

**Town of New Scotland
Special Board Meeting
March 16, 2016**

The following Town Officials were in attendance:

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

1. Call to Order

Supervisor LaGrange called the meeting to order at 6:30 PM.

Hilton Barn

Supervisor LaGrange and Commissioner Miller met at the Hilton Barn today. It's on dollies and almost set to go. Supervisor LaGrange advised that there have been at least three accidents out front during the past week. We have a tentative first move for tomorrow but we don't have any provisions for the public to view that. We focused our efforts on the tentative move date, which takes the barn across the road, and those provisions are being worked on. When we were there today Highway Superintendent Guyer put tape around the building itself to keep people from pulling in because there is a safety issue. If it is moved tomorrow we are concerned about people potentially parking on Hilton and Route 85A. Supervisor LaGrange suggested we get a hold of some no parking signs and line the first park of Hilton Road and along Route 85 A. Commissioner Miller contacted the Village who put some no parking signs on Hilton. Supervisor LaGrange asked about traffic management. Commissioner Miller said he sent a note to the State Police and the Sherriff regarding tomorrows move. It's not a publicized event but if they could put on some extra patrols it could be helpful. Town Clerk Deschenes said that State Police were in today regarding an inspection. Commissioner Miller said it could have been the scale unit. Councilperson Greenberg added that this is not necessarily moving tomorrow; it may not happen to Friday. Councilperson Greenberg said he's worried that people are just going to stop in the road, watch and not have a place to pull off. I'm not sure we don't want them along Hilton Road. Supervisor LaGrange said I don't think we want them anywhere. We haven't set up any provisions for them to be around the barn. Commissioner Miller said if they park on Hilton Road it's all blind. If you need to get an emergency vehicle through there you are not going to be able to do it. Councilperson Snyder didn't have a solution for the parking but offered a suggestion about communication. Could we have someone make a banner that says the official moving date? It should be big enough for people to see so they don't have to stop. It could also direct them to the website or Facebook page. It may cut down on some of the people pulling off. Supervisor LaGrange said in case anyone doesn't know we have a Hilton Barn page on the website now. Councilperson Snyder said we should be consistent in communicating our message.

Mrs. Abrams said if you make a sign we will put it on our tree. Mr. Abrams asked if Levie's parking lot going to be closed off. You could pull off there. Commissioner Miller said we are also going to have people that need to be there. Mr. Abrams said I thought they didn't know when they were moving the barn. Supervisor LaGrange asked are you talking about the first move or the big move. Mr. Abrams asked how many moves are there going to be. Councilperson Snyder said that's another thing. We all sort of somewhat understand it that way but the public may not which is another reason to put one big communication thing out there. Mrs. Abrams suggested a letter to the editor. Commissioner Miller said the committee was charged with taking care of it and they are putting together a letter as a press release explaining everything. Supervisor LaGrange said but we are just getting our hands around the dates. Councilperson Greenberg said he sent a letter that will appear in The Enterprise tomorrow. It says that March 29th is the tentative date and there will be a small move happening before that. It also advises to go to the website and Facebook page. Town Clerk Deschenes said she put a posting on the website this morning at the request of Supervisor LaGrange. Commissioner Miller said there is more to his letter than just the date and time. Supervisor LaGrange said that can go in next week when we firm things up.

Historian Robert Parmenter asked how he can get access to video tape.

Supervisor LaGrange said we will have it set up. We had good news and bad news today.

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We were toying with the idea of using the buses to possibly transport people from Town Hall and to the Colonie Country Club. That's not going to happen because the buses have been reserved. That might be a blessing but he'd still like to have something to accommodate some of the dignitaries. Commissioner Miller said he considers Mr. Parmenter as part of the media and we will have a media access area. Councilperson Ten Eyck said in terms of the dignitaries you might need more space because they will probably have staff. Supervisor LaGrange said maybe we can get a small bus for the day. Attorney Naughton said you might want to take to the County Club about parking. Commissioner Miller said he did. Supervisor LaGrange said we don't want people there on Friday. Mrs. Abrams said not even the news media. Supervisor LaGrange said not tomorrow. Councilperson Snyder said again I think we have to have a coordinated message. Councilperson Snyder said she's been saying tomorrow's move is not a public event. There is no official security, support or safety perimeters established. It is just going to be moving laterally. The first part of the move is to align the barn for across the street. It is tentatively set for March 29th weather permitting. Councilperson Snyder added I just want to make sure we are all saying the same thing. Highway Superintendent Guyer said that DOT heard the same thing from him today. DOT knows nothing about tomorrow. Commissioner Miller said he talked to the County Club today and told them exactly the same thing. They checked their calendar and they don't have anything on for the 29th or 30th. They are also going to put an email out to their membership advising them the best way for them to get in there on those dates. Commissioner Miller said the committee did have a meeting and summarized that in an email.

Councilperson Ten Eyck wondered about using a digital sign. Highway Superintendent Guyer said he has two signs lined up to be placed on Route 85A. They were just going to say Route 85A to close March 29th. Councilperson Ten Eyck suggested putting them up a little sooner with more information, similar to Councilperson Snyder's banner idea. Highway Superintendent Guyer said he'd have to talk to DOT. They program them. Councilperson Ten Eyck thought it might help alleviate some of the confusion and also have people exercise a little caution.

Mr. Abrams asked what portion of Route 85A will be closed. Highway Superintendent Guyer said from the circle to Falvo's. Mr. Abrams asked how he will get out. Highway Superintendent Guyer said they will let you out since you live there. Highway staff will help man the road and Commissioner Miller is attempting to get a sheriff in case there are any problems. Highway Superintendent Guyer said they will also have a barricade past the last house by the old pull off. Hilton Road will be shut off too, by Krumkill. If you are just heading through at the circle you will be directed to the detour. If you are coming down, they will let you come as far as the Country Club. Just past that there will be barricades.

Supervisor LaGrange asked if there was anything else. Commissioner Miller said we won't know until they drop the lines how far down we have to close the roads. No one is going to be able to go through Hilton Road all day because of the lines. Supervisor LaGrange said hopefully that will be after morning rush hour.

Councilperson Snyder asked if the Sherriff had access to a transportation vehicle. Commissioner Miller replied, prisoner transportation. Town Clerk Deschenes suggested checking with the Fire Department. Commissioner Miller added that New Salem has a bus. He's going to a meeting with them so he'll ask.

Supervisor LaGrange offered to talk to Corner Gateway about a sign. Everyone agreed it should be big and simple.

Mr. Abrams asked if Dylan Longton would video it. Supervisor LaGrange said he's already involved.

2. **Authorize Supervisor to execute Project Benefits Agreement between the Albany County capital Resource Corporation and the Town of New Scotland regarding a \$50,000.00 grant for the Hilton Barn Relocation Capital Project**

Supervisor LaGrange said we had a contract that was adapted for this and Attorney Naughton did a lot of work changing it around to accommodate what we we're doing. Attorney Naughton said the main thing is there was a discussion of a lease with the County in the prior

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draft. They were accommodating when we raised the issues that there are lots of different concepts being discussed. Some of the other provisions have been changed so that we have more flexibility. It's more tailored to what's actually happening. Attorney Naughton is satisfied with the changes that they made. All the things he requested were made. He recommended at this point that the Board approve it and authorize the Supervisor to sign it.

RESOLUTION 2016-110

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby execute the Projects Benefit Agreement between Albany County Capital Resource Corporation and the Town of New Scotland regarding a \$50,000 grant for the Hilton Barn Relocation Capital Project and authorize the Supervisor to sign it.

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

3. Resolution adopting Revised Addendum to License Agreement (for Access and Barn Storage) between George Kain and Jennifer Hilton and the Town

Attorney Naughton said the current license agreement allows us access to the property prior to closing. The closing for the 1.1 acres occurred today. Now we own where the barn will end up. There is going to be a temporary area where we are considering storing the barn until the foundation is designed, poured and cured. Because the current license will expire March 30th Attorney Naughton thought we should ask the owners of the neighboring property, which are the heirs of Hilton, for a brief extension of the license to allow the barn to stay there until we are done. Exhibit A is attached to the addendum, which shows the temporary location. We haven't talked to their lawyer but Attorney Naughton suggested pre-approving it and then he will send it on. We will need a short resolution approving the addendum and authorizing the Supervisor to sign it.

RESOLUTION 2016-

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby adopt the revised addendum to the license agreement between George Kain and Jennifer Hilton and the Town and authorizes the Supervisor to sign it.

Councilperson Greenberg seconded the motion.

Councilperson Greenberg asked how long it was extended to. Supervisor LaGrange said May 15th. Councilperson Greenberg thought we might need more time. If we're negotiating we might want to set a longer date. Attorney Naughton suggested June 30th and if Mr. Kain wants less time that would be fine. Councilperson Greenberg said if he won't do it that's fine; we have other possibilities.

Attorney Naughton suggested withdrawing the resolution. Supervisor LaGrange withdrew his motion.

RESOLUTION 2016-111

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby adopt the revised addendum to the license agreement between George Kain and Jennifer Hilton and the Town with the following amendment:

1. Paragraph 2, entitled "Term," is amended to provide that the term of the License shall continue until June 30, 2016.

It is further resolved that the Supervisor be authorized to sign the agreement.

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

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4. Discussion of geotechnical study and foundation work for the Hilton Barn relocation Capital Project

Councilperson Hennessy said we authorized this a month ago. Councilperson Greenberg said he may have suggested it be on the agenda so everyone knows that an archeological study and the geotechnical study are probably going to happen in the next couple of days or week. They have to happen for us to move forward on the foundation. We can't get final plans on the foundation until we have our answers back about these studies.

Supervisor LaGrange asked if Attorney Naughton had the contract. Attorney Naughton said that whatever is that they sent is the one we will sign. Councilperson Hennessy said that's Hartgen; Dente is the geotechnical. Hartgen is the archeological, and we haven't gotten to that one yet. Councilperson Hennessy added that he sent his draft, which is his standard conditions and his rates. It is just an email, not a letter. We can attach our typical insurance. Attorney Naughton said he was fine with that. Supervisor LaGrange asked that someone get that to him tomorrow. We are good on that part.

5. Discussion/Action re: Not-to-Exceed proposals for Hilton Barn Project:

- Threatened & endangered species screening
- Preparation of site plan

Councilperson Hennessy said that this was the reason we had to come here tonight. Since our progress is further along than we originally anticipated when we took this upon ourselves at Christmastime 2015, these elements were what we were planning on doing for site development. We are actually accomplishing some of that when we are doing the foundation work and setting the barn in its permanent location. We are going to begin that work in a couple of days. First off will be the threatened and endangered species screening that we had two quotes on, one from Barton & Loguidice for \$750 and one for \$800 from North Country Ecological Services, Inc. Since Barton & Loguidice are our town engineers and they've offered to do this expeditiously, Councilperson Hennessy recommended that we retain them for that, and he would like to put that together with the next item because it's the same agreement, and that is the site plan.

We need a final site plan to present to the Planning Board for information and for final layout and design of the site. Everything up until now has been conceptual to get us through the County and through some of our initial planning. Barton & Loguidice proposed \$3,850 to do that work.

The total of these two things together is \$4,600. Councilperson Hennessy proposed putting them together in one contract resolution. Attorney Naughton agreed, saying that this is a task order under the master service agreement, so this is appropriate to do.

RESOLUTION 2016-112

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 Barton & Loguidice under our master service agreement for a sum not to exceed \$4,600 for A) a threatened and endangered species screening and B) preparation of the final site plan for the Hilton Barn location on Hilton Road.

Councilperson Greenberg seconded the motion.

Supervisor LaGrange asked if this would carry us through any and all designs to accommodate the Planning Board and anything else we have to do. Councilperson Hennessy replied that it would, and the extent of our Planning Board review does not necessarily have to go through a significant public hearing process. The Planning Board has certain jurisdictions on the extent we have to do this since we are a municipality. This would include stormwater, final site layout, and topography. The most important thing is topography so that the grading and the site work. It will not include final work along the Rail Trail. A great element of their design includes an exterior amphitheater type of setting along the corner of Hilton Road and the Rail Trail, wrapping around along the Rail Trail because the slope of the Rail Trail accommodates this. That type of thing, however, is further down the road for future barn and site development.

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Councilperson Hennessy has been working with Ted Kolankowski of Barton & Loguidice on planning the site, making sure that everything would fit. They talked about different barn orientations and felt that the longer dimension of the barn facing south for future solar power generation capabilities was best. That would be the long side of the barn being parallel to the Rail Trail. Supervisor LaGrange asked how far the barn was going to be from the Rail Trail, and Councilperson Hennessy replied that it was about 100 feet.

Councilperson Snyder asked if Barton & Loguidice is working with Stephen Reilly. Councilperson Hennessy replied that they are, but everyone has met together and is working together. Stephen Reilly is working solely on the barn, but everyone has to work together on the establishment of the wall height so that we know the grade coming off the wall height of the foundation. Stephen Reilly's focus is the foundation and any work on the barn that goes with it.

Bob Parmenter asked what kind of foundation is planned. Councilperson Greenberg replied that it will be a poured foundation with a 4-foot frost wall on the exterior and supports under each column on the interior. We are just trying to get something constructed to set the barn down and have a certain amount of time to work on everything else at that point. Councilperson Hennessy added that it will not be a terribly easy project because there are so many interior columns to set. Because of the nature and construction of the columns, certain precision work has to be accomplished in order to set them properly when we do the ultimate placement.

All present, the motion carried (5 Ayes).

- **Phase I archaeological investigation**

Councilperson Hennessy stated that the phase I archaeological investigation has to occur since we are going to go forward with foundation work. We received three if not four prices. The low bidder was Hartgen Archeological Associates at \$3,400. Phase IA- and IB-type studies are required for State Historic Preservation Office work. The second bidder was Sparta at \$4,995. A third bidder was Ed Curtin Archaeological Consulting at \$5,380. Councilperson Hennessy is recommending Hartgen Archeological Associates because they are one of the preeminent archaeological companies in the capital district regardless of the excellent pricing and proposal they gave us. They can work expeditiously on this project.

RESOLUTION 2016-113

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 Hartgen Archeological Associates, Inc., for a sum not to exceed \$3,400 in accordance with their March 14, 2016, proposed agreement.

Councilperson Greenberg seconded the motion.

Councilperson Snyder asked if this has to be done by a certain date. Councilperson Hennessy replied that it is required to be done prior to the foundation.

All present, the motion carried (5 Ayes).

Councilperson Hennessy stated that our surveyor, Jason Peterson, has to locate the foundation corners and an elevation for our footing pad for excavation purposes. We have a prior agreement with him for this work. Councilperson Hennessy would like to propose an addendum for a not-to-exceed amount. Attorney Naughton asked if we might want to have him come back and survey the final location of the building. Councilperson Hennessy stated that it is not necessary but may be useful for future purposes. Attorney Naughton stated that it is possible that the concrete contractors may want to have him come out to get the corners right. He thinks that it would be advisable to get authorization for up to \$1,000 for additional surveying services from Mr. Peterson. That way we won't have to come back several times to go over this because we will most likely want to have him out there again.

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RESOLUTION 2016-114

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 Jason Peterson to amend his existing contract with the Town for surveying services for an amount not to exceed \$1,000 to provide foundation location work, topographic location work, and related survey work for the proposed site of the Hilton Barn on Hilton Road.

Councilperson Greenberg seconded the motion.

Edie Abrams asked if this was just for the proposed site. She didn't understand what "as built" means. Attorney Naughton responded that "as built" is something on a plan saying that something is where it is supposed to be. Many banks and even the Town will require that something be filed as to where it actually ends up. Once the concrete is poured and the structure is on it, there will be a plan that shows the exact location of the structure on the site according to a surveyor.

All present, the motion carried (5 Ayes).

Councilperson Hennessy stated that from the professional architectural and engineering standpoint this is hopefully all we will need for this stage of the process. Councilperson Greenberg suggested sending out an RFP on sill plate reconstruction because if we are going to set the barn down on a foundation, we might want to start getting some prices and line up a contractor if we are going to have it happen within a 45-day period we are talking about, ending May 15. Councilperson Snyder asked if the sill plates had to go in first. Supervisor LaGrange said yes.

RESOLUTION 2016-115

Councilperson Greenberg offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize Stephen Reilly to prepare an RFP for us to send out as discussed for the reconstruction of the sill plate of the barn.

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

Attorney Naughton asked if the Board wanted to start formulating an RFP also for the concrete bid or the foundation. Councilperson Hennessy said that's a one page item because he has a design plan that will cover everything. Attorney Naughton said so we're not ready to send an RFP. Councilperson Hennessy said we can work on it. Councilperson Greenberg felt we should do it because we want the prices on that before April. Councilperson Hennessy said we just changed the wall height. Councilperson Greenberg said it could change between today and when we send it out but we'll know before our April meeting what it's going to be, so we should be ready to do it. Supervisor LaGrange said so we can still authorize forming the RFP and getting the parameters. Attorney Naughton recommended the same parameters.

RESOLUTION 2016-

Councilperson Greenberg offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize sending out an RFP pricing on the foundation and footing materials.

Attorney Naughton said you will have the discretion as to whether you want to break it out. Many contractors just do footings and some do foundation walls. You can work that out with the architect. Supervisor LaGrange said this will be for the foundation, not just the materials. Councilperson Greenberg said this RFP is for the materials. We might want a separate one for doing it. When we send it out we want labor and materials separately. Councilperson Hennessy agreed. We were going to get prices both ways. The capability of getting the

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materials separately from the installation may be advantageous to our budget. Councilperson Greenberg added that there are people in our town that deal in some of the materials and we think maybe if we're lucky somebody will give us a better price. Attorney Naughton felt the resolution was unfinished and suggest withdrawing it and starting over.

Councilperson Greenberg withdrew his resolution.

RESOLUTION 2016-116

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize Councilperson Greenberg and Councilperson Hennessy to develop, with an architect, an RFP for footings and foundations with their discretion on how to break it out between materials and maybe seek alternative pricing for the barn location; and

It is further resolved that we would do that with a notice in the RFP that it will be based on best value.

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

Hilton Barn Committee

Councilperson Snyder advised that there is not a formal Hilton Barn committee but she has had a lot of interested people. She envisioned a gathering of a group of people once the barn is situated. She's envisioning a committee of 10-12 by the time she figures in a representative from the Town Board, Village of Voorheesville, the community, Rail Trail, Historical Society, Mohawk Land Conservancy, and Albany County. They may not all show up but she felt they all deserve representation. Councilperson Snyder has a lot of ideas on it and a lot of interest from people. She has laid out a schematic but she didn't think we should take an action until we get the barn. Supervisor LaGrange said he brought it up because he thought the resolution said 60 days and he didn't want it to be forgotten. At that 60 day point we can set a committee; we just don't know all the members yet. Councilperson Snyder said she is just acting as the facilitator but once we convene we can nominate a chairperson, secretary, etc. Supervisor LaGrange said at least twice a week someone tells him they would like to participate. Councilperson Snyder said she's been getting emails and she's responding to them. Supervisor LaGrange said we might get 20-30 names. Councilperson Snyder added that they don't necessarily need to be on the committee but they are welcome to join us.

Hilton Barn Donations

Councilperson Snyder said she's knows that the Voorheesville Community and School Foundation are accepting donations. They also have another financial commitment to Voorheesville for their pavilion. That can be a little be awkward but we asked them to accept donations on our behalf. Councilperson Snyder said she was asked if we want to have a separate account set up because sometimes they get donations from a pay pal account and they don't know what the sender had intended for that donation. What they are doing for the Voorheesville pavilion is setting up a designated account. There is probably a small fee involved. Someone can go on line, make a contribution and it goes to that account. They would like to know if we want something similar. This way they don't have to go back and asked the individual their intention. Supervisor LaGrange said they didn't seem concerned at the time. Councilperson Snyder said but now they have other things going on and they'd like a way to separate it. Supervisor LaGrange didn't think we need a resolution as long as we keep it no more than \$100 fee. Councilperson Snyder suggested up to \$300. Supervisor LaGrange said if it's more than that let us know.

The second part of that question is how we want to acknowledge these donors. Supervisor LaGrange said the foundation was going to keep track of the names and eventually we will acknowledge them but we have to get to that point. We could send them a commemorative Hilton Barn postcard.

6. Adjourn

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Councilperson Hennessy made a motion to adjourn and seconded by Councilperson Greenberg. The meeting adjourned at 7:40 PM.

Diane R. Deschenes, Town Clerk