.35	
Jack for adjst. Height chute	Good	4/24/13	$164.88	
Hydraulic Chain Saw Sharpener	Good	8/13/12	$507.09	
Power probe III	Good	10/14/13	$164.86	
375 Saw with blade	Fair			
Husqvarna K760 saw w/blade	Good	12/4/13	$853.00	131300771
Highway Department Office				
Dell Laptop	Good			
2-Motorola 2-way handheld radio	new		$108.00	
Brother DCP 7040 copier	Good			
Kyocera printer/fax	Fair			
2-Dell Desktop Computers	Fair			
Acer monitor	New	9/25/15	$119.99	
HP CP1025nw color printer	Good			
Motorola Base Unit Radio CDN750	Fair			
Staples Paper Shredder	Good		$239.99	

Town of New Scotland

Dog Warden

Job Description

General: The Dog Warden shall assist with the licensing and control of dogs and the enforcement of Article 7, §113 and Article 7, §123 of the NYS Agriculture and Markets Law in the Town of New Scotland. The Dog Warden shall enforce all Town of New Scotland local laws and ordinances relating to the control, confining, and leashing of dogs.

TYPICAL WORK ACTIVITIES

- Seizes and impounds stray and dangerous dogs;
- Issues tickets in accordance with provisions of law;
- Investigates and takes corrective action on complaints concerning dogs at large and unlicensed dogs;
- Impounds unlicensed dogs running at large and in the case of licensed dogs takes them into custody and returns to registered owner;
- Investigates reports of cruelty to dogs;
- Testifies in court, if required;
- Enforces quarantine laws and ordinances applicable to dogs;
- May maintain an animal shelter and insures that dogs are fed;

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

- Good knowledge of local geography;
- Ability to acquire a working knowledge of the laws and regulations dealing with the seizing, impounding and destruction of stray and dangerous dogs;
- Ability to acquire a working knowledge of methods and procedures in handling dogs;
- Ability to acquire a working knowledge of the provisions of state and local laws governing the licensing and control of dogs;
- Ability to meet and deal effectively with the public;
- Ability to understand and carry out oral and written instructions;
- Ability to maintain records and prepare reports;
- Physical condition commensurate with the demands of the position.

ACCEPTABLE EXPERIENCE AND TRAINING:

Graduation from High School or high school equivalency diploma

Must possess valid NYS driver's license.

ATTACHMENT #10a

Town of New Scotland Dog Warden

Duties: The Town of New Scotland has two Dog Wardens at this time. Each is on call every other week throughout the year. The Dog Warden is responsible for picking up dogs running at large and dangerous dogs when complaints are received. All dogs in the Town of New Scotland must have a current license on file with the Town Clerk. All dogs in NYS must be licensed and have current rabies vaccination.

The Dog Warden shall become familiar with the NYS Agriculture and Markets Law Dog Control and Municipal Shelter Guide and Dangerous Dog procedures.

The Dog Warden has the authority to issue an appearance ticket, to serve a summons and to serve and execute any other order in the execution of the provisions of Article 7.

Dogs may be seized for the following reasons per Article 7, §113:
Any dog which is not identified and which is not on the owner's premises
Any dog which is not licensed whether on or off the owner's premises
Any licensed dog not in control of or not on the premises of the dog's owner or custodian if there is a probably cause to believe the dog is a dangerous dog.
Any dog which poses an immediate threat to public safety. Promptly upon seizure, the DCO shall immediately commence a dangerous dog proceeding.
Any dog in violation of any local law or ordinance relating to the control of dog

The Dog Warden shall not release any dog that has been seized until proof of current Town dog license is provided and all required fees are paid to the Town clerk.

The Dog Warden is not to search for lost dogs, although a written report of such should be made so if the dog is recovered by a resident or the Dog Warden at some point, it can re reunited with the owner.

The Dog Warden shall maintain a weekly log for all calls and actions. The log should include date and time, resident name and address if applicable, dog description, official identification number, and reason for call.

The Town of New Scotland has a contract with the Mohawk Hudson River Humane Society. Unidentified dogs shall be taken to this shelter within 24 hours of seizure.

The shelter at the Highway Garage must be kept clean, sanitized and maintained. The shelter must have clean bedding, clean food and water bowls. This shelter must be cleaned and sanitized after every dog seizure. The shelter is inspected once a year by NYS Department of Agriculture and Markets.

The Dog Warden vehicle must be regularly cleaned inside and out, and should be kept in an orderly fashion. The vehicle should only be used by the Dog Warden who is on call.

The Town of New Scotland does not deal with wildlife. These calls should be referred to NYS DEC or Albany County Sheriff. NYS DEC maintains a list of individuals with a Commercial Nuisance Wildlife Control Operators license who will respond to wildlife complaints or concerns.

When the Dog Warden is on call, he/she must act in accordance with the duties outlined in this document and the Town of New Scotland Dog Warden job description.

Kevin Schenmeyer _____ Date_____

James Duncan _____ Date _____

ATTACHMENT #10b

Justice Court Audit Report to Town of New Scotland Town Board

On March 17, 2016, we, the Audit and Finance Committee completed the checklist for the review of Judge Adkins' and Judge Wukitsch's court records as published in the Office of the State Comptroller's The Local Government Management Guide, Fiscal Oversight Responsibilities. A copy of the completed 2015 checklists is attached.

Our review of Judge Wukitsch's records was satisfactory and we have no further matters to report. We recommend that the New Scotland Town Board resolve to accept these audit results for 2015 financial records for Judge Wukitsch.

Our review of Judge Adkins' records was satisfactory except for the incomplete bank reconciliation of the fine account. We referred the matter to the Judge for further review. It is our understanding that Judge Adkins has now referred the matter to the State Comptroller for resolution, see attached letter. Therefore, because Judge Adkins is independently pursuing resolution of the matter, we recommend that the New Scotland Town Board resolve to accept these audit results for 2015 financial records for Judge Adkins.

These findings have been reported to Judge Adkins and Judge Wukitsch.

The Committee appreciates the cooperation during our review of the court records from for both Judge Margaret Adkins, Judge David Wukitsch and the Court Clerks.

Respectfully Submitted,
Pat Snyder
Adam Greenberg
Darryl Purinton
Town of New Scotland Audit and Finance Committee

ATTACHMENT #11

2029 NEW SCOTLAND ROAD
SLINGERLANDS, NEW YORK 12159
Phone: (518) 475-0493
Fax: (518) 439-9135

TOWN OF NEW SCOTLAND

MARGARET I. ADKINS
TOWN JUSTICE

June 29, 2016

New Scotland Town Board
2029 New Scotland Road
Slingerlands, NY 12159

Doug

Dear Supervisor LaGrange and Members of the Town Board:

An overage was discovered during the 2015 Town audit of Court Financial Records. Both Mrs. Thompson & Ms. Dudwoire traced the discrepancy back to 2014. There were miscellaneous credit card transactions on the dates of 5/5/2014 for $5.00 and 6/2/2014 for $140.00. In addition, new Bail Account Deposit Slips were ordered on 12/23/2015 resulting in a withdrawal of $54.85 bringing the final overage amount to $90.15.

The Comptroller's Office has been contacted and we will take appropriate corrective action when we receive their response.

Sincerely,

Margaret

Margaret Adkins
Town Justice

Supervisor/Chief Financial Officer Audit Report to Town of New Scotland Board
For the Year Ended December 31, 2014 and 2015

Dear Board Members,

On August 11, 2016, we, as the Audit and Finance Committee, reviewed all aspects of the financial records for the years 2014 and 2015 for the Town of New Scotland Supervisor/Chief Financial Officer. To complete this task, the following actions were completed:

We completed the checklists, as recommended by the Office of the State Comptroller, for each fund and reviewed; segregation of duties, how certain transactions are processed and the status of prior recommendations.

The process revealed no accounting process issues but did identify the following continuing concern and recommend to improve the internal control over bank reconciliations.

Attached are the completed checklists for each fund.

We recommend the following:

The Supervisor should review the bank statement reconciliations for all accounts under his signatory authorization.

The Audit and Finance Committee recommends no further review of the Supervisor/Chief Financial Officer's records for the years 2014 and 2015.

The finding has been reported to Supervisor LaGrange. It is our recommendation that the New Scotland Town Board resolve to accept this audit report for the years 2014 and 2015 financial records for the Supervisor/Chief Financial Officer.

Respectfully Submitted,

Patricia Snyder and Darryl Purinton
Town of New Scotland Audit and Finance Committee

ATTACHMENT #12

Supervisor/Chief Financial Officer Audit Report to Town of New Scotland Board

Dear Board Members,

On March 6, 2015, we, as the Audit and Finance Committee, reviewed all aspects of the financial records for the year 2013 for the Town of New Scotland Supervisor/Chief Financial Officer. To complete this task, the following actions were completed:

Cash reconciliations were cross referenced between the Cash Disbursement Journal, bank statements, invoices, and the system generated bank reconciliation:

Compared General Journal Entries Report of 12/31/12 – 01/18/13 to:

Bank Deposit Slip, Town Clerk Monthly Report and Receipt #18202

Compared Cash Disbursement Journal to Bank Statement and printed check #23174

Receivables were reconciled through cross referencing the Annual Update Documents to the Audit Notebook.

Indebtedness Records were reconciled with the Statements of Indebtedness.

Bank Protection of deposited money was confirmed.

The process revealed no accounting discrepancies or obvious failings but did identify the following concerns and recommend implementation of the steps below to improve the accounting practices and controls for the Supervisor and staff.

We recommend the following:

1. A second party should review the bank statement reconciliations.
2. Change employee manual to submit mileage reports within 30 days of the end of each month.

The Audit and Finance Committee recommends no further review of the Supervisor/Chief Financial Officer's records for the year 2013.

These findings have been reported to Supervisor Dolin and his staff. It is our recommendation that the New Scotland Town Board resolve to accept this audit report for the year 2013 financial records for the Supervisor/Chief Financial Officer.

Respectfully Submitted,

Douglas LaGrange, Patricia Snyder and Darryl Purinton

Town of New Scotland Audit and Finance Committee 2014

ATTACHMENT #13

Town Clerk Monthly Report Monthly Report
August 01, 2016 - August 31, 2016

Account Description	Fee Description	Account#	Qty	Local Share
A0223 Cash with Fiscal Agent	A0223 Cash with Fiscal Agent	A0223	1	0.00
			Sub-Total:	**$0.00**
A0391 Due from other funds	A0391 Due from other funds	A0391	1	60.00
			Sub-Total:	**$60.00**
A1255 Clerk Fees	A1255 Clerk Fees	A1255	1	1.00
			Sub-Total:	**$1.00**
A1550 Dog Redemption	A1550 Dog Redemption	A1550	2	44.00
			Sub-Total:	**$44.00**
A2001 Youth Programs	A2001 Youth Programs	A2001	14	970.00
			Sub-Total:	**$970.00**
A2001R Pavilion Deposits	A2001R Pavilion Deposits	A2001R	1	75.00
			Sub-Total:	**$75.00**
A2130 Transfer Station	A2130 Transfer Station	A2130	9	2,496.00
			Sub-Total:	**$2,496.00**
A2610 Justice Court Fees	A2610 Justice Court Fees	A2610	1	8,812.00
			Sub-Total:	**$8,812.00**
A2650 Scrap Metal	A2650 Scrap Metal	A2650	1	375.00
			Sub-Total:	**$375.00**
A2705 Senior Van Rides	A2705 Senior Van Rides	A2705	18	567.00
			Sub-Total:	**$567.00**
A2709 Retiree Ins. H Reilly	A2709 Retiree Ins. H Reilly	A2709	1	107.92
			Sub-Total:	**$107.92**
A2770 Return Check Fee	A2770 Return Check Fee	A2770	1	20.00
			Sub-Total:	**$20.00**
A4689 Fed Aid Social Services	A4689 Fed. Aid Social Services	A4689	2	1,304.35
			Sub-Total:	**$1,304.35**
B1560 Safety Inspection Fees	B1560 Building Permits	B1560	12	8,093.00
			Sub-Total:	**$8,093.00**
B1601 Public Health Fees	B1601 Birth Certificate	B1601	1	10.00
B1601 Public Health Fees	B1601 Death Certificate Copies	B1601	4	250.00
			Sub-Total:	**$260.00**
B2110 Zoning	B2110 Zoning	B2110	1	50.00
			Sub-Total:	**$50.00**
B2709 Retiree Ins. Cantlin	B2709 Retiree Ins. Cantlin	B2709	1	107.92
			Sub-Total:	**$107.92**
B36204 Building Inspector	B3620.4 Building Inspector	B3620.4	1	132.00
			Sub-Total:	**$132.00**
CC Usage 2016	A2590 CC Usage 2016	A2590	1	25.00

ATTACHMENT #14

Account Description	Fee Description	Account#	Qty	Local Share
			Sub-Total:	**$25.00**
Clerk Fees	A1255 Marriage Transcript	A1255	1	10.00
			Sub-Total:	**$10.00**
Conservation	Conservation	A1255	22	224.92
			Sub-Total:	**$224.92**
DB2709 Retiree Ins. D Kawczak	DB2709 Retiree Ins. D Kawczak	DB2709	1	326.25
			Sub-Total:	**$326.25**
DB2709 Retiree Ins. M Kawczak	DB2709 Retiree Ins. M Kawczak	DB2709	1	326.24
			Sub-Total:	**$326.24**
DB2801 Senior Veh Fuel Reimb.	DB2801 Senior Veh Fuel Reimb.	DB2801	1	694.40
			Sub-Total:	**$694.40**
Dog license revenue	A2544 Dog license revenue	A2544	1	4.50
			Sub-Total:	**$4.50**
Dog Licensing	Female, Spayed	A2544	33	148.50
Dog Licensing	Female, Unspayed	A2544	3	37.50
Dog Licensing	Male, Neutered	A2544	31	139.50
Dog Licensing	Male, Unneutered	A2544	6	75.00
			Sub-Total:	**$400.50**
Due to Other Funds	A0630 Due to Other Funds	A0630	1	35.00
			Sub-Total:	**$35.00**
HNS8397.4 New Salem Meters	HNS8397.4 New Salem Meters	HNS8397.4	2	360.00
			Sub-Total:	**$360.00**
Kavanaugh, S.	A2709 Kavanaugh, S. Health/Dental	A2709	1	531.16
			Sub-Total:	**$531.16**
Krumkill Road Capital Project	B0391 - Krumkill Road Capital Project	B0391	1	5,037.46
			Sub-Total:	**$5,037.46**
Marriage Lic.	MARRIAGE LICENSE FEE	A1255	6	105.00
			Sub-Total:	**$105.00**
New Salem Meters	HNS2770	HNS2770	2	360.00
			Sub-Total:	**$360.00**
Other Revenue	Transfer Station Permit	A2130	7	70.00
			Sub-Total:	**$70.00**
Retiree G. Klopfer	DB 2709 Retiree G. Klopfer	DB 2709	1	41.82
			Sub-Total:	**$41.82**
SS0360 Usage	SS0360 Usage	SS0360	8	10,251.96
			Sub-Total:	**$10,251.96**
WC0350 Water Usage	WC0350 Water Usage	WC0350	9	10,778.01
			Sub-Total:	**$10,778.01**

Account Description	Fee Description	Account#	Qty	Local Share
WCC 0350 Estates Water Usage	WCC 0350 Estates Water Usage	WCC 0350	3	3,513.57
			Sub-Total:	**$3,513.57**
WF Water Usage	WF0350 Water Usage	WF0350	9	13,141.96
			Sub-Total:	**$13,141.96**
WG0350 Water Usage	WG0350 Water Usage	WG0350	5	4,387.08
			Sub-Total:	**$4,387.08**
WH0350 Water Usage	WH0350 Water Usage	WH0350	7	14,589.73
			Sub-Total:	**$14,589.73**
WN0350 Water Usage	WN0350 Water Usage	WN0350	9	7,135.22
			Sub-Total:	**$7,135.22**
WNS Water Usage	WNS Water District Usage	WNS0350	8	9,617.98
			Sub-Total:	**$9,617.98**
WS Water Usage	WS0350 Water Usage	WS0350	8	6,345.40
			Sub-Total:	**$6,345.40**
			Total Local Shares Remitted:	**$111,788.35**

Amount paid to:	NYS Ag. & Markets for spay/neuter program	91.00
Amount paid to:	NYS Environmental Conservation	5,104.08
Amount paid to:	State Health Dept. For Marriage Licenses	135.00

Total State, County & Local Revenues: $117,118.43

Total Non-Local Revenues: $5,330.08

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Diane R. Deschenes, Town Clerk, Town of New Scotland during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor	Date	Town Clerk	Date
	9-1-2016		9/1/16

TO THE SUPERVISOR OF THE TOWN OF NEW SCOTLAND, N. Y.

Pursuant to Section 27, Subd. 1 of the Town Law, I hereby make the following statement of all Fees and Moneys received by me during the month of August 2016 in connection with my office, excepting only such Fees and Moneys the application and payment of which are otherwise provided for by law.

DATE	PAID BY	NATURE OF PAYMENT	AMOUNT
8/05	New Comer F.H.	15 death certificates	$150.00
8/16	Judy Mulroony	1 death certificate	$10.00
8/23	Fredendall F.H	6 death certificates	$60.00
8/30	Fredendall F.H.	3 death certificates	$30.00
		TOTAL	$250.00

STATE OF NEW YORK

COUNTY OF Albany

TOWN OF New Scotland

Patricia Barber, being duly sworn, says that she is the Registrar of such Town; that the foregoing is a full and true Statement of all Fees and Moneys received by her during the period specified, excepting only such Fees and Moneys the application and payment of which are otherwise provided for by law.

Sworn before me this 1st day of September 2016

Patricia Barber

RECEIPT OF SUPERVISOR

Total amount Fees Remitted to the Supervisor $ 250.00

RECEIVED PAYMENT

Dated 9-1-2016

Supervisor

ATTACHMENT #14a

TOWN OF NEW SCOTLAND

58 VERDA AVE.
P.O. BOX 318
CLARKSVILLE, N.Y. 12041
Phone: (518) 475-0493 • Fax: (518) 439-9135

DAVID J. WUKITSCH
TOWN JUSTICE

RECEIVED

AUG 15 2016

SUPERVISOR

August 8, 2016

New Scotland Town Board
2029 New Scotland Road
Slingerlands, NY 12159

Dear Members of the Town Board:

Per your request, the following is a summary of the cases that I handled for the month of June 2016:

Started Cases – 74
Closed Cases - 80

Money collected - $ 10,148.00

If you would like more detailed or further information, please do not hesitate to contact me or my Court Clerk, Patti Thompson.

Sincerely,

David J. Wukitsch

David J. Wukitsch
Town Justice

ATTACHMENT #14b

TOWN OF NEW SCOTLAND

58 VERDA AVE.
P.O. BOX 318
CLARKSVILLE, N.Y. 12041
Phone: (518) 475-0493 • Fax: (518) 439-9135

DAVID J. WUKITSCH
TOWN JUSTICE

August 8, 2016

RECEIVED
AUG 15 2016
SUPERVISOR

New Scotland Town Board
2029 New Scotland Road
Slingerlands, NY 12159

Dear Members of the Town Board:

Per your request, the following is a summary of the cases that I handled for the month of July 2016:

Started Cases – 86
Closed Cases - 57

Money collected - $ 8,812.00

If you would like more detailed or further information, please do not hesitate to contact me or my Court Clerk, Patti Thompson.

Sincerely,

David J. Wukitsch
Town Justice

TOWN OF NEW SCOTLAND

58 VERDA AVE.
P.O. BOX 318
CLARKSVILLE, N.Y. 12041
Phone: (518) 475-0493 • Fax: (518) 439-9135

DAVID J. WUKITSCH
TOWN JUSTICE

September 8, 2016

New Scotland Town Board
2029 New Scotland Road
Slingerlands, NY 12159

Dear Members of the Town Board:

Per your request, the following is a summary of the cases that I handled for the month of August 2016:

Started Cases – 53
Closed Cases - 80

Money collected - $ 7,708.00

If you would like more detailed or further information, please do not hesitate to contact me or my Court Clerk, Patti Thompson.

Sincerely,

David J. Wukitsch

David J. Wukitsch
Town Justice

RECEIVED
SEP - 9 2016
SUPERVISOR

www.townofnewscotland.com

TOWN OF NEW SCOTLAND

Diane R. Deschenes, RMC
Town Clerk / Tax Collector
ddeschenes@townofnewscotland.com

Patricia A. Barber
Deputy Town Clerk
pbarber@townofnewscotland.com

ATTACHMENT #15

September 14, 2016

Pay the Bills		
Abstract #	**Vouchers**	**Amount**
	20161029-20161122	$131,462.89
Prepays or three signatures		
	Vouchers	**Amount**
1293	20160987, 20161003, 20161005	$1,186.82
1294	20160988	$315.79
1295	20160989	$22.93
1296	20160990	$.47
1297	20160991	$106.55
1298	20160992	$21.02
1299	20160993	$21.02
1300	21060994	$397.34
1301	21060995	$357.96
1302	20160996	$25.84
1303	20160997	$86.44
1304	20160998	$418.84
1305	20160999	$188.81
1306	20161000	$21.98
1307	20161001	$532.05
1308	20161002	$54.35
1309	20161004	$231.46
1310	20161006-20161007	$1,181.65
1311	20161008	$15.68
1312	20161009-20161012	$34,295.94
1313	20161013	$55.00
1314	20161014	$168.15
1315	20161015	$21.92
1316	20161016	$417.07
1317	20161017	$353.94
1318	20161018	$24.35
1319	20161019	$26.02
1320	20161020	$490.87
1321	20161021	$95.04
1322	20161022	$91.95
1323	20161023	$210.58
1324	20161024	$25.90
1325	20161025	$22.93
1326	20161026	$313.89
1327	20161027	$21.02
1328	20161028	$21.02
See attached abstracts for additional details.		

Town Hall
2029 New Scotland Road
Slingerlands, NY 12159

Phone: (518) 439-4865
Fax: (518) 478-0217
TDD 1-800-662-1220

The Town of New Scotland is an equal opportunity provider and employer. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with USDA, Director, Office of Civil rights Room 326-W, Whitten Building, 14th and Independence, Ave., SW, Washington, DC 20250-9410

ATTACHMENT #16

TOWN OF NEW SCOTLAND
September 14, 2016
2016 BUDGET MODIFICATIONS

Whereas, there is a need to provide additional funding for amounts made or to be made in excess of the appropriation provided in the adopted budget, the Town Board resolves to provide funding as follows:

FROM	**CODE**	**TO**	**CODE**	**AMOUNT**
Fund Balance	A0909	Clarksville Bldg./contr.	A1624.1	$727.04
To appropriate money from fund balance to Clarksville Bldg./contractual for amount over budget.				
Fund Balance	A0909	Justice/contr.	A1110.4	$287.86
To appropriate money from Fund Balance to Justice/contr. for amount over budget for 9/16.				
Fund Balance	A0909	Youth Programs/contr.	A7310.4	$233.89
To appropriate money from Fund Balance to Youth Programs/contr. for amount over budget.				
Fund Balance	WNS0909	Purification/contr.	WNS8330.4	$350.00
To appropriate money from Fund Balance to Purification/contr. for amount over budget $11 and amount for balance of year.				

The Town Board hereby resolves, pursuant to authority in Town Law, section 112, to amend the Town's 2016 budget as stated above.