

**TOWN OF NEW SCOTLAND
REGULAR TOWN BOARD MEETING
FEBRUARY 10, 2016 7:00 PM**

The following Town Officials were in attendance:

Supervisor:	Douglas LaGrange
Councilperson:	Patricia Snyder
	William Hennessy
	Adam Greenberg
Town Attorney:	Michael Naughton
Highway Superintendent:	Kenneth Guyer
Engineer:	Mark Dempf
Deputy Town Clerk:	Patricia Barber

Call to Order

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

Pledge of Allegiance

Invitation to the General Public to comment on Agenda items.

No comments.

Approval of the minutes of the following:

December 29, 2015 Special Town Board Meeting

January 1, 2016 Organizational Meeting

January 20, 2016 Special Town Board Meeting

RESOLUTION 2016-058

Supervisor Snyder offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does approve the minutes of the December 29, 2015, Special Town Board meeting; January 1, 2016, Organizational Meeting; and January 20, 2016, Special Town Board Meeting as presented by the Deputy Clerk.

Seconded by Councilperson Hennessy. All present and voting, the motion carried (4 Ayes).

Discussion/Action re: Proposed Local Law A of 2016, a local law amending the Planning and Zoning Board term limits

Supervisor LaGrange stated that this is a law fashioned in 2011 that was first passed to address absentee members of each of the Planning and Zoning Boards. This would ensure that citizens who went before those boards had a full board there as often as possible. At the same time, it was also decided to adopt term limits of two five-year terms for each board. A few times in the recent past applicants have been sought for openings. We have generally gotten some response, but reflecting on some members who have been lost over the years it would have been nice to have had the opportunity to retain them. This is a way to actually address that. The amendment to the Planning Board law states:

Section 190-89 of the Town Code of the Town of New Scotland is hereby amended by adding the following subparagraph (G) to § 190-89:

- (G) Notwithstanding the provisions of Section 190-89(D) of the Town Code to the contrary, if, in the opinion of the Town Board, reappointment of a current member of the Planning Board who has served two full terms (ten years) is in the best interest of the public, given the member's qualifications and experience, the Town Board may, by a supermajority vote, reappoint the Planning Board member whose term has expired for an additional term or terms. A supermajority vote requires the affirmative vote of four of the five members of the Town Board.

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The amendment to the Zoning Board of Appeals law states:

Section 190-70 of the Town of New Scotland Town Code is hereby amended by adding subparagraph (F) to § 190-70:

- (F) Notwithstanding the provisions of Section 190-70(D) to the contrary, if, in the opinion of the Town Board, reappointment of a current member of the Zoning Board who has served two full terms (ten years) is in the best interest of the public, given the member's qualifications and experience, the Town Board may, by a supermajority vote, reappoint the Zoning Board of Appeals member whose term has expired for an additional term or terms. A supermajority vote requires the affirmative vote of four of the five members of the Town Board.

Tonight is just to introduce the potential change. A public hearing will be scheduled for our next meeting. This also needs to go to the Planning Board. As a courtesy, it will also be sent to the Zoning Board of Appeals and the Planning Board to get their input.

Councilperson Snyder voiced some concerns about the changes. She would like to see comments from the Planning Board and Zoning Board as well as the public. She wanted to go on record as saying that she appreciated the service from the Planning Board and Zoning Board members, but she felt that sometimes these positions become personal attachments, and 10 years is a long time. She felt that the Town Board needed to make more efforts at succession planning and leadership development.

John Dearstyne of Clipp Road addressed the Board. He questioned the wording of the proposed changes. He didn't feel that it was appropriate to appoint someone who has served on either board in the past with a break in service. Supervisor LaGrange stated that someone who has been on either board in the past could be appointed after the appropriate hiatus. Mr. Dearstyne raised the question of an outgoing Supervisor reappointing members of boards in December, precluding the new administration to make the appointments they would like to make. He concurred with Councilperson Snyder and asked about making the term of the third member of both boards two years and possibly even limit the number of times a person could be reappointed after that.

Tim Stanton of Onesquethaw Creek Road stated that he felt there are too many public hearings that are continued. He felt that public hearings should be held after all comments, questions, and concerns are collected from all sources and then presented to the public. He did not feel that the public should have to have the same item readdressed several times.

Supervisor LaGrange responded that he did not feel that having several public hearings on one topic was a pattern that had been established by the Town Board. Having said that, the goal is to gather all possible information and comments from the Zoning and Planning Boards and the public. If there are substantial changes, they will be incorporated, and then a subsequent public hearing would need to be scheduled on those changes. It is not a matter of stretching things out; it is a matter of gathering potential changes and concerns, fashioning something that adapts those, and then presenting the proposed amendment again to the public.

RESOLUTION 2016-059

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland schedule a public hearing for March 9, 2016, at 6:45 PM regarding Proposed Local Law A of 2016 dealing with an amendment to the Planning Board and Zoning Board term limits. Be it further resolved that these changes be forwarded to both Boards for their review and comments.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

Discussion/Action re: appointment of Town Board Member to fill vacancy

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This vacancy on the Town Board is the result of Supervisor LaGrange's election to the Town Supervisor position, leaving his Board seat vacant. Several citizens expressed an interest in being appointed to fill the vacancy. Several were considered, and the Board members independently discussed their thoughts with Supervisor LaGrange. The Board, therefore, would like to appoint Laura TenEyck to fill the vacancy on the Town Board.

RESOLUTION 2016-060

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland appoint Laura TenEyck to fill the seat vacated by Douglas LaGrange for a term starting March 1, 2016. That position will then be up for special election in November 2016. The original term of the position expires in December 2017 so the seat will be up for re-election in November 2017.

Seconded by Councilperson Hennessy. All present and voting, the motion carried (4 Ayes).

Councilperson Greenberg spoke in support of Ms. TenEyck, stating that she has served on the Planning Board and has a good understanding of the Town. Her family has lived here a long time. She represents both farming and business interests and would be a good addition to the Board.

Standard Work Day and Reporting Resolution for Highway Superintendent Kenneth Guyer, Town Board Member Patricia Snyder, and Town Justices David Wukitsch and Margaret Adkins

RESOLUTION 2016-061

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland, location code 30376, hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body.

Seconded by Councilperson Hennessy. Councilperson Snyder abstained from voting for the part of the resolution as it related to her. All present and voting, the motion carried (3 Ayes, 1 abstention). For all others mentioned in the resolution, all present and voting, the motion carried (4 Ayes).

Engineering

Mark Dempf stated that earlier this month there was a meeting with the County to discuss the three bridges that are County/Town owned. Several years ago, a proposal had been submitted to the State for funding on these three bridges. There was an issue with one of the bridges where the deck failed, and there was a bit of confusion as to who was responsible for what. When it came down to looking at the funding available that the State was going to give us, it was going to cost us a lot more than the fair share of what the Town owned. We will be involved in doing some bridgework. We have a separate fund for bridges for which no request was ever submitted. In order to assist the Highway Superintendent and the joint operation with the County, we are asking to put \$2000 into the special fund for bridges.

Supervisor LaGrange stated that it was a CDTC grant that was for Rowe Road, Onesquethaw Creek Road, and Plank Road. Seven years ago, the Town applied for the grant. The Town is responsible for the topcoating on these bridges even though the bridges are County owned. This was a sizable grant at the time but seven years later it is not so sizable now that we are looking at doing the level of replacement that needs to be done. The timbers used for the decking and the topcoat/asphalt are the Town's responsibility, so because the grant would not be enough and the Town could be responsible for a sizable portion of the 20% and then adding on the extra work involved in implementing a grant and getting all the paperwork done it was not going to pay for the Town and County to try to use that grant for these three bridges. It was also a time issue because they would have to be fixed together this year. Supervisor LaGrange spoke with Darrell Duncan, Highway Superintendent for the County, along with his engineer, Mark Dempf, Ken Guyer, and felt that these were projects that could best be handled by the two highway departments on an as-needed basis,

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and we would be able to cut the cost substantially. The task order request form before the Board this evening is because we are going to need some engineering effort so this will be shared between the Town and County, as well.

Tim Stanton asked why we couldn't use the County engineer alone instead of paying for the Town engineer. Supervisor LaGrange replied that both the County and Town will both have issues to address and we are sharing the costs. Mr. Dempf also stated that the Town is also responsible for any of the approach roadways, and the Town has to ensure that whatever the County decides to do takes into account the Town's roadway and what we need and not just the bridge itself. Mr. Stanton felt like it was duplication of effort and expense. Mr. Dempf replied that this is all just in case something comes up that the Town needs to do something about. Town engineering may not be involved in anything. The only thing being looked at is changing the type of surface. Asphalt may actually hide what is happening to the deck structure underneath. Part of what the Town is charged with is possibly changing what is put on the surface. He feels that his involvement may be minimal anyway because the bigger portion is buying the material and installing the materials. If we took money from the State, the project would have to be put out to bid. We could not do it with in-house sources; therefore, there would have to be a set of plans, specifications, bid administration, and a whole level of administration that would not be necessary if the two work crews could get together and work it out. Supervisor LaGrange also pointed out that the projects would have been underfunded having been seven years since the grant was applied for.

RESOLUTION 2016-062

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland accept the task order request from Stantec for bridges and Highway Department engineering with a ceiling figure of \$2000 from January 1 through December 31, 2016. Be it further resolved that the Supervisor be authorized to sign the task order.

Seconded by Councilperson Snyder. All present and voting, the motion carried (4 Ayes).

Non-Agenda Item: New Salem Water District Billing

Supervisor LaGrange brought up a non-agenda item. We have collected the meter readings for the previous six months for the newly created New Salem Water District. Because about 70% of the people in the district weren't hooked up until recently and haven't had water for the previous six months, they are well under the minimum usage. Supervisor LaGrange felt that it would be unfair to charge these people the same minimum usage rate as others who have been using water for six months. He proposed that an adjustment be made for this one time only to bill according to actual usage. That would address the situation for those who used under 15,000 gallons. It is not an issue for any household that used over 15,000 gallons. A letter explaining the situation would be sent to any residents who are getting an adjustment to their bill.

Councilperson Hennessy and Councilperson Greenberg both concurred that in the interest of fairness, this is a good idea. Since everyone couldn't come online at the same time, everyone now starts at an even place.

Supervisor LaGrange stated that new bills will be prepared and sent out with the adjustments made. The next bill will encompass water usage from January through June and will revert to the minimum rate. Letters of explanation will be enclosed with the bills.

RESOLUTION 2016-063

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland bill the New Salem Water District customers for actual usage for the first billing period only.

Seconded by Councilperson Hennessy. All present and voting, the motion carried (4 Ayes).

Highway Department

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1. Shared Services Agreement between NYS DOT and the Town of New Scotland:
Highway Superintendent Guyer stated that this shared services agreement between the Town of New Scotland and NYS DOT can be signed now that both are in agreement to the terms. Attorney Naughton stated that he had a question about indemnity being one way, and it went to the State of New York. The State did not want to have a cross-indemnity or mutual-indemnity provision. Superintendent Guyer checked with other communities to see who else has this shared services agreement in this form. He found that at least five or six neighboring communities have this particular shared services agreement. Attorney Naughton said that it is a very bare-bones agreement, but it sets up a mechanism for the Town to have shared services with NYS DOT. Many grant sponsors are now awarding points to grant applicants to see how many shared service agreements a municipality has with other entities.

RESOLUTION 2016-064

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorize the New Scotland Highway Department to enter into a shared services agreement with the New York State Department of Transportation and authorize the Highway Superintendent to sign said agreement.

Seconded by Councilperson Hennessy. All present and voting, the motion carried (4 Ayes).

2. National Grid lighting project:

Councilperson Greenberg recused himself from this discussion and vote secondary to his daughter working for Rise Engineering. Highway Superintendent Guyer stated that the Town should apply for this grant for exterior lighting at the highway garage, the Swift Road Park, and the Feura Bush Park. There are three separate contracts so each one could be worked out separately. There are three options to pay for the new lighting: lump sum, 12 months of payments, or 24 months of payments. By paying in one lump sum, there is a 15% discount off the top of the bill.

Supervisor LaGrange addressed the exterior lighting at the highway garage first. The estimated annual savings realized if we do this project would be about \$1035. The estimated cost would be \$5400 with a National Grid contribution of \$1700 leaving a final cost of \$3700 for the Town. If it is paid in one lump sum at certification of installation the 15% discount would leave the Town with a final cost of \$3332.46. There is an option for 12-month, interest-free payments of \$309.53; we would lose the 15% discount. There is also a 24-month payment plan.

RESOLUTION 2016-065

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland accept the energy savings plan outlined by National Grid for a lump sum payment for the highway garage exterior lighting of \$3332.46 and authorize the Supervisor to sign the contract.

Seconded by Councilperson Snyder. With Councilperson Greenberg recused, all other Board members present and voting, the motion carried (3 Ayes).

With new lighting at the Swift Road Park, this would generate an estimated savings of about \$1037 yearly. The estimated job cost is about \$5800. National Grid's contribution is \$1700. Cost to the Town would be \$4101. If we pay in a lump sum, the cost would be \$3708.38 with a 15% discount. 12 monthly payments would be \$341.75 per month and 24 monthly payments would be \$170.

RESOLUTION 2016-066

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland accept the energy savings plan outlined by National Grid for a lump sum payment for 8 lighting fixtures at the Swift Road Park at a cost of \$3708.38 and authorize the Supervisor to sign the contract.

Seconded by Councilperson Snyder. With Councilperson Greenberg recused, all other Board members present and voting, the motion carried (3 Ayes).

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The new lighting at the Feura Bush Park would generate yearly savings of approximately \$1168. The estimated cost of the job is \$5895. National Grid's contribution would be \$1993. The Town's contribution would be \$3566.06 if we paid in a lump sum, getting a 15% discount for doing so.

RESOLUTION 2016-067

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland accept the energy savings plan outlined by National Grid for a lump sum payment for 9 lighting fixtures at the Feura Bush Park at a cost of \$3566.06 and authorize the Supervisor to sign the contract.

Seconded by Councilperson Hennessy. With Councilperson Greenberg recused, all other Board members present and voting, the motion carried (3 Ayes).

3. Authorization to declare old pressure washer as surplus:

RESOLUTION 2016-068

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorize the Superintendent of the Highway Department to declare an old pressure washer as surplus and proceed with putting it out for auction.

Seconded by Councilperson Hennessy. All present and voting, the motion carried (4 Ayes).

4. Request to advertise for summer employment in parks and highway departments:

Highway Superintendent Guyer stated that although this is usually done in March, he wanted to get approval now. Advertising will not commence yet; he just wanted to have approval in place so that he can advertise when the time comes. Usually two youths are hired for the highway department for the summer and they are used on both highway and parks jobs. Two adults are usually hired for the parks for mowing. These items have already been approved in the 2016 budget.

RESOLUTION 2016-069

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorize the Superintendent of the Highway Department to advertise for summer help for the highway and parks departments.

Seconded by Councilperson Hennessy. All present and voting, the motion carried (4 Ayes).

5. Hilton Barn site update:

Highway Superintendent Guyer reported that New Scotland highway workers in conjunction with County highway workers have been working at the new Hilton Barn site for two days. Both departments have manpower and equipment at the site. The crews have been cutting trees in preparation for the move. The work is coming along very well.

Chester Boehlke asked where the funds were coming from to pay these workers. Supervisor LaGrange replied that the money for the Town employees would be coming out of the special fund that has been established for the Hilton Barn move. Albany County is donating their work. Highway Superintendent Guyer also responded that everything is being tracked and billing will be done appropriately. Monies will be supplied either by the capital project fund that has been established, grant money, or donations. Because the weather has been so mild this winter, this work is not taking any highway employees away from other projects of higher priority such as snow plowing, etc. Supervisor LaGrange will address this more fully during the Liaison Reports later in this meeting.

Fire and Ambulance

1. Discussion/action re: contract with the Onesquethaw Volunteer Fire Company, Inc., for fire and ambulance services in 2016:

This is the same contract entered into with Onesquethaw last year, except that the numbers have changed from what was budgeted. In the contract, the Town of New Scotland agrees to pay the

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OVFC \$245,195 for fire protection services and \$47,750 for ambulance services by March 1, 2016.

RESOLUTION 2016-070

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland enter into a contract with the Onesquethaw Volunteer Fire Company, Inc., for \$245,195 for fire protection services and \$47,750 for ambulance services for 2016 and authorize the Supervisor to sign said contract.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

2. Discussion/action re: contract with the New Salem Volunteer Fire Company, Inc., for fire and ambulance services in 2016:

This is a contract for a period of one year commencing on January 1, 2016, and continuing through December 31, 2016. The Town agrees to pay the NSVFC \$289,000 for the provision of fire protection services.

RESOLUTION 2016-071

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland enter into a contract for fire protection services for 2016 with the New Salem Volunteer Fire Company, Inc., for \$289,000 and authorize the Supervisor to sign said contract. The term of the contract is for one year commencing on January 1, 2016, and shall continue through December 31, 2016, unless sooner terminated as herein provided.

Chester Boehlke asked why there was no contract for Slingerlands. Supervisor LaGrange deferred to Doug Miller to answer this question. He stated that the contracts are done individually by district. Supervisor LaGrange further stated that Slingerlands bills on the County and Town tax bill at the beginning of the year. The difference is that for NSFVC and OVFC, the Town of New Scotland is entering into contracts with them, and the Town bills on the Town property tax bills.

Seconded by Councilperson Hennessy. All present and voting, the motion carried (4 Ayes).

Liaison Reports

Supervisor LaGrange gave an update on the Hilton Barn situation. Jim Bohl has finished his land-clearing work at both sites. It took him about 1-1/2 days to do that work. The highway crews are now doing further work at the sites, cutting down trees, etc. Supervisor LaGrange and Councilperson Greenberg have spoken to people about the marketability of the trees that have been cut down. If they are marketable, we can sell the logs/wood and add this money to the fund set up for the barn move.

Councilperson Hennessy stated that the general concept budget is an approximately \$200,000 project for moving the barn to a new location. From that, we will have foundation, roof, and site improvements. We have budgeted further on that, but of that \$200,000 budget, \$125,000 is proposed from a state grant, \$50,000 is proposed from a county grant, and \$25,000 is proposed from the Town of New Scotland. That \$25,000 is coming out of our Parks fund. The Parks fund is a dedicated fund that has no bearing on taxpayer finances. Half of it comes from developers' fees. Every day there seems to be a new potential source of funding, for example, revenue we may realize by selling lumber. The utility budgets we have in place may be decreased because of the ability of some of the utilities to work with us on this project. The clearing has taken place, and some of the trees have been taken down, so we are ahead of schedule. Attorney Naughton has spoken with the moving company, and the contract has been finalized. They are on board to stay within their timeframe for the move which is somewhere around March 15. When the movers come here for a site visit, they may be able to accelerate it, or they may feel that the Town has to do some other things.

RESOLUTION 2016-072

Councilperson Hennessy offered the following resolution and moved its adoption:

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RESOLVED, that the Town Board of the Town of New Scotland authorize the Supervisor to enter into an agreement subject to review by the Town Attorney with Verizon for no more than \$5000 in order to prepare and to complete the utility improvements necessary to facilitate the move of the Hilton Barn.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

RESOLUTION 2016-073

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorize the Supervisor to enter into an agreement subject to review by the Town Attorney with Time Warner Cable for no more than \$5000 in order to prepare and complete the utility improvements necessary to facilitate the move of the Hilton Barn.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

RESOLUTION 2016-074

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorize the Supervisor to enter into an agreement subject to review by the Town Attorney with Angstrom Environmental for a pre-demolition survey of the Hilton Barn in preparation for its move for no more than \$950.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

Councilperson Greenberg stated that Steve Reilly, who lives in the Town, is very interested in the preservation of the barn and has offered much advice up to now pro bono. He has been involved in moving structures before. He is also on the Planning Board of the Village of Voorheesville. He will be working with a structural engineer to determine the size of the footings and calculate the weight of the barn and the weight-bearing capability of the soil. They may have to do more soil tests. He is also consulting with us on the actual structural requirements of the move separate from the moving company.

RESOLUTION 2016-075

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorize the Supervisor to enter into a contract subject to review by the Town Attorney with Lacey Thaler Reilly Wilson Architecture & Preservation, LLP, for no more than \$3600 for architectural services in connection with the structural and professional design of the foundation and barn preparation work.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

RESOLUTION 2016-076

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorize the Supervisor to enter into an agreement subject to review by the Town Attorney with National Grid for no more than \$28,000 in order to prepare and complete the utility improvements necessary to facilitate the move of the Hilton Barn.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

Attorney Naughton stated that at the Special Meeting on Thursday, February 4, a contract was drafted with Wolfe House & Building Movers for the barn move. It incorporated the terms for request for proposal, the contractor's proposal itself, the proposed contract form, and the clarifications and answers we received. Because those documents were not entirely consistent, we needed to distill them into one contract. A contract was prepared in anticipation of Wolfe signing off on our form of contract. The Board approved it and authorized minor revisions that were not material to the terms of the contract. The contract sum is for a total lump sum of \$121,600. There is an additional charge for

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remobilization of \$12,400. There are some loss-of-use monthly rental charges that accrue after 45 days if the Town continues to have the barn sit on Wolfe's cribbing. The most important change is that the contractor's proposal had the payment of \$121,600 broken down into three payments of approximately \$40,000 each. The first \$40,000 under their proposal would be due when they arrived at the site with their equipment. The second \$40,000 would be due when they had their equipment installed in the barn and they were ready to move it across the road. The final \$41,000 payment would be made when the barn was placed across the road and set up on cribbing. An effort was made to negotiate so that an up-front payment of \$40,000 would be made, and then the balance would be paid when the barn was across the road. This would have provided incentive for the contractor to make sure that the barn made it across the road in one piece. The contractor was unwilling to make all the changes we wanted. The only real material changes that have been made now are that the sequence and timing of payments will now be that the contractor will be paid \$30,000 when they show up on site with their men and equipment. \$50,000 will be due when they are ready to move the barn across the road; they will send us a notice to that effect. The move across the street will take one day, so the actual timing of payment will not change much. The last \$41,600 is payable when and if the barn makes it across the road and is put up on the cribbing. They did agree that the final \$41,600 would not be due if the barn did not make it across the road. Our insurance broker has stated that if the barn were to collapse and we had already paid \$80,000 to Wolfe, there would be insurance mechanisms for us to get money back. We will be protected as well as we can be. If the foundation is in place before the barn is moved and it can then be placed on the foundation at the time of the move, we will avoid paying the \$12,400 remobilization fee. If we find that the foundation is not ready, we have a 7-day window in which we can get a reduced remobilization charge. That would be approximately \$6000 plus \$500 per day for additional days. We have good insurance policies in place, as well.

RESOLUTION 2016-077

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorize the Supervisor to enter into an agreement with Wolfe House Movers, LLC, for no more than \$121,600 for the relocation of the Hilton Barn with additional sums for the remobilization of the barn when appropriate.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

Attorney Naughton stated that the contract provides for a completion date of March 15, 2016. The contractor has agreed to meet that deadline if we give him a notice to proceed on or before February 12. The contract provides that if we do send that notice out now, the absolute latest date the barn would be at the new location on cribs would be March 30, 2016. If we are ready with some of the site work, we can send that notice out now. It will take the contractor a couple of weeks at least to set up. Councilperson Greenberg asked if there was any flexibility in the date of March 15 and could we back it up to March 21 if necessary. Attorney Naughton replied that there is some flexibility as long as we give them the notice to proceed.

Doug Miller stated that on March 24 there is going to be a full-scale training exercise being done at the Voorheesville High School. This will cause roads to be shut down. It will tie up all emergency services in the Town. NYS Department of Homeland Security is going to be involved. The State Police will be involved. If there is a catastrophic event and there is a failure in the delivery of the barn across the road, this will need to be taken into consideration. Both events cannot happen at the same time. Councilperson Hennessy suggested that the entire week of March 20 be avoided for the move altogether.

Mr. Miller also discussed the needs the day of the move including road closures, signage, traffic, etc. Mr. Miller would like to meet with Highway Superintendent Guyer and the mover to discuss what will be needed. Attorney Naughton stated that he would put Mr. Miller in touch with two gentlemen from the Wolfe Company so that they can all meet at the site of the barn. The Town is responsible for traffic control. NYS DOT has told us what they expect; there are permit requirements.

Councilperson Greenberg stated that an appraisal of the barn should be done for insurance purposes. Attorney Naughton stated that our insurance agent, Dennis Northrup, also suggested that we do this. The insurance policy will not be a replacement policy but will be for the value of a structure similar to the barn. If something happens during the move, the Town would have funds to

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be able to do something on that site.

RESOLUTION 2016-078

Councilperson Greenberg offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorize the Supervisor to enter into an agreement with an appraiser for a sum not to exceed \$2000 to get an appraisal of the barn for insurance purposes related to the move and authorize the Supervisor to sign said agreement.

Seconded by Councilperson Hennessy. All present and voting, the motion carried (4 Ayes).

RESOLUTION 2016-079

Councilperson Greenberg offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland authorize the Supervisor to enter into an agreement with an appraiser to get an appraisal for the barn for insurance purposes related to the move for a sum not to exceed \$2000 and authorize the Supervisor to sign said agreement.

Seconded by Councilperson Hennessy. All present and voting, the motion carried (4 Ayes).

Councilperson Snyder wanted to bring to everyone's attention that the Voorheesville Community and School Foundation will accept donations on behalf of the barn move and administer the funds for the Town. She wanted everyone to be aware and to spread the word throughout the community. The VCSF is a non-profit organization who has done this for other groups in the past. Checks should be sent to them made out to VCSF with Hilton Barn written in the memo line on the check.

May is Senior Citizens Month and Councilperson Snyder has sent information to Susan Kidder, Senior Outreach Coordinator. Albany County is accepting nominations for a Senior Citizen award. Nominations are due by next week.

The Voorheesville School Board is having a public hearing on February 22, 2016, at the Performing Arts Center at 6:30 on the Veterans Exemption issue with a Budget Workshop following.

Departmental Monthly Reports

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

Pay the Bills

RESOLUTION 2016-080

Supervisor LaGrange offered the following resolution and moved its adoption:

Resolved that the Town Board of the Town of New Scotland approves paying the following:

Pay the Bills		
Abstract #	Vouchers	Amount
	20160146-20160246	\$239,632.91
Prepays or Three signatures		
	Vouchers	Amount
1214	20160127	\$239.81
1215	20160128-20160133	\$16,339.34
1216	20160134-20160135	\$501.32
1217	20160136	\$538.25
1218	20160137-20160139	\$23,354.78
1219	20160140-20160143	\$71,243.32
1220	20160144	\$1028.68

**TOWN OF NEW SCOTLAND
REGULAR TOWN BOARD MEETING
FEBRUARY 10, 2016 7:00 PM**

1221	20160145	\$1342.27
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Councilperson Greenberg seconded the motion. All present and voting, the motion carried (4 Ayes).

Invitation to the Public to Discuss Non-Agenda Items

Edith Abrams wished to reiterate that a lot of the public would like to be able to see the barn move. She wondered if any consideration had been given to a safe area where people could gather to watch it. She also asked about the 2% cap. The Legislature has been discussing whether to raise it or keep it the same. She wondered how that 2% cap has been working with the Town of New Scotland budget. Supervisor LaGrange replied that it is not always 2%. There are some calculations that go into it, and the State tells us what the actual percentage is. It has been below 1% a couple of times recently. The Town of New Scotland has done an excellent job of actually reducing taxes at times. We have a lot of unfunded mandates and issues that come up. For example, we had to use a portion of the New Salem Water Project against the cap last year. Over the years, the Board has done an excellent job of staying under the cap before there was a cap. Other municipalities and school districts have struggled and have exceeded the cap at times; the Town of New Scotland has not, but that does not mean that we will not have to at some point. We have had the luxury of having sound fund balances in our accounts, but at the same time we don't want to continually use from them to try to get under the cap. You need the flexibility to do what we need to do as a Town to provide the services and address those unfunded mandates. It is hoped that there will be some relief given to municipalities like ours who have historically done a good job of staying under the cap and not be penalized for doing a good job. We rely heavily on the Albany County sales tax and mortgage tax-revenue sharing to the municipalities, so when we have a downswing in the economy we budget conservatively for both, and we have been able to exceed each by a little bit. Other Board members spoke about how difficult it is to keep the budget below the cap yet still provide services and fund large projects as well as giving raises to Town employees. While Town officials have been in contact with our legislators, it was also advised that citizens call their elected representatives, as well.

Cheryl Domanico, 2552 New Scotland Road asked if the Town is doing anything to combat ticks. Supervisor LaGrange responded that he has looked at other communities and what they are doing. This is actually the domain of the State and County insofar as this is a health-related issue. We will continue to look into options we might have, but it is mostly educational, getting the word out to people to avoid tick-borne diseases. There are restrictions about spraying because of storm water management requirements. Only certain types of pesticides and insecticides can be sprayed now. Highway Superintendent Guyer stated that no spraying is done in the parks other than Roundup for weeds here and there. This is all we are allowed to do without a pesticide license or an applicator's license. Councilperson Hennessy stated that the Town of Bethlehem has started something because of their extreme deer population. They actually have a Deer and Tick Committee which has made recommendations to the Town Council. We will check with them to see what they are doing or plan to do in the future. The Albany County Department of Health also has some tips and hints on their website regarding things to be aware of with respect to ticks.

RESOLUTION 2016-081

Councilperson Hennessy made a motion to adjourn at 9:05 PM, seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

Respectfully submitted,

Patricia A. Barber
Deputy Town Clerk

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