

**Town of New Scotland
Special Board Meeting
March 1, 2016**

The following Town Officials were in attendance:

Supervisor:	Douglas LaGrange
Councilperson:	Patricia Snyder William Hennessy Adam Greenberg Laura Ten Eyck
Town Clerk:	Diane Deschenes

1. Call to Order

Supervisor LaGrange called the meeting to order at 6:35 PM to address remediation of asbestos in the Hilton Barn which has to be removed before moving the barn. Councilperson Hennessy obtained quotes from three vendors. We also have a quote from Ambient Environmental, Inc., who deals with monitoring the air.

Councilperson Hennessy advised that under NYS law if we are doing any renovation work, removal work, or demolition work we need to do an asbestos survey. If there are asbestos materials, they have to be remediated as appropriate. There is an office in the northwest corner of the barn. The barn is 7200 sq. ft., and the office is roughly 250 sq. ft. The office has tile flooring underneath the linoleum floor. That tile and the tile mastic have asbestos, and you have to abate it. We have filed a notification with the Department of Labor in order to do this. Time is of the essence for this project. We've secured three quotes in accordance with the procedure law. T.J. Bell Environmental Inc., was the low bidder. The base bid was \$5,990. If we need to work on the weekend, prevailing wages kick that price up to \$8,230. The next bid was \$8,700 and, the third was approximately \$10,000. Those quotes are based on working on the weekend, which we may do this weekend. We have an emergency variance from the Department of Labor. We have that just in case we need it. Councilperson Greenberg advised that you need a separate air quality test. Councilperson Hennessy advised that under NYS Law a third party has to do the air monitoring. Ambient Environmental has helped us put this together, and they gave us a proposal. Councilperson Hennessy reviewed the bids in more detail with the Board. The plywood subflooring under the tile will be removed along with the linoleum above it. Councilperson LaGrange asked Councilperson Hennessy to explain the difference between the types of asbestos. Councilperson Hennessy said that the floor tile and mastic are considered non-friable which means it's not readily airborne. In this case it will be removed in its entirety. Friable is if you have the crumbling type of insulation. Since the plywood under it will be taken out, there won't be any fibers airborne regardless of that. No fibers can be released. This is a totally enclosed space. In order to make sure that everything works great they actually have air monitoring. They have specified equipment that has a slight vacuum pump. It's able to detect anything, and they take a swap to a lab where they can detect any fibers. Councilperson Snyder said she could verify that because they went through that in her office building. Councilperson Hennessy added that it takes longer than 2 or 3 days. Councilperson Snyder agreed. Councilperson Hennessy noted that this is a necessary component to maintain the health and safety of workers and the public. It is a difficulty but a viable difficulty.

RESOLUTION 2016-082

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve the proposal from T.J. Bell Environmental, Inc., of Averill Park, New York, for a price not to exceed \$8,230 in accordance with the proposal submitted dated March 1, 2016, to remove accessible asbestos-containing floor material in the Hilton Barn. Prevailing wages will be paid, and there are considerations in the contract for weekend work if necessary.

Seconded by Councilperson Greenberg.

Sharon Boehlke

Mrs. Boehlke asked how this will be paid for. Supervisor LaGrange said it would be paid through the grant. Mrs. Boehlke then asked the total of both quotes. Councilperson Greenberg said it was around \$10,000. Councilperson Hennessy said this uses up some of

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the savings that Councilperson Greenberg provided. He helped negotiate and address the National Grid utility contract which was originally budgeted for \$27,000. He helped them review it, understand it, and got it down to \$14,000.

Councilperson Hennessy added that he doesn't think it's out of the question for us to contact the former owners and talk to them. If they had to move the barn or dismantle it, then they would have had to deal with it. Maybe we could secure a donation from them.

RESOLUTION 2016-082 Vote

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

2. New Town Board Member

Supervisor LaGrange welcomed Councilperson Ten Eyck to her first Board meeting.

3. Proposal from Ambient Environmental, Inc.

Councilperson Hennessy said Ambient Environmental would provide the air quality monitoring on the project along with the closeout report required by the Department of Labor. They have to revise this contract which was accidentally addressed to him. Councilperson Hennessy reviewed it and made sure Attorney Naughton was okay with it. Everything seems to be within the insurance requirements of this project. Ambient is a certified woman-owned business in NYS. They have the appropriate AHERA certifications. That is the legal licensing certification for asbestos work. Councilperson Hennessy reviewed the proposal. They said \$2,050 can be expected if the contractor works three days with one set of samples. It's all based on the time it will take.

Supervisor LaGrange requested we go back later and amend the previous resolution authorizing the Supervisor to sign the contract.

RESOLUTION 2016-083

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve the Supervisor to sign the contract with Ambient Environmental, Inc., after approval from Town Attorney Naughton for an upset cost of \$2,050 in connection with project monitoring for asbestos abatement project at the Hilton barn in accordance with the proposal dated March 1, 2016.

Seconded by Councilperson Greenberg.

Councilperson Snyder said that this is for the grant we are getting. We need to meet the state's achievement rating. This would qualify. We should keep that in mind when we are vouchering for the grant. Supervisor LaGrange said he would advise Mrs. Kavanaugh who has been keeping a good chart on all of this.

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

RESOLUTION 2016-082 Amended

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve the proposal from T.J. Bell Environmental, Inc., of Averill Park, New York, for a price not to exceed \$8,230 in accordance with the proposal submitted dated March 1, 2016, to remove accessible asbestos-containing floor material in the Hilton Barn. Prevailing wages will be paid, and there are considerations in the contract for weekend work if necessary. It is further resolved that the Supervisor be authorized to execute the contract upon approval of the Town Attorney.

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

4. Proposal for Geotechnical Consultations for the Hilton Barn

Councilperson Hennessy received an email proposal from Dente Engineering that is well

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below market rate. In our efforts to save more money for the town, we're looking to see if we can construct the foundation before the move. There is still an outside chance that we can do that. We've already retained the architect to design the foundation, and preliminary plans are done. We are getting some cost estimates right now. Final plans have to be reliant on a geotechnical survey in accordance with the NYS Building Code. There is a component of the move that is in our budget already that will cost us approximately \$12,000 for remobilization by the moving company to come back and drop the barn. Progress has been magnificent thus far. We may have a chance to do that. Mr. Dente sent us a proposal for \$1,000 or less for a geotechnical recommendation and review of the test pits that the town will do. They have to visually inspect test pits or soil borings and investigate local soils and provide a report in accordance with the geotechnical guidelines and the NYS Building Code. Typically these are over \$2,000. Mr. Dente knows the area and he's done a lot of work for the town and in the town. He said he could accomplish it for less than \$1,000. Councilperson Hennessy said that the Board can postpone a decision if they want to. Supervisor LaGrange said this is below procurement for something like this, and it's professional services. We had budgeted approximately this amount, perhaps a bit more. Councilperson Greenberg added that we need it at some point. Supervisor LaGrange assumed that this folds into what the architect is going to need for designing the foundation, and we don't want to hold that up. He didn't have a problem accepting this. Councilperson Greenberg agreed, adding that the point is to show that the soil can take the weight of the barn with a certain size foundation. Supervisor LaGrange added there have been estimates on how big the foundation has to be, and this could save us money on the foundation. Councilperson Snyder and Councilperson Ten Eyck indicated that they would be willing to move forward. Councilperson Snyder asked about other work Mr. Dente has done for the town. Supervisor LaGrange and Councilperson Hennessy reviewed previous jobs he's done for us. Councilperson Hennessy added that he was also recommended by the architect. Councilperson Hennessy said other proposals would be over \$2,000-\$3,000.

RESOLUTION 2016-084

Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize the Supervisor to enter into an agreement with Dente Engineering, P.C., for no more than \$1000 for geotechnical services in connection with location of the Hilton Barn on Hilton Road in accordance with his email proposal and geotechnical general conditions of the contract as authorized after review and approval by Town Attorney Naughton.

Seconded by Councilperson Ten Eyck. All present and voting, the motion carried (5 Ayes).

Discussion of the Barn Grant

Councilperson LaGrange provided some background, stating that we applied for a \$50,000 grant through the Albany County Capital Resource Corporation which is a subsidiary of the County IDA. It was approved at a meeting they had 3-4 weeks ago. The County held a public hearing here February 17. There was a tremendous turnout with no negative comments. The chairman of the committee said it was one of the best turnouts they've had for any IDA Grant. The grant was approved, and they have issued us a check for \$50,000. We do have to sign and enter into a contract accepting that grant. Attorney Naughton will review it.

RESOLUTION 2016-085

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 Supervisor to sign an agreement with the County and the Albany County Capital Resource Corporation grant pending Attorney Naughton's review of the contract.

Seconded by Councilperson Greenberg. Councilperson Greenberg added that the contract basically says that you need to spend the funding on the barn move. Supervisor LaGrange stated that he expected to have the same type of agreement for the potential funds from Assemblywoman Fahy. We also have sent a request to Senator Amedore for \$75,000. The Senate's grant system is a little bit different, but hopefully we will see that too.

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Councilperson Snyder asked if Supervisor LaGrange had read the contact. He said he started to with Attorney Naughton but hadn't finished reading it yet. Councilperson Snyder said that there is signage and notification that needs to be done along with some public relations items too. Supervisor LaGrange said that once we get this done and the barn is in place there needs to be recognition of the efforts of a lot of people through signage: Mark King for acquisition of the land, Jennifer Hilton for her cooperation, etc.

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

Councilperson Greenberg advised that Wolfe is going to start moving their equipment Friday so we need to have some area cleared. Councilperson Hennessy said that that could happen unless there is a hold up with the asbestos. Councilperson Greenberg thought that they were bringing equipment up no matter what. If the asbestos works out, they will probably start to install on Monday. If it doesn't, it's probably delayed a week. Councilperson Snyder asked what's left to do with clearing of the land. Councilperson Greenberg said that the County has a stump grinder that they are going to allow the Town to use. The whole barn floor is out at this time. Councilperson Hennessy said that there was some delay in getting that done because there was more wood in the floor than anticipated. The asbestos may cause a little delay, as well. Councilperson Snyder asked what is being done with all of the wood from the floor. Councilperson Greenberg replied that they are saving whatever can be salvaged for possible repurposing in the renovation.

Councilperson Snyder asked if we were still on target for March 15 for the move. Councilperson Greenberg replied that we are on target for pre-April 1. Councilperson Hennessy stated that Wolfe has now said that they would need three weeks rather than two weeks of prep for the moving process. In order for them to have three weeks, we would have to be out of the barn by February 25, but that was not possible because there was so much wood in the barn to be removed and also the asbestos problem that has to be addressed. If the asbestos removal process works out, Wolfe can get in there March 7. Three weeks gets them to March 28. They also do not know if it will actually be three weeks. It is likely that the move will happen sometime the first week of April. Wolfe will know the first week they get into the barn how much time they will need, and they can set the date at that point.

5. Adjourn

Councilperson Ten Eyck made a motion to adjourn, seconded by Councilperson Hennessy. The meeting adjourned at 7:25PM.

Diane R. Deschenes, Town Clerk