

**Town of New Scotland
Regular Board Meeting
March 9, 2016**

The following Town Officials were in attendance:

Supervisor:	Douglas LaGrange
Councilperson:	Patricia Snyder William Hennessy Adam Greenberg Laura Ten Eyck
Highway Superintendent:	Kenneth Guyer
Engineer:	R. Mark Dempf
Town Attorney:	Michael Naughton
Town Clerk:	Diane Deschenes

1. Call to Order

Supervisor LaGrange called the meeting to order at 7:00 PM.

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

4. Proclamation in celebration of Mr. Elwood Vadney's 100th birthday

RESOLUTION 2016-086

Supervisor LaGrange offered the following resolution and moved its adoption:

**P R O C L A M A T I O N
H O N O R I N G
E L W O O D V A D N E Y
O N T H E O C C A S I O N O F H I S 1 0 0 ^{T H} B I R T H D A Y**

WHEREAS, ELWOOD VADNEY WAS BORN IN THE TOWN OF NEW SCOTLAND ON APRIL 1, 1916 AND HAS NOW BEEN A RESIDENT FOR 100 YEARS; AND

WHEREAS, HE ATTENDED THE ONE ROOM ELEMENTARY SCHOOL PRESENTLY ON THE PROPERTY OF THE JERUSALEM REFORMED CHURCH IN FEURA BUSH, ATTENDED HIGH SCHOOL AT RAVENACOEYMANS-SELKIRK AND WENT ON TO GRADUATE FROM THE ALBANY BUSINESS COLLEGE; AND

WHEREAS, AS A MEMBER OF THIS COUNTRY'S GREATEST GENERATION, HE SERVED IN THE U.S.NAVY DURING WORLD WAR II FROM FEBRUARY 1943 TO MARCH 1946 BEING DEPLOYED TO NEW GUINEA AND ICELAND; AND

WHEREAS, HE MARRIED HIS WIFE MARY ON OCTOBER 4, 1947 AT JERUSALEM REFORMED CHURCH IN FEURA BUSH AND THEIR MARRIAGE WAS BLESSED WITH SON GLENN AND DAUGHTER DONNA; AND

WHEREAS, HIS HARD WORK AND LOVE OF COMMUNITY IS DEMONSTRATED BY HIS TWENTY-SIX YEARS AS A U. S. POSTAL CARRIER WITH THE FEURA BUSH OFFICE, SERVING FROM 1954 THROUGH 1980 AS WELL AS HIS EMPLOYMENT AT LOCAL BUSINESSES SUCH AS ROTHaupt's GARAGE AND CALLANAN INDUSTRIES;

NOW, THEREFORE, THIS FIRST DAY OF APRIL IN THE YEAR TWO THOUSAND SIXTEEN, THE TOWN BOARD OF THE TOWN OF NEW SCOTLAND DOES HEREBY DEEM IT AN HONOR AND PLEASURE TO EXTEND THIS RECOGNITION TO ELWOOD VADNEY ON THE OCCASION OF HIS 100TH BIRTHDAY, WITH SINCERE CONGRATULATIONS AND BEST WISHES FOR MANY MORE HAPPY, PRODUCTIVE YEARS.

Councilperson Hennessy seconded the motion. All present and voting, the motion carried (5 Ayes).

5. Approval of the Minutes of the Following:

- **January 13, 2016** **Regular Town Board Meeting**
- **January 27, 2016** **Special Town Board Meeting**
- **February 4, 2016** **Special Town Board Meeting**
- **February 10, 2016** **Special Town Board Meeting**

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RESOLUTION 2016-087

Councilperson Greenberg offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby accept the minutes as presented.

Councilperson Snyder seconded the motion. All present, the motion carried (4 Ayes). Councilperson Ten Eyck abstained.

6. Set Public Hearing for Proposed Local Law A of 2016, a local law amending the Planning Board and Zoning Board term limits.

RESOLUTION 2016-088

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby set a public hearing for April 13, 2016, for proposed Local Law A of 2016 at 6:45 PM.

Councilperson Greenberg seconded the motion. All present and voting, the motion carried (5 Ayes).

7. Request for use of 1 Town truck, 1 Town employee for truck, and the Town Hall on Town-wide Volunteer Day on Saturday May 7, 2016.

Representative Lance Moore from the Town-Wide Volunteer Board and the Kiwanis asked for approval to use 2 employees and a truck for the 14th Town-wide Volunteer Day.

RESOLUTION 2016-089

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby honor the request of the Town-Wide Volunteer Day Committee to use one of our town trucks and have two town employees participate along with opening Town Hall for the staging area and lunch for Town-wide Volunteer Day on Saturday, May 7, 2016.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (5 Ayes).

8A. Discussion/Action re: Amendment/Addendum #2 to the Sewer Agreement, dated March 23, 2005, with the Town of Bethlehem

Supervisor LaGrange said that this is to address a situation for a development that has been approved and will hopefully be built this year. Bethlehem supplies the water to the Heldervale District, and they've requested that we enter into an intermunicipal agreement. Engineer Dempf and Attorney Naughton have fashioned the necessary terms. Attorney Naughton said that this is an amendment or addendum to the existing sewer agreement that was entered into in 2005, and it covered the Heldervale Sewer District Extension 1-4. It was then amended in 2009 to include Extension #5. There is now a sewer district extension #6 which was done in connection with Creekside Development and the Heldervale Water District extension #9. This would confirm that the Town of Bethlehem has agreed to accept the sewer waste water from sewer district extension #6 and provide water to those areas covered by water district extension #9. The Town of Bethlehem has not taken action on it yet; we are going to pass it first.

RESOLUTION APPROVING AMENDMENT/ADDENDUM #2 TO AGREEMENT WITH TOWN OF BETHLEHEM, DATED MARCH 23, 2005

RESOLUTION NO. 90 OF 2016

WHEREAS, the Town wishes to amend a certain contract dated March 23, 2005, between the Town of Bethlehem and Town of New Scotland concerning the Town of Bethlehem

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accepting for treatment at its waste water treatment facility waste water from the Heldervale Sewer District, as well as Extensions 1 through 4 thereof; and

WHEREAS, on December 9, 2009, the parties amended the Sewer Agreement pursuant to an Amendment of Sewer Agreement, dated December 9, 2009, to cover the Heldervale Sewer District Extension No. 5 containing approximately 6.79 acres of land on Route 85 in the Town of New Scotland to service a 30-unit residential subdivision project and a commercial unit; and

WHEREAS, on October 21, 2015, the Town of New Scotland approved: (A) Heldervale Sewer District Extension No. 6; and (B) Heldervale Water District Extension No. 9 in connection with the "Creekside" residential subdivision project and certain neighboring properties described and depicted in the Orders establishing such district extensions; and

WHEREAS, the Town of Bethlehem currently provides water to the Heldervale Water District pursuant to an arrangement with the Town of New Scotland and in accordance with the published rates;

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby approves the Amendment/Addendum #2 to Agreement, dated March 23, 2005, annexed to this Resolution, and authorizes the Town Supervisor to sign the Addendum on behalf of the Town.

Motion made by Supervisor LaGrange, seconded by Councilperson Snyder, to adopt **Resolution No. 90 of 2016**.

Councilperson Hennessy said that the Town has had some discussion as to a potential rate review with Heldervale and possibly the Town of New Scotland users along route 85. Councilperson Hennessy does not think this agreement precludes any future discussions or negotiations. Attorney Naughton said this just says it's going to be based on the same published water rates, and that's a broader discussion. He thought we would just move this one along and break it out; it is very simple. Supervisor LaGrange stated that this project has been many years in development. Stantec supplied Bethlehem with the history of our relationship between the two towns regarding water and sewer. That's something that they needed. They have asked us to develop an Intermunicipal Agreement (IMA) on those issues that is more of a town-wide scope. That will take more time, and that's where we can discuss the rates in specific areas. Bethlehem was good enough to entertain an IMA solely for Creekside to keep that moving along, and they we were going to start working on the broader IMA.

Councilperson Snyder commented that the Town of New Scotland is passing it first and asked what our expectation is about them acknowledging this. Attorney Naughton heard from the engineering side that they have no problem doing this, but there has not been any legal review yet. Councilperson Snyder clarified that engineering and legal seem okay, but are there any other considerations? Supervisor LaGrange and Attorney Naughton said none that they are aware of. When Supervisor LaGrange spoke to Supervisor Clarkson and the DPW Commissioner, they spoke of the whole generic aspect of our agreements. One request we did have last fall was that we at least move ahead on Creekside because it's been so long in the process, and then we would get together on the whole generic agreement for the rest of the area that is serviced by Bethlehem. Councilperson Snyder asked if any action can take place on Creekside or does it have to wait until Bethlehem acknowledges this agreement. Supervisor LaGrange said that we have to wait for Bethlehem. Attorney Naughton asked to have it put on their agenda tonight, but they hadn't gotten to it yet.

All present and voting, the motion carried (5 Ayes).

8B. Update regarding the Hilton Barn Relocation Capital Project

Councilperson Hennessy said that the project is moving swiftly. We didn't meet the March 15 deadline for moving the barn. We ran into a couple of snags, but it will be moved before the end of the month. Originally the barn movers needed two weeks of preparation time, but they actually need three. We also ended up with more structural wood in the floors than we expected. Fortunately, the Highway Department did fantastic work, and fortunately we didn't have any snow storms so we had the manpower to do the work. We also ran into an asbestos

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problem in the barn that was not expected. We had to have a removal action for that in accordance with NYS Department of Labor regulations. That has all been taken care of. Wolfe House & Building Movers out of Pennsylvania is on site. They've been there since Monday of this week. If you drive by, you can see some of their efforts in action. Some of the structural steel that will be used to stabilize the building during the move has been installed. The utility companies have been scheduled, are on notice and on board, and are ready to go. The project budget is marvelous right now. Donations have been submitted to VCSF on behalf of the barn. They are receiving donations daily and weekly. Councilperson Greenberg secured a more appropriate rate from National Grid saving us basically \$13,000. While that was helpful, the asbestos removal job ate up a lot of it. Councilperson Greenberg also helped secure a grant from Senator Amedore that is close to being finalized. Councilperson Greenberg said that we have applied, and it's going through the Senate now. We should hear something in a couple of months. Councilperson Hennessy added that Supervisor LaGrange, Mrs. Kavanaugh, and the Supervisor's office have helped put together a lot of the budget for that grant. Now that we have a lot of our leg work done to get the contractor on site, we are focusing harder on the security and public relations issues. Doug Miller, Councilperson Snyder, Highway Superintendent Guyer, and others will meet Friday to put together much of that. Stantec has put together significant signage and a detour plan as required by NYS DOT. We are not able to really explain that part of the project tonight; that will come out in upcoming weeks. Councilperson Hennessy suspects that a special Board meeting will be needed later this month to clarify that. Councilperson Hennessy then introduced Steve Reilly from the architectural firm that is helping out with the barn location, footings, and foundations. They've done magnificent work along with Stantec and Barton & Loguidice. There has been quite a bit of pro bono volunteer work on behalf of the three firms. We are very happy that they've been able to help us in that regard on this project. Councilperson Hennessy advised that he finalized the exact location with Barton & Loguidice today so that we can identify the geotechnical boring locations. Stantec helped us identify Fred Dente as a geotechnical consultant, and we contracted with him last month. Next week we will hopefully be out doing test pits. Councilperson Greenberg added that Doug Miller has been coordinating people viewing the barn move and safety precautions surrounding that. Mark King sent an email stating that he is getting a lot of interest from his 4000 members (MHLC) so we may want to give him a call and coordinate a little bit with him. Doug Miller stated that he would wait until after Friday to contact Mr. King. He has gotten some recommendations from the NYS Health Department Prevention and Control Program where they use building collapse distances. He has also talked to National Grid. Councilperson Hennessy will provide him with the Time Warner and Verizon information, and he will reach out to them and finalize their concerns. He will find out what Stantec's traffic plan is. Roads will be closed the day of the move. A press release will be sent to make sure the public is aware of this in advance. Councilperson Greenberg thanked Superintendent Guyer, the Town Highway Department, and the County Highway Department headed up by Darrell Duncan who have done an amazing job given the time constraints. This would not be happening without them. Signage has been ordered or borrowed.

Robert Parmenter asked how much lead time there would be once we have an exact date for the move. Councilperson Hennessy replied that there could be a lead time of a week or more. The window we are looking at right now is March 21 through April 1.

Councilperson Greenberg stated that there has been some discussion and requests to clear the remaining corner of Hilton Road and route 85A that still has brush and trees on it. Jim Bohl, who did the original initial land clearing, has submitted a bid of \$800 to do that. It is not necessary for the move but would just clean up that corner of the property. Attorney Naughton stated that we have a license now with the landowners and now would be a good time to take care of that. He recommends that we treat this \$800 as extra because it was not part of his original contract. This will be an add-on to the existing contract if approved.

RESOLUTION 2016-091

Councilperson Greenberg offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby hire Jim Bohl to clear the property along Hilton Road and route 85A of brush for up to \$800 and authorize the Supervisor to sign and pay that bill.

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Councilperson Hennessy seconded the motion. All present and voting, the motion carried (5 Ayes).

RESOLUTION 2016-092

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland will hold a Special Town Board meeting to address some barn issues on March 16, 2016, at 6:30 PM.

Councilperson Greenberg seconded the motion. All present and voting, the motion carried (5 Ayes).

9. Resolution approving acquisition of 1.1 acres of land on Hilton Rd. by donation of Mohawk Hudson Land Conservancy and purchase of title insurance policy for same at cost of \$342.00.

Attorney Naughton stated that the MHLC has the option to purchase the 1.1 acres of the Hilton heirs. That closing is going to occur probably next week. The purchase price in the option contract is \$25,000. There are two heirs, George Kain and Jennifer Hilton. The purchase price will be split between the two of them. The option covered just 1 acre, but when it was surveyed we came up with 1.1 acres, so Mr. Kain asked for additional compensation, and the Town agreed that it would pick up the cost of that additional compensation. MHLC has received some donations from third-party, private individuals to cover most of the \$15,360. Jennifer Hilton has generously agreed to donate the sale proceeds that would go to her (about \$13,000). We have to pay Mr. Kain only. The closing will occur, MHLC will be approximately \$3000 short in terms of money that has been raised from third parties to cover the cost of closing. MHLC has asked that the Town of New Scotland pick up that extra cost. Simultaneously with the closing by MHLC, the deed will then be conveyed to the Town of New Scotland. Title insurance will be provided to the Town for that property which has been appraised at \$25,000.

**RESOLUTION NO. 93 OF 2016
Town of New Scotland, New York**

RESOLUTION APPROVING ACQUISITION OF 1.1 ACRES OF LAND ON HILTON ROAD PURSUANT TO DONATION OF MOHAWK HUDSON LAND CONSERVANCY AND PURCHASE OF TITLE INSURANCE POLICY FOR SAME

WHEREAS, the Mohawk Hudson Land Conservancy (MHLC) has offered to convey (donate) 1.1 acres of land (depicted on the Survey Map annexed hereto as **Exhibit A**) on Hilton Road in the Town of New Scotland to the Town;

WHEREAS, the Town wishes to accept the donation, and acquire the land for the Hilton barn relocation project;

WHEREAS, the land has a value (according to an appraisal prepared on behalf of MHLC) of \$25,000.00, and the Town wishes to acquire title insurance for the conveyance;

WHEREAS, the cost of the title insurance policy is approximately \$342.00;

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby accepts the conveyance of the 1.1 acre parcel on Hilton Road from the Mohawk Hudson Land Conservancy, and hereby authorizes the Clerk to accept a Deed to the property; and it is

FURTHER RESOLVED, that the Town hereby authorizes the expenditure of the sum of up to \$370.00 for the purchase of title insurance for the property; and it is

FURTHER RESOLVED, that the Town shall, within 30 days of the date of this Resolution, reimburse Mohawk Hudson Land Conservancy (with respect to the itemized costs set forth on **Schedule A** of this Resolution) up to the sum of \$3,000.00, which represents costs incurred by MHLC in connection with the acquisition of the land for the benefit of the Town and which were

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not covered by donations by third parties for acquisition of land for the barn relocation project.

FURTHER RESOLVED, that the Supervisor is authorized to sign such documents as necessary to facilitate the closing/acquisition of the property.

Supervisor LaGrange offered the above motion and moved its adoption, seconded by Councilperson Greenberg to adopt Resolution No. 93 of 2016. All present and voting, the motion carried.

In favor: 5 Ayes
Opposed: 0 Nays
Motion Approved: 5 Ayes

The Resolution was adopted at a meeting of the Town Board of the Town of New Scotland duly conducted on March 9, 2016.

10. Discussion/Action re: quotes for Town Hall security cameras

Supervisor LaGrange stated that this is an item that has been under discussion for about three years. There have been a couple of situations at Town Hall that led to the creation of the Workplace Violence Committee. There were some recommendations made by that committee. One was to set up surveillance cameras in the hallways and outside of Town Hall for protection in the event of a situation happening and the possible prosecution of anyone who might cause issues. These are not to be pointing into any of the offices. The proposals would include a couple of cameras in the front to observe people going in and out the front door, in the back hall to observe people going in and out the back door, one would focus on the door of the meeting room, one in the meeting room itself, and five in the parking lots at various places. These will all be low-light cameras so they will facilitate high-quality pictures even in almost darkness. This will be helpful as a deterrent to any type of unauthorized activity when the building is closed. Keeplock Security submitted an estimate and Taylor Tech submitted an estimate. Taylor Tech's estimate was lower, but it did not include labor or installation. We got an updated quote from Keeplock. This would be the lowest bid.

RESOLUTION 2016-094

Councilperson Greenberg offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby accept the bid of Keeplock Security Services and Tech Albany for an amount up to \$6347.78 for installation of security cameras and possible monitoring screens and authorize the Supervisor to enter into a contract with them.

Councilperson Snyder seconded the motion.

Councilperson Greenberg asked how the monitoring takes place once the system is installed. Supervisor LaGrange responded that the purpose of this is primarily as a deterrent. There will be visible signage stating that the premises are under surveillance by a security system. If there is an incident, the recording is a loop recording (time/length of loop to be determined), so we can check the recording to identify the time of an incident and who was involved. This is a one-time cost for installation; we monitor it ourselves.

All present and voting, the motion carried (5 Ayes).

11. Discussion/Action re: quotes received for new Town Hall telephones and system

Supervisor LaGrange stated that the Town Clerk has been requesting this for several years. The current phone system is over 20 years old. We have used parts from spare phones, there are still a couple of phones with issues, and it's very difficult to get replacement parts at this point. One of the things we have requested is a button on each phone that will signal to everyone that there is a safety situation occurring within the building. The exact protocol has not been worked out yet. For example when someone pushes this button, a message would appear on all phones indicating that there is an emergency in the building, the location of the emergency, and the protocol would then be implemented, for example, building lockdown and dial 911. The voicemail capacity on the current phones is very low and messages aren't able

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to be left. The new system will have the capability of having voice messages delivered via email to personal phones or computers so no messages will be missed. This will be particularly helpful to the building department. New phones and a new phone system are not luxuries or conveniences, but at this point they are necessities. This was not a budgeted item for this year nor was the security system, but there was a budget for mortgage tax receipts. We always try to be conservative with the mortgage tax and sales tax, and the mortgage tax exceeded our expectations, so this will allow us to take the opportunity now to make these two upgrades to Town Hall and address both the safety and service we provide. We have received quotes from Telesys Telecommunication Systems, TAG Solutions, Letocom, and Key Communications. They ranged from \$9,324 to \$6,128.

RESOLUTION 2016-095

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby accept the bid of Telesys Telecommunication Systems for no more than \$6,128 for the installation of 18 new phones and a new telephone system for Town Hall and authorize the Supervisor to sign a contract with them.

Councilperson Snyder seconded the motion.

Doug Miller asked if the fire alarm system would be tied into the new phone system. Town Clerk Deschenes responded that that is on separate phone lines, and Telesys is aware of that.

All present and voting, the motion carried (5 Ayes).

12. Discussion/Action re: Lease and License Agreement between the Town and New Salem Water District for the water tank site.

Attorney Naughton provided an overview of this. At the highway garage last summer, a water tank was built. The water tank is owned by the New Salem Water District, but it is on Town land. We want to create a lease parcel of approximately 3637 square feet around the water tank and then lease that space to the water district so that they have the right to be there and to use it. Because the water tank is estimated to have a life of at least 50 years, we will make the term of the lease 50 years. The water lines that service the water tank run over the Town garage property, so there will be a license for those water lines that have been installed in the ground. The charges that would otherwise accrue to the town for water is approximately \$338.95, at least for the first year. In this lease, we propose to make it so that those charges are waived by the district on an annual basis. If they increase, they will also be waived from year to year. This will be in the range of \$350 on an annual basis. Because this is a lease of Town land, it requires a permissive referendum which essentially says that we will approve this lease, but it will be subject to a permissive referendum. If someone wants to file a petition and challenge it in accordance with section 1664 of the town law during the 30 days for the permissive referendum, then we would have to take up that petition. The likelihood of that is probably very low.

Supervisor LaGrange stated that because water districts are paid for by the residents who have that service and not the whole town, this seemed like a reasonable way to address it so that the water district is leasing the spot for the tank.

**RESOLUTION NO. 96 OF 2016
Town of New Scotland, New York**

RESOLUTION REGARDING LEASE OF PROPERTY AT
HIGHWAY GARAGE TO NEW SALEM WATER DISTRICT FOR WATER TANK
SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the Town owns a parcel of land at the Highway Garage, which is designated tax map nos. 82.-2-9 and 82.-2-10, on NYS Route 85 in the Town of New Scotland, Albany County, New York;

WHEREAS, the Town has determined that approximately 3,637 square feet (s.f.) of the parcel on which

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a water tank has been constructed for the New Salem Water District (which is depicted on the Water Storage Lease Plan (the "Plan") in red prepared by Stantec annexed to the Lease) should be leased to the New Salem Water District;

WHEREAS, the Lease of the land is subject to permissive referendum under Section 64(2) of the New York Town Law;

NOW, THEREFORE, BE IT RESOLVED:

1. The Town Board: (1) determines that the 3,637± s.f. parcel depicted on the Plan annexed as Schedule A is not required for use by the Town and the parcel should be leased to the New Salem Water District subject to the terms of the Lease annexed to this Resolution; and (2) hereby authorizes the Supervisor, subject to permissive referendum, to sign the Lease on behalf of the Town.
2. The Clerk shall publish notice of the Resolution in accordance with permissive referendum provisions of the NY Town Law, and shall maintain: (1) a copy of the Contract available for public inspection; and (2) the form of a petition for public referendum in the Town Clerk's office.
3. If no petition is duly and timely filed pursuant to Section 64(2) of the NY Town Law with respect to the proposed Lease, then the Town shall proceed with the Lease of the parcel in accordance with the terms of the Lease.
4. This resolution is subject to permissive referendum as provided in Section 64(2) of the Town Law of the State of New York and shall not take effect until thirty (30) days after the date of its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the Town thereby voting upon such proposition if within thirty (30) days after the adoption of this Resolution there be filed with the Town Clerk of the Town a petition subscribed and acknowledged or proved or authenticated by electors of the Town qualified to vote upon such a proposition in number equal to at least five per centum of the total cast for governor in said town at the last general election held for the election of state officers, but which shall not be less than one hundred in a town of the first class nor less than twenty-five in a town of the second class.

A motion by Member LaGrange seconded by Member Snyder to adopt Resolution No. 96 of 2016.

In favor: 5
Opposed: 0
Motion Approved: 5 Ayes

13. Time Warner Cable Franchise Agreement:

Supervisor LaGrange turned the discussion over to Councilperson Greenberg who stated that the Town recently received a letter from Time Warner telling us that our franchise agreement is up in December 2018. They want to negotiate the next contract. A big issue in this town is high-speed internet and that a lot of people do not have access to it. This negotiation will potentially give us the opportunity to address some of the unserved areas of the town. One of the ways we can do that is through the existing agreement before it expires. We can audit the service we have been given through this agreement and make sure that Time Warner has lived up to the existing agreement. We can do that by hiring an audit agency. We do not pay them to do the audit; they would get a percentage of any cost that they recoup from Time Warner for service that they did not give us that they were supposed to. Councilperson Greenberg would recommend that we send out some requests for proposals from different auditing agencies to move ahead on this. The audit would also give the town some information on the percentage of the town that is underserved which would be helpful in future negotiations if we want to renew the franchise agreement with Time Warner. We will also have an opportunity to visit the unserved areas through a PSC order that was just released. Time Warner wants to merge, and the Public Service Commission has allowed them to do that, but by allowing them to do that they are requiring them to extend their service in any town where they have a franchise agreement. They have franchise agreements throughout the state, and they are required to increase service by 145,000 housing units in the next four years in those areas. They have to

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do this by 36,000 units a year at a time. If the town advocates for itself, it is possible that we can get 36,000 in the first year and extend our service that way. We may need to hire some counsel to help represent us in that regard, so that is another thing that the Board should begin to consider and look into now. The current agreement is for 10 years and that is up in 2018, so we have a little time, but we should start moving forward, and the audit is the most important part of this.

Supervisor LaGrange stated that he sent a letter to Mr. David Whalen at Time Warner who advised us that the agreement was up. Mr. Peter Henner, a Clarksville resident, has been taking this on his own to try to negotiate better terms and opportunities for us with Time Warner. In the letter of response, we concluded that we hoped to start the discussions in the near future to address the issue of broadband expansion in the Town of New Scotland and that we hope to have something together by the end of 2017. It was mentioned that we are aware of the PSC's order including the fact that due to the merger they have to service 145,000 new units in their franchise area.

Councilperson Snyder asked exactly what would be audited if we chose to have an audit done. Councilperson Greenberg replied that Time Warner's franchise agreement promises certain things and certain kinds of service to a certain number of houses and areas at a certain cost. They don't always live up to those promises. This audit will determine if Time Warner has fulfilled what they agreed to do in the current contract. If nothing else, the audit will provide knowledge to us that we do not have now such as how many houses are currently in need.

Jim Cascione, a Clarksville resident who is a compliance officer for a local manufacturing firm stated that he is happy that we are looking at the franchise agreement. He has read through our franchise agreement and Bethlehem's franchise agreement with Time Warner signed in 2013, and he feels that there are disparities which put us in a good negotiating position to extend the network. He personally is not served currently, even though he was told that service was provided in his location when he purchased his home on Tarrytown Road in 2013. He asked for a survey which was never provided to him, although he called again and they have said that it will be completed soon. The franchise fee that Time Warner pays is 5% of their gross revenues to the Town of Bethlehem versus 3% to the Town of New Scotland, so that might be a negotiating tool to encourage Time Warner to extend the network. The Town of Bethlehem also has a clause in their contract that requires Time Warner to build out within a 10-year timeframe any homes that are contiguous with their existing service with a density of 20 homes per cable mile. Town of New Scotland does not have this clause in their franchise agreement. Mr. Cascione agreed to provide information he has collected to the Board.

Jack Farley asked if the Town has ever considered Verizon FIOS instead of Time Warner. Councilperson Greenberg stated that we do not have that service available in the Town of New Scotland. Councilperson Hennessy stated that he thought that we had a franchise agreement with Verizon for FIOS, but it does not include FIOS TV, and they do not extend it quickly. We have service to some of the houses in Heldervale because they are right on the edge of Bethlehem. Councilperson Greenberg thought that if we did an audit, we could perhaps audit Verizon, National Grid, and other utilities.

14. Discussion/Action re; proposal for utility audit services
RESOLUTION 2016-097

Councilperson Greenberg offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby send out a request for a proposal for companies to audit Time Warner Cable and authorize the Supervisor to collect the results and present them to the Board.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (5 Ayes).

15. Discussion/Action re: proposed changes to the Zoning Code.

Postponed until next meeting.

16. Discussion/Action re: Town Board recommendation to Planning Board and Building

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Dept. that additional statements addressing water and sewer be added to the subdivision application and maps.

Supervisor LaGrange stated that there have been many situations where people will purchase a home or purchase land to build a home, and they have run into the issue of water and problems with it. Jeremy Cramer and Supervisor LaGrange are proposing that some language be added to subdivision maps and applications. Our Right-to-Farm Law is mentioned on those so that people realize they are entering a farm community. Stormwater management is also noted. Supervisor LaGrange advised that this isn't a law change. The proposed language is a recommendation to the Building Department and the Planning Board from the Town Board.

RESOLUTION 2016-098

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does recommend to the Building Department and the Planning Board to put the following statements addressing water and sewer on the subdivision maps and application:

1. "On-site water supply as to flow capacity and potability is not guaranteed by signing this subdivision map. Any purchaser of a parcel of land shall be responsible for assuring an adequate water supply and potability prior to construction."
2. "No municipal sewer exists at this location. No percolation test holes have been performed on this site unless otherwise specified. Any purchaser of a parcel of land shall be responsible for assuring proper septic system design approvals prior to construction."

Councilperson Greenberg seconded the motion.

Councilperson Greenberg referred to item #1 and asked about existing homes. Do we want this on any kind of documents saying that the Town is not responsible that an existing home has water? Attorney Naughton didn't think we could do that. The concept here is to just do something where the Town has the ability make sure people are on notice that when they are buying land there are potential issues. This is really just a recommendation. This is the Town Board saying that we do not have a law, and the Planning Board and Zoning Board will have to make their own determination on what to do with it. Attorney Naughton said that we had a proposed water law that went further, but many issues were raised. Councilperson Hennessy said that this is a stopgap. Councilperson Hennessy then asked if Stantec had reviewed this. Engineer Dempf said that they did not. Supervisor LaGrange said that this is more of an in-house situation. It is a recommendation. We are trying to get something going so that they have some direction. If there is something Engineer Dempf thinks we should add, we are open to input. Being only a recommendation, there is the ability for the Planning Board or Building Department to make some changes if they care to.

All present and voting, the motion carried (5 Ayes).

17. Permission to go to bid for curbside collection of solid waste and recyclables. Current contract expires June 30, 2016.

Supervisor LaGrange advised that our contract is due to expire on June 30, 2016. This gives us an opportunity to get ahead of this, and it gives other vendors an opportunity to prepare a bid. There is a timeframe to get equipment out, get their schedule changes, and get our containers out. There would have to be a transition period. The sooner we do this the better. We would basically go with what we had before. There will be yearly updates regarding the number of residents that are served as new homes go in. We will also make mention of the potential developments that are on the horizon including Colonie Country Club, Kensington Woods, and the Amedore development. Now, it's just a matter of going out to bid.

RESOLUTION 2016-099

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorizes the Supervisor to go out to bid on curbside collection of solid waste and recyclables.

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Councilperson Greenberg seconded the motion.

Councilperson Greenberg asked about the term. Supervisor LaGrange thought the last one was five years with options for renewal. This was our last option year. The initial cost of getting the containers out and getting their route set up has to be recouped over time. Supervisor LaGrange thought it was a minimum of five years for most of these. We will probably put it out with the same parameters as the last contract. Supervisor LaGrange thought the current contract was a two-year term with three one-year options. This is just going out for the bids. Engineer Dempf commented that at some point during the term they did ask for relief because fuel prices were extremely high, but he didn't recall them coming back when the prices went down. Supervisor LaGrange recalled there being an escalator and de-escalator clause. Councilperson Snyder said it was pegged off the CPI.

All present and voting, the motion carried (5 Ayes).

18. Employee representative appointments to Workplace Violence Committee and amendment to Threat Assessment Team Workplace Violence Program document.

Supervisor LaGrange advised that the Board needs to pass a resolution accepting the representatives on the Workplace Violence Committee. We are also amending the Threat Assessment Team Workplace Violence document. There was a deletion that came off the end which was basically the parameters of how it would work in the first year. That's not relevant anymore. Also instead of having names, we put titles. We are recommending George Ward as the Highway employee. He was voted on by the employees at the Highway Department. We also have an employee from Town Hall. Jeff Pine would like to do that. He held the position previously.

RESOLUTION 2016-100

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby amend the Threat Assessment Team and document as follows:

THREAT ASSESSMENT TEAM

A Threat Assessment Team will be established, and part of its duties will be to assess the vulnerability to workplace violence at our establishment and reach agreement on preventive actions to be taken. It will be responsible for auditing our overall Workplace Violence Program.

The Threat Assessment Team will consist of:

Title: Town Attorney

Title: Confidential Secretary to the Supervisor Phone: 439-4889

Title: Bookkeeper/Finance Phone: 439-4889

Title: Highway Superintendent. Phone: 475-0385

Title: Town Justices Phone: 475-0493

Title: Town Supervisor Phone: 439-4889

Name: George Ward Title: Highway Employee Phone: 475-0385

Name: Jeff Pine Title: Code Enforcement/Employee Phone: 439-9153

The team will develop employee training programs in violence prevention and a plan for responding to acts of violence. They will communicate this plan internally to all employees. The Threat Assessment Team will begin its work by reviewing previous incidents of violence at our workplace. They will analyze and review existing records identifying patterns that may indicate causes and severity of assault incidents and identify changes necessary to correct these hazards. These records include but are not limited to OSHA 200 logs, past incident reports, medical records, insurance records, workers compensation records, police reports, accident investigations, training records, grievances, minutes of meetings, etc. The team will communicate with similar local businesses and trade associates concerning their experiences with workplace violence.

Additionally, they will inspect the workplace and evaluate the work tasks of all employees to determine the presence of hazards, conditions, operations, and other situations which might

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place our workers at risk of occupational assault incidents. Employees will be surveyed to identify the potential for violent incidents and to identify or confirm the need for improved security measures.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (5 Ayes).

21. Highway Department:

• **Seasonal field applications**

Highway Superintendent Guyer reviewed the applications.

The New Scotland Soccer Club and the Voorheesville Blackbird Youth Lacrosse both use the same field. Highway Superintendent Guyer believed that they got together before they came to us. They've both used the field in the past, and we have no issues with them. This is for the Swift Road field. The soccer is for some of the younger kids, and it is for practice only. The lacrosse is mainly for practice, but they will have four games there.

Voorheesville High School has an application for hardball. In the past we've had the varsity and JV teams sometimes. The varsity is now playing at the school, and the JV spends most of their time at the satellite field. Mr. Sapienza came to us looking for a field for the modified team. On the hardball field, we have the school and the senior men. Councilperson Hennessy said that from a scheduling standpoint at the hardball field we are looking to maintain the same schedule that we've had the past three years. The senior men would use it on Sunday and Monday evenings, and the Voorheesville Baseball Club would use it Tuesday-Thursday. Fridays and Saturdays would basically be open for residents. Three or four years ago that capability didn't exist. We modified the schedule to allow for some open time for residents. Fridays will be used for rainouts but Saturdays will remain open on that schedule; however, the baseball club will probably request it for a few days.

Highway Superintendent Guyer advised the Board to set aside the Voorheesville Baseball Club attachments. We will deal with them next month. Right now, we're just going to talk about the Senior Men. The High School and the Senior Men both start early. They've been working together for three years now with this schedule, and it works. So we are all set with those groups. The Voorheesville Baseball Club doesn't start until school ball is over. Almost all of the kids are on school teams. We have rosters and insurance, but because it's so far out they don't have complete schedules yet. We will deal with them next month. Right now we have the school and Capital District Senior Men. We spoke to them, and everything is good, and it will work well. The Senior Men asked for a few extra days in August when the school is all done. The Voorheesville Baseball Club is done at the end of July, as well, so we have no conflicts. The only conflicts we had were a few overlaps between the School and Senior Men. That's been ironed out between the two teams. Highway Superintendent Guyer recommended that Lacrosse and Soccer go along with the High School and the Capital District Senior Men.

We have two softball leagues that came to use for field use. We have a new situation this year. We used to have two softball fields; now we have one. We have a field at Feura Bush, and our field at Swift Road was converted into a Little League field for the Voorheesville Baseball Club which is a town-wide club. We have some kids from Berne too. Councilperson Hennessy said that the youth club is almost all local residents. Highway Superintendent Guyer said that we had two leagues come to us, and he wanted to give both teams 2 days at Feura Bush which leaves us a rainout day. We also have Saturdays and Sundays. Highway Superintendent Guyer said that pavilion rental at Feura Bush is very popular with the softball field. Whenever we rent the pavilion, we always give them a field with it. That's happened at Swift Road, as well. The teams know that they can get bumped because of a pavilion rental. Councilperson Snyder thanked Highway Superintendent Guyer for addressing that. Councilperson Greenberg asked how often they get rented. Highway Superintendent Guyer estimated about 30 times during the summer.

Ron Filkins said that they've been using the field for over 15 years. They had four days at Feura Bush. He attended tonight because he wanted to know about the rainouts. Typically they've paid \$80 for every day, and they never got a rainout. Highway Superintendent Guyer said that we always offer it. Mr. Filkins commented that it is always a weekend which is very

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difficult and typically the pavilions have been rented. Highway Superintendent Guyer said that he knows that there have been issues with weekends so we wanted to offer a weekday. Mr. Filkins asked how that's going to be scheduled. Highway Superintendent Guyer said that if we have two rainouts with different leagues in a week, we'll have to offer one Friday one week and the other team the following Friday. Highway Superintendent Guyer said he didn't want to tie the field up every day and only offer weekends. Councilperson Hennessy said that they debated how to handle it, but it seems to work out well at Swift Road with the hardball field. Councilperson Hennessy added that we put together a significant recreational plan a couple of years ago for improvements to the Parks. We applied for a grant, but it was denied. One of the options at Feura Bush was the development of another field. As you know, there is a big space there. One of our options is to turn that into a multipurpose field where we could play softball, baseball, or soccer. That's an option. We haven't pursued it again since the grant was denied. Councilperson Hennessy added that we don't really have parking up there to accommodate two games at once. We have to do a significant project. We are open to improvements to the Town. There are possible private/public partnerships in developing such facilities. It's not something we can handle right away. The conversion of the softball fields to the Little League field really accommodated a use in town that we did not have. We had two softball fields and no Little League fields. It accommodated that use. We will see how that works this year. If the rainout situation doesn't work out, maybe there is a different way to accommodate that.

Mr. Filkins thought that if you split it between the two leagues you're also taking in money for that. Councilperson Hennessy said that that's an option. Mr. Filkins added that that would be a financial gain for the town. Highway Superintendent Guyer commented that we are not making money on this. It's a service that we provide. Mr. Filkins said that he's aware of the cost because he's involved in Little League. Councilperson Hennessy said that this year they'd like to do it this way.

Highway Superintendent Guyer added that for our Little League fields we have two different age groups and two different baselines. We have the ability to move bases and pitching. We are trying to get as much use out of the field as we can.

Amy Heebner said she's been in the town for 16 years and on the softball teams for 18 years. We normally have 5 days and we're losing 3 days. Highway Superintendent Guyer said he didn't have last year's schedule in front of him.

Councilperson Hennessy asked if there is any way Mr. Filkins could use a Saturday or Sunday. Mr. Filkins said typically not.

RESOLUTION 2016-101

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby accept the field use permit for the Voorheesville High School, NYS Coed Softball, Lynn's Softball, Capital District Men's Senior Baseball League, New Scotland Soccer Club, and Voorheesville Blackbird Youth Lacrosse.

Councilperson Greenberg seconded the motion. All present and voting, the motion carried (5 Ayes).

Permission to go to bid for used paver

During the budget process last year we talked about purchasing a used asphalt paver. Highway Superintendent Guyer asked permission to go out to bid. We budgeted up to \$40,000. We looked at a lot of pavers. All the local suppliers know what we are looking for, and they are all searching. In our budget range, the ones they've come up with have a lot of hours on them so we've kept looking. There is nothing in the state contract, so we are required to go out to bid.

RESOLUTION 2016-102

Supervisor LaGrange offered the following resolution and moved its adoption:

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RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize the Highway Superintendent to go out to bid for a used paver which was allowed for in the budget up to \$40,000.

Councilperson Greenberg seconded the motion. All present and voting, the motion carried (5 Ayes).

Rise Engineer/National Grid Program

Highway Superintendent Guyer said that supplies were delivered for the Feura Bush Park, and they started installing them today. The materials for Swift Road will arrive tomorrow. The project is going well. Highway Superintendent Guyer explained that there is a National Grid incentive plan for high-efficiency exterior lighting. Swift Road Park, Feura Bush Park, and the exterior lighting at the Highway garage were included. About 5-7 years ago we did the interior of the Highway garage. The saving was phenomenal. These programs that we are working on now have less than a four-year breakeven on them.

19. Discussion/Action re: sale of Miller Road property

Supervisor LaGrange said that the town acquired the Miller Road property a number of years ago when there was a bridge failure. It's about 9 acres. At the time we created a road that goes around the house in the front. Supervisor Dolin talked about selling this a number of times. We put this in the 2016 budget approving it as a revenue source. Now we need to decide where to go from here. The budget was based on the sale of the property. It would have to go out to bid. We put a minimum bid on it that was the appraised value that we received on it over a year ago. The Board has to officially decide that we want to get this done and move on. Attorney Naughton said that the sale will be subject to permissive referendum. We can develop a bid or auction document and talk to brokers about it. Supervisor LaGrange asked what the proper procedure is tonight. Attorney Naughton said that all we want to do tonight is get the feeling of the Board if they want to proceed.

Councilperson Ten Eyck said that she dealt with this when she was on the Planning Board, and there was a lot of concern about the one home becoming surrounded by roads. The homeowner is really suffering from a diminution of his quality of life. Councilperson Ten Eyck didn't know the impact this might have. Supervisor LaGrange said that we are hoping to lessen the impact by putting a restriction regarding the realignment of the road. He added that he believed it was 2-acre zoning, and there is a potential for four nice lots. The suggestion is that we would dictate how that is bisected by a new road that would continue in a less-aggressive turning situation. That would move that entrance away from the gentleman's house further down to the middle of that property. It would keep it from going right behind his property too. Councilperson Ten Eyck said that she knows there was a question about what kind of work the Creekside developer was going to do to improve the road. There was confusion about what they had agreed to do. Supervisor LaGrange said that there is no confusion anymore because that was set up by the Planning Board. Primarily most of the road improvements were on the upper end, but there were some things he was required to do on the lower end. Engineer Dempf said that there was talk about making him do an extensive reconstruction of a roadway. It would be up to the Planning Board or the Town Board whether or not the road would be relocated. Councilperson Ten Eyck added that it did get resolved, but there were some things that the town thought the developer understood that he was unaware of. That was resolved. Supervisor LaGrange said that there was a meeting at Stantec with the developer. Engineer Dempf said that it was memorialized in the development agreement. Councilperson Greenberg added that the developer has to bring water to the corner of the property we'd be selling. Councilperson Snyder said he wasn't sure there were taps. Highway Superintendent Guyer said that taps would be on Paige Pierce's property. Engineer Dempf said they would not be to route 308. Supervisor LaGrange said that that doesn't even meet our property. Councilperson Hennessy said that part of our proposal if we sell this lot is that the purchaser has to extend the water to route 308; that's something we've always said. One of the main reasons for allowing Creekside was to connect to route 308 to allow for some of these improvements to help offset the cost of improvement of the existing line. Councilperson Hennessy added that we had several spaghetti lines coming off the 3" line that served different residences. The Town of Bethlehem has pointed out that they need a formalization of that area. They are requiring us to either form a district or essentially take over municipal authority on that. This will help accomplish that whole effort. That really was an important part of the

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total project. The intent was for current owners along route 308 who choose to develop their properties, we would extend that main along their frontage. They can't just take service off of it. They are going to extend it that way. There is a question with other users like Fiato or Olsen whether or not there is any connection there. As far as our lot is concerned, that would all be part of the sale of that property. Councilperson Hennessy said that that was his intention and some of the members of the Board. Supervisor LaGrange said it is being brought up tonight so we can start looking into these things. The roadway was something we talked about all along. Councilperson Greenberg said that one concern is to make sure we are not committing to any kind of price or water issue with this vote. Supervisor LaGrange said that that is true; we are not making that kind of commitment at all. Councilperson Snyder asked if the Board was voting on anything. Supervisor LaGrange said that the Board is not voting on anything. The intent here is to get a feel from the Board that we are ready to commit to at least going out to a sealed bid to sell the property with certain parameters attached to it. Councilperson Snyder wanted to understand what those expectations were besides just the sale of property. Is it to resolve water issues? Is it to resolve property issues for other owners in the area? She'd like to understand what that is. Supervisor LaGrange answered yes to both of those questions and added it's also to resolve budget issues. Councilperson Snyder said that she understood that part but didn't think we just wanted to do it to plug a gap. Our intention is to resolve a few things along the way, and when we put it out to bid that information is out there. Attorney Naughton said that he thought we would want to point out that the Board is generally in favor of doing this with some conditions on the sale. There is some work involved in writing this up and preparing the bid package along with figuring out how it will all work. If people are interested in selling it with those kinds of conditions on it, we should find that out now before we go through all the trouble and expense. Supervisor LaGrange added that this will put it back on the tax rolls too. We will look into the road realignment and the water availability. Again, this goes back to the fact that this is revenue that we've budgeted, and obviously it will go back on the tax rolls. Under those parameters, Supervisor LaGrange asked if anyone had a strong opinion as to not selling the property. Councilperson Greenberg asked if we are selling it whether it has water or not. Supervisor LaGrange said that we are selling it as is. Councilperson Greenberg said he could see that once the Creekside development goes in, this doubles in value. Supervisor LaGrange said that it wouldn't have water yet, but it will be close. Councilperson Ten Eyck asked if it made sense to wait until it has water because it's more valuable. Councilperson Hennessy said the anticipation is that regardless of whether the water was extended to Pierce's property or not, it's still not going to have water, but any bidder knows that it's there. Councilperson Greenberg asked how much closer it will be. Engineer Dempf said that there is none there now, but you'll have it at the edge of the property. The discussion in the past was that we're a town and to do all that stuff we're turning into a developer. We don't want to be in that seat. Councilperson Greenberg said that he wasn't suggesting that we put the water in. He was suggesting that once Creekside puts the water in, the value of the land goes up. Engineer Dempf agreed. Councilperson Greenberg said that that was his concern with doing it now, but he understands the budget issue. Supervisor LaGrange said that we should have thought more thoroughly about that in November. The discussion was had, but we still have to decide that we want to sell it. Engineer Dempf added that the Board doesn't have to accept anything if they don't want to. You can always make the deal with Bethlehem that you have this parcel ready to develop, and you sign an agreement with Bethlehem to promise water to this land. Supervisor LaGrange added that the water doesn't necessarily have to come in from Creekside. We have two other adjacent property owners who would like to get water. We have this potential property owner with four potential lots, and then you have the folks that are on the spaghetti line. Engineer Dempf added that he believed that with water you can go less than an acre. Supervisor LaGrange said that it is 2-acre zoning, but there are provisions for water. There were some questions about that, and Supervisor LaGrange said that he would have to check. Supervisor LaGrange asked if we should at least get the parameters together. Councilperson Snyder thought that it was important to commit some things to paper so we all know under what conditions we are willing to move forward. Councilperson Greenberg said that he is fine with moving forward. Supervisor LaGrange said it wouldn't be a wasted effort altogether because it is going to be put out for bid now or in six months. Supervisor LaGrange asked if there was anyone who didn't think we should sell it. Councilperson Ten Eyck said that she thought we should sell it as long as it will improve the situation for the people who live there and not make it worse. The intent should be to have an improvement of a situation that is currently not good.

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20. Engineering:

- **Clarksville well field security**

Engineer Dempf said Stantec submitted a drawing to the Supervisor's office with the highlights of some fencing. This is not taking into account the potential for solar. We are just verifying with Kevin Phalen if we have included everything that could be an issue with the wells and discharge manhole. Supervisor LaGrange asked if there is enough room around the wells to stage equipment. Engineer Dempf agreed that there is. Supervisor LaGrange advised that there are about 15 wells coming out of the ground, and there are liability issues. No matter how you look at it, snowmobiles and four wheelers trespass on private property. It's wide open, and if somebody gets hurt it will fall on us. We also have sensitive equipment in the building. Supervisor LaGrange added that when you come down to the homeland security aspect, these wells are exposed to potential tampering. We need to get an idea of the scope to surround the area, and then we can try to get funding. The first thing was to get a map of what we are dealing with. Supervisor LaGrange said that this map has been given to Mr. LaChappelle to see what we could do. This is a district-only situation where the residents would be responsible, but we'd like to see if we can obtain some grant money.

- **Krumkill Road NYS DOT TIP status**

Engineer Dempf said that over past few months he and Highway Superintendent Guyer along with Supervisor LaGrange have been working with CDTC. We've actually relinquished our bridge TIPS slot. While we were releasing that, we had a discussion with the County and DOT about picking up money for resurfacing Krumkill Road. Highway Superintendent Guyer clarified that it is for a portion of Krumkill Road from Font Grove Road down to the bridge over the Normans Kill. It's just shy of a mile. Highway Superintendent Guyer said that NYS rides the roads and gives a dashboard rating. We did repairs and Band-Aids to the other end of the road to buy us some time. Our dashboard rating on the far end of the road was very high so it wasn't eligible. The first part of the road, which was just shy of a mile, got a poor dashboard rating. CDTC took that into consideration. Engineer Dempf said that it was on the TIP, which isn't out yet, but we were notified that we were awarded money. It's an 80%-20%. The town will be responsible for 20%; however, it's on rehabilitation funds which Highway Superintendent Guyer was going to do anyway and either bond it or take it out of the budget. Highway Superintendent said that this is a replication of what's there. They will take a core sample and reclaim the asphalt that is underneath and then on top of it. It also includes remediation of a small dip on the westerly side of the Normans Kill. Highway Superintendent Guyer added that our 20% share is less than what it would cost to do it ourselves. Councilperson Snyder asked about cost. Highway Superintendent Guyer said \$325,000.

22. Fire and Ambulance/Public Safety:

- **Review and approve the revised 2015 Service Award Program List for the Onesquethaw Fire District LOSAP**

Supervisor LaGrange said that we approved this a while ago and then it was posted for the 30-day period where the individuals have a chance to review it. One person wasn't credited for a few days, and it made a big difference in his numbers. He went through the process of proving he was there, and it was corrected. There were two others who obtained their EMS recertification.

RESOLUTION 2016-103

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve this updated revised 2015 Service Award Program List for the Onesquethaw Fire District LOSAP.

Councilperson Greenberg seconded the motion. All present and voting, the motion carried (5 Ayes).

- **Review and approve the 2015 Service Award Program List for the New Salem Fire District LOSAP**

RESOLUTION 2016-104

Supervisor LaGrange offered the following resolution and moved its adoption:

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RESOLVED, that the Town Board of the Town of New Scotland does hereby approve the 2015 Service Award Program List for the New Salem Fire District LOSAP.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (5 Ayes).

- **Authorization to purchase fire hydrant finder markers for use in the Onesquethaw and New Salem Fire Districts**

Supervisor LaGrange was out with Mr. Hensel and Mr. LaChappelle reviewing a lot of the things in the New Salem Water District. We have 30 active fire hydrants in the New Salem Water District now. Supervisor LaGrange asked Highway Superintendent Guyer if New Salem had any inactive ones. There are some hydrants used just for bleeding and some for firefighting. Supervisor LaGrange said he would like to get them color coded. Maybe we can do that this summer. Highway Superintendent Guyer said he believed that all of the hydrants in the New Salem Water District are fire-rated hydrants. The system is fire rated because of the tank. In New Salem's Fire District, the hydrants on Swift Road are not fire rated because it is a hydro pneumatic system. The whole Northeast Water District has hydrants that are for flushing only. Supervisor LaGrange thought that we should get back to doing some type of identification. If there is a mutual aid, you don't want anyone hooking up to hydrants that are going to mess up our well or waste time. We need to address that this year. Having said that, Supervisor LaGrange said that these markers are \$19.33 each for a total of \$579.90. These extend about 4 feet above the hydrant, and they are flexible. They are colored so that they show up in the dark, making them quickly identifiable. They also create an awareness of where the hydrant is after a snowstorm. Highway Superintendent Guyer said that we used to make them ourselves, but they didn't last. The new ones are nice. Supervisor LaGrange said that this takes into account New Salem and Onesquethaw. There are 30 of them. Everyone agreed that that number seems small. Supervisor LaGrange said that it's listed for both, but he thinks it is for New Salem. Highway Superintendent Guyer said it might just be for the fire district because the water district already has them. Mr. Miller added that there are some dry hydrants out there. Supervisor LaGrange said that Mr. LaChappelle reviewed this, and he might be mistaken on some of it. In the interim, we know we need at least this many.

RESOLUTION 2016-105

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize the purchase of fire hydrant-finder makers for the use in the Onesquethaw and New Salem Fire Districts for a price of \$19.33 each, not to exceed \$600.

Councilperson Snyder seconded the motion.

Councilperson Snyder said that she advocated for this for a number of years, and she thought we were working on it. For the next meeting she asked that this be put on the agenda. Her understanding was that we were trying to coordinate with the two fire department chiefs how to properly mark the hydrants not only for each of these two departments but also for others. Councilperson Snyder said that she knew there was a bit of a struggle to try to get to the point of marking them properly and is this the result of resolving all of that? She needed a better understanding because she had advocated for this for a while. Supervisor LaGrange said that it's a partial result. It was probably put by the wayside with Mr. LaChappelle's focus being so heavily into the New Salem Water District and all the work that was being done. This is what we discussed when Supervisor LaGrange went up there. We wanted to get this moving forward. Supervisor LaGrange added that he would check into it further.

All present and voting, the motion carried (5 Ayes).

- **Request to eliminate \$1,244.93 2016 salary for Public Safety Officer and add \$1,244.93 to the 2016 A3989 (Public Safety Committee) .4 contractual budget**

Supervisor LaGrange said that he had had a request to eliminate \$1,244.93, which is the 2016 salary for Public Safety Officer Miller, and to add the same amount to the 2016 contractual budget. Mrs. Boehlke said that there are some things that Mr. Miller would like to purchase, and he's willing to give us his salary to do that.

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RESOLUTION 2016-106

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby eliminate the \$1,244.93 2016 salary for the Public Safety Officer and add \$1,244.93 to the 2016 A3989 (Public Safety Committee) .4 contractual budget.

Councilperson Snyder seconded the motion. All present and voting, the motion carried.

23. Liaison Reports

Town of New Scotland Email Addresses

Supervisor LaGrange said that he would like all Board members to be using a Town of New Scotland email address solely by the end of the month for all town business. This should be used for all group emails and the website.

Status of the New Scotland Yards

Councilperson Snyder said she has been approached about the status of the New Scotland Yard's situation. Councilperson Snyder said that she'd like to understand the status. Supervisor LaGrange said that Attorney Baker, Building Inspector Cramer, and he met with the owners. They had just gotten it when we shut them down because they were out of several site plan agreements that were made through the Planning Board over time. We sat down with them, and Attorney Baker put together a letter outlining what they had to do. Right now they have hired an engineer, and they may be on the next Planning Board agenda with a whole site plan review. They've addressed some of the concerns that DEC had as far as stormwater management and other little issues. They did move a couple of things like firewood that was for sale along with some other things. They're working toward getting in line with what the site plans were previously, but now they have to come in with a whole new site plan. It's going to involve berming, mediation as far as trees, and possibly fencing. That will be in the Planning Board's hands. Councilperson Snyder asked for a copy of the letter from Attorney Baker. She then asked if there is any time requirement attached to our request. Supervisor LaGrange said there is, and it's outlined in the letter. It was in lieu of a fine. Councilperson Snyder said that some of the questions being raised are who is monitoring the situation, does anything have to be done, and in what timeframe. Supervisor LaGrange said that that's answered in the letter to them, and he will give a copy to Councilperson Snyder. Councilperson Snyder said that there are still concerns, and that's putting it mildly.

Hilton Barn

Councilperson Snyder said that she had been approached by the Voorheesville High School. There are students who want to do a documentary on the barn, and we should try to accommodate them. Councilperson Ten Eyck asked if we have a policy about drone photography. Supervisor LaGrange said he was told that Dylan Longton had been filming some of the activities already. Public Safety Commissioner Miller said that if someone wants to take pictures as long as they are outside of the safety zone they can.

24. Departmental Monthly Reports:

- **Town Clerk, February 2016**
- **Tax Collector, February 2016**
- **Registrar, February 2016**
- **Justice Wukitsch, January 2016**
- **Justice Adkins, January 2016**

25. Invitation to the Public to Discuss Non-Agenda Items

Stephen Reilly

Mr. Reilly wanted to discuss the concept of developing a firewood bank. There might be folks in rural areas that could take advantage of wood that might be donated. These types of things exist throughout New England. Mr. Reilly said that he would like to be on a future agenda to do a presentation on how they work. Supervisor LaGrange suggested the April agenda. Board members thought this was a great idea.

26. Pay the Bills

**Town of New Scotland
Regular Board Meeting
March 9, 2016**

RESOLUTION 2016-107

Councilperson Snyder offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve paying the following:

Pay the Bills		
Abstract #	Vouchers	Amount
	20160272-20160353	\$144,716.95
Prepays or Three signatures		
Vouchers	Amount	
1223	20160247-20160250	\$3,230.06
1224	20160251-20160258	\$753,775.92
1225	20160259	\$4,183.70
1226	20160260-20160262	\$457.91
1227	20160263-20160265	\$6,978.45
1228	20160266-20160267	\$737.97
1229	20160268-20160269	\$36,079.76
1230	20160271	\$14,267.09
See attached abstracts for additional details.		

Councilperson Greenberg seconded the motion. All present and voting, the motion carried (5 Ayes).

**27. Approve any Budget Modifications
RESOLUTION 2016-108**

Supervisor LaGrange offered the following resolution and moved its adoption:

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	B0909	Zoning Contractual	B8010.4	\$1,100.00
To appropriate money from fund balance to Zoning/contractual for amount paid for alternate attorney.				
Fund Balance	LD0909	Street Lighting/Contract.	LD5182.4	\$437.75
To appropriate money from fund balance to Street Lighting/Contractual for light pole repair not budgeted for.				
The Town Board hereby resolves, pursuant to authority in Town Law, section 112, to amend the Town's 2016 budget as stated above.				

Councilperson Greenberg seconded the motion. All present and voting, the motion carried (5 Ayes).

**Executive Session
RESOLUTION 2016-109**

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby enter into Executive Session to discuss a contractual issue and a personnel issue.

Councilperson Greenberg seconded the motion. All present, the motion carried (5 Ayes).

Executive Session began at 10:10 PM

Supervisor LaGrange made a motion to adjourn Executive Session, seconded by Councilperson Hennessy.

No action was taken during Executive Session.

**Town of New Scotland
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Executive Session adjourned at 11:05 PM

28. Adjourn

Supervisor LaGrange made a motion to adjourn, seconded by Councilperson Greenberg. The meeting adjourned at 11:05 PM.

Diane R. Deschenes, Town Clerk