

Town of New Scotland
Regular Town Board Meeting
May 11, 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:	Bruce Secor
Town Attorney:	Michael Naughton
Town Clerk:	Diane Deschenes

1. Call to Order

Supervisor LaGrange called the meeting to order at 7:45PM.

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. Approval of the Minutes of the Following:

- **April 13, 2016** **Public Hearing**
- **April 13, 2016** **Regular Town Board Meeting**
- **April 21, 2016** **Special Town Board Meeting**

Supervisor LaGrange said that he hadn't had a chance to review the minutes of April 13 so he would have to abstain. Councilperson Snyder said that she had a similar situation. The Board agreed to postpone approving those.

Resolution 2016-140

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does hereby approve the minutes as presented by the Clerk for April 21, 2016.

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

Announcements:

- **Memorial Day Parade kicks off at 10AM on May 28, 2016**
- **Household Hazardous Waste Day is May 14, 2016 8AM – 12PM**

5. Presentation by Mr. Steve Reilly re: Firewood Bank

Mr. Reilly was unable to make it this evening so we'll add this to the next agenda.

6. Presentation by Mr. Glath re: plans for land & hardscape, front of Town Hall

Mr. Glath was approached by Mr. LaChappelle last summer about changing the front of Town Hall. He gave Mr. Glath specific things that he wanted done like eliminating the parking out front. In doing that, Mr. Glath made the sidewalk narrower and put in a mixture of deciduous trees. He put in a couple of small berms out front to try to get a sense of separation, but he kept the existing things like the marker, trees, and flag pole. The handicapped parking would be relocated over on the side. Mr. Glath said that when he did this he had a drawing of the building but not the actual survey so the distance can be off on this but it should be fairly close. He put some color plants to accentuate the main entrance such as a Japanese maple with American Shadblow at the corners of the building. They have an early white flower. Mr. LaChappelle talked about putting some large boulders in some of the areas. There would be planting beds, and they would have 2-3 inches of mulch. You could put perennial plants in there if you chose. Most of the plant material would be fairly small so it shouldn't be expensive, and they grow fairly fast. In the planting beds, you could put some ornamental grasses, but you could put other things, too as there is enough room in these beds. Mr. Glath reviewed a list of plants which was on the drawing. The berms that are shown were only a₁

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couple of feet tall so they would not be monstrous, but they would give a sense of separation between there and the road. Mr. Glath thought it was a good idea to get the parking out of the front. Supervisor LaGrange said that there were a couple of issues. One was general security. There was discussion of having decorative rock. Mr. Glath said that he showed some rock in various locations. He added that Mr. LaChappelle did the planting at the Community Center. Mr. Glath said that he actually prepared this last fall. Supervisor LaGrange said that one of the bigger issues is that the parking lot is getting in such disrepair. In the front it's really had to plow and not push things out of the way like the handicapped signs. It's just not a productive place in general. Supervisor LaGrange said that he thought we should take care of our property and offer some security along with a better opportunity for parking. Mr. Glath noted that the walk comes off of the existing asphalt now. He didn't change anything with the entrance as far as the existing concrete. There would be the same basic entrance. Supervisor LaGrange said that that's all pretty solid and in good shape. Mr. Glath said that one thing he mentioned to Mr. LaChappelle is that these berms aren't very large, but they have a positive pitch away from the building so we don't get any ponding. The only thing that Mr. Glath knew of that was there was an existing water line. There may be other lines, but because he didn't have a survey he didn't know what was there. Mr. Glath was sure Mr. LaChappelle would research that before we dug any of this up. We also talked about taking a lot of the old material out and coming in with about 4 inches of topsoil and then 2-3 inches of mulch on top of that. Supervisor LaGrange asked if there was any thought given to the mailbox. Mr. Glath said that the existing one is on the corner. We could work the planting around it, but he really didn't look into it. Supervisor LaGrange said that we would have to check with the post office. Mr. Glath said that he thought we would have to keep our handicapped parking as close as possible to the main entrance.

Town Clerk Deschenes commented that the large blue mailbox is used a lot by the residents, and she would be cautious about that. Residents drive up and drop their mail in. The Postman uses it too, and she didn't know what his requirements were. Supervisor LaGrange said that we would need to talk with the Post Office. That's our issue, and we will look into it.

Highway Superintendent Guyer stated that we spoke a few years ago about this. He thought it was a good idea getting the blacktop out of the front. The curb appeal of the building is blah. It's a weird parking arrangement. When you put a few cars in there, it's like an accident waiting to happen. Highway Superintendent Guyer thought it would be great not to have to go in there and snowplow. He then requested that we don't end up with any 90-degree corners. We want everything swiping. Mr. Glath said that there were radiuses on all of this.

Mr. Glath said that there is a lot of electrical on the front of the building. He was trying to hide some of that with the planting material. What initial is going in won't hide it, but as it gets bigger it should help. Mr. Glath also tried to keep away from the windows. Again Mr. LaChappelle talked about doing this himself. Mr. Glath said that he would be available if needed to help.

Highway Superintendent Guyer said that out front we have the flag pole, the historical marker, and the tree. Is there some way to incorporate the three of those in some sort of island? Once again, if we can put all three in an island then the can be driven mower around it, and we're done. Now, we have to circle three sections. Mr. Glath said it looks like someone drew something in with pen. You could do that. Again the green just indicates grass, and the brown is the mulch. Mr. Glath said that you could easily do an area around those.

Councilperson Hennessy said that over the years there have been some comments about the single-door entry. In the winter it gets brutal because we don't have a vestibule. This would probably be a good time to look at some options for a vestibule on the inside or outside. Councilperson Hennessy said that he talked to an architect who has helped the Town before, and he was going to look at it for us as an option. Building Inspector Cramer, Code Enforcement Officer Pine, or Mr. Glath could work some option up. This might be a good time to do that. Mr. Glath said that you have a roof area now. He didn't know if you could enclose that. It ramps up to it. Councilperson Hennessy added that Supervisor LaGrange pointed out that we have some pretty historic window treatment from the schoolhouse. Mr. Pine said that he would have to do some measurements to make sure the handicapped accessibility would be okay.

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Councilperson Hennessy had one more suggestion. He would like to see, if we have appropriate visibility, to have some type of signage out front or a billboard. This is a good time to consider it. Highway Superintendent Guyer noted that we moved the historical sign back to where it sits now due to a sight issue.

Saul Abrams asked if there was an estimated annual maintenance budget for taking care of this. While those plants are decorative, some require annual maintenance. Supervisor LaGrange said that we do have our summer grounds crew, and it would be factored in.

Sharon Boehlke thanked the Town Clerk for bringing up the post office box. It may seem like a small item, but she thought that it was the only official post office box from here to Slingerlands. The one that was at the Trustco bank has been moved. Mrs. Boehlke said that she would like to see it have easier access. Supervisor LaGrange said that we did look into that, and we need to keep it. We just need to find a convenient spot. Mrs. Boehlke asked if there were any thoughts about closing the back of the building as access. Supervisor LaGrange said that we have a Work Place Violence Committee to deal with security. They recommended cameras. The other component to that was to focus the parking for the employees in the back of the building along with an employee entrance only. Everyone coming from the public would come in the front entrance. We've already done some things. Now we need to start to focus on that. Mrs. Boehlke asked about election days. Would these doors still be used? Most people come in the back door. Mrs. Boehlke also wanted to make the Board aware that a disability advocate was going around on election day. They were pleased with our whole set up. The only thing they said was there was not a sign high enough that indicated where the handicapped entrance was. We might want to think about that.

7. Discussion/Action re: Proposed Local Law B of 2016, amending zoning law by adding definition: "Agricultural Supply Facility"

This will be postponed until we hear back from our Planning and Zoning Boards along with the Albany County Planning Board.

8. Discussion/Action re: Proposed Local Law C of 2016, amending sections of Chapter 190 of the zoning law

This will be postponed until we hear back from our Planning and Zoning Boards along with the Albany County Planning Board.

9. Resolution establishing and funding Capital Project H-06 for various improvements to Town facilities

Supervisor LaGrange said that this Board has approved \$22,000 worth of expenditures this year on various projects. Three were lighting changes to the outside in the two town parks and the highway garage. We also approved the cameras and monitoring equipment at Town Hall and also a new telephone system. That again added up to about \$22,000. In conversation with Lisa Boehlke and Mr. Purinton, we would think it would be a good opportunity to combine these into a BAN. We would also include a couple of other needed projects, one being the Community Center and possible work out front and then paving the Town Hall parking lot. We crafted that onto the high side with a \$77,500 BAN. This would take our \$22,000 that we've already committed to expend this year and be able to put it into that. Supervisor LaGrange said that these are all projects that need to be done. As we go about doing that, we either choose to do one a year or we could do them all and get it done. By not expending the \$22,000 this year, it would take care of the issue of our medical services vehicle, the Nissan Rogue. The lease is about to expire on that. It is only three years old and it has just a little over 12,000 miles. More importantly, everybody likes it. Supervisor LaGrange said that he personally doesn't see a reason to get rid of a 12,000-mileage vehicle that we could purchase outright for a little over \$13,000. That would be a total investment in the vehicle of about \$25,000. These primarily start at \$26,000. His point is that first we have to set up this Capital Project Fund if the Board feels it's the right way to go with these improvements. We've already undertaken some of them. We could then free up the \$22,000 in a sense that we've already spent it this year to go towards purchasing the Nissan. Having said that, the resolution would establish a capital fund to take care of these. After that the next agenda item would be a resolution to go out to BAN for this. Councilperson Hennessy thought it made it easier to get things done now. It made sense to him, especially since the

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revenue is essentially realized in the mortgage tax. Supervisor LaGrange said that the other thing that is kind of interesting is the payout for the lighting. That was a three-year payout, too. Supervisor LaGrange said that it was his feeling to get these projects done and get ahead of the curve. We have to do something at the Community Center too. We've had to close off the front entrance because of the shape it's in. It's really important that we get something done up there. Supervisor LaGrange said that in his opinion these are not luxuries. There is not wasted money. These are all general upkeep things that we should do. Councilperson Snyder said that these will have long-term benefits, and this is a long-term obligation. She added that she thought rates were favorable right now. With that being said, it probably makes a lot of sense. Supervisor LaGrange added that it doesn't preclude us from paying any earlier. Mrs. Lisa Boehlke said that there are some regulations about increasing our payment. She added that the first year we can choose to make an interest-only payment, and then the following year it would be \$15,500 plus interest. Supervisor LaGrange said that as the budget goes forward and we see mortgage tax and things like that come in, we could accelerate the payment. Mrs. Boehlke added that we could make a principal payment next year.

Chet Boehlke said that we are going to save money on blacktopping the way oil is going.

Supervisor LaGrange said that the other thing with paving is that we're going to have a good delineation of the employee parking and the public parking. We are also going to be looking into putting lines out there.

Saul Abrams said that, as a driver, he likes the Nissan. It's a great car, and, given the mileage and condition, it's obviously the cheapest to maintain good quality transportation at a low cost.

Supervisor LaGrange said that we entertained financing it, but it seems like we have the money, especially by doing what we're doing tonight hopefully. The \$22,000 we had already committed to these three projects, and we've already done them. That will get postponed now until next year with the BAN. We have the opportunity to use the \$14,000 towards the Nissan and have it out of the way. That was our logic.

Resolution 2016-141

Supervisor LaGrange offered the following motion and moved its adoption:

Resolution establishing and funding Capital Project H-06

Whereas, the Town of New Scotland is desirous to make improvements to the exterior of Town Hall including paving and entrance rehabilitation; front entry work at the Community Center including new steps; purchasing a new telephone system for Town Hall; purchasing a security and monitoring system at Town Hall; and exterior lighting at the Highway Garage, Feura Bush Park and Swift Road Park,

Whereas, the Town desires to establish a capital projects fund for the purpose of accounting for the project,

Now, therefore, be it resolved that the budget for the capital project (H06) A Fund Improvements is as follows:

Increase Revenues:

(H06) 5710 Serial Bond	\$77,500.00
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Increase Appropriations:

(H06) 1620.2 Operation of Plant/Town Hall	
Town Hall - Paving	\$25,000.00
Town Hall – Front Outside Entry	\$15,000.00
Town Hall – Security/cameras and monitoring	\$ 6,400.00
Town Hall – Telephone system	\$ 5,100.00

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(H06) 1622.2 Operation of Plant/Comm. Center Comm. Center – Entry and Steps	\$15,000.00
(H06) 5132.2 Garage - Lighting	\$ 3,500.00
(H06) 7110.2 Parks - Lighting	\$ 7,500.00

And be it further resolved, that General Fund – (A) be authorized to loan to the capital project sufficient cash monies for adequate cash flow at an interest rate of 0.00% per annum.

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

10. Bond Resolution authorizing the undertaking of various capital projects and the financing of same in an amount not to exceed \$77,500.

Resolution 2016-142

The following resolution was offered by Supervisor LaGrange, seconded by Councilperson Hennessy, to wit;

BOND RESOLUTION DATED MAY 11, 2016

A RESOLUTION AUTHORIZING THE UNDERTAKING OF VARIOUS CAPITAL PROJECTS AND THE ACQUISITION OF VARIOUS EQUIPMENT AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$77,500 OF THE TOWN OF NEW SCOTLAND, ALBANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

BE IT RESOLVED, by the Town Board of the Town of New Scotland, Albany County, New York (the "Town") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake various capital projects and acquire various equipment (hereinafter referred to as "purpose"). The maximum cost of said purpose will not exceed \$77,500.

SECTION 2. The Town Board plans to finance the maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed \$77,500 of said Town, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 3. The Town is hereby authorized to undertake various capital projects and acquire various equipment, including, but not limited to the following:

(1) Various equipment, which shall include Town Hall security cameras and monitoring, Town Hall telephone system, parks lighting, and garage lighting. The aggregate estimated maximum cost of said purpose will not exceed \$22,500. It is hereby determined that said purpose is an object or purpose described in subdivision 32 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

(2) Various capital projects which shall include paving at Town facilities and exterior upgrades to Town facilities. The aggregate estimated maximum cost of said purpose will not exceed \$55,000. It is hereby determined that said purpose is an object or purpose described in subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is at least five (5) years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

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SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

SECTION 6. The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse such expenditure with the proceeds of the bonds or bond anticipation notes authorized by Section 2 of this resolution. This resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c12-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Town hereby determines that the purpose authorized by this resolution is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQR") is required.

SECTION 12. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days

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after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 13. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in the official newspaper or newspapers of the Town.

SECTION 14. This resolution shall take effect immediately upon its adoption.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Douglas LaGrange	VOTING <u>Aye</u>
Adam Greenberg	VOTING <u>Aye</u>
William Hennessy, Jr.	VOTING <u>Aye</u>
Patricia Snyder	VOTING <u>Aye</u>
Laura Ten Eyck	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

15. Discussion/Action re: purchase of Nissan Rogue at end of lease

Supervisor LaGrange advised that the buyout amount on the Nissan is \$13,281.80. There is a \$200 or \$300 buyout charge, and then there is the assorted licensing etc.

Resolution 2016-143

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does authorize the Supervisor to purchase the Nissan Rogue that we have for up to \$14,000 in funding and sign any of the necessary paperwork to do that.

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

11. Discussion/Action regarding lease of a new/upgraded Toshiba copier via State contract.

Our main copier in the kitchen gets a tremendous amount of use, and it has reached the end of its lease. We have in front of us three options: a buyout cost, an upgrade cost, and a second upgrade cost under the State contract. The recommendation from the Supervisor's office is that we entertain the upgrade cost under NYS Contract for \$92.91 monthly equipment and a monthly service charge of \$57.51 for a total monthly cost of \$150.42. Supervisor LaGrange advised that this is less than what we are paying now. This mirrors our past contract. Since we are leasing it, parts are covered. If we were to purchase, we would have to replace those things. This is not a color printer, but it scans in color. If we do the upgrade cost under the NYS Contract, which he is recommending, the cost actually goes down a bit, but there is an escalator clause as there are more years on it. It goes up a little bit each year, but that mirrors what we've done the past few years of the present lease. Supervisor LaGrange added that, of course it's a brand new machine. Councilperson Greenberg asked how long the lease is for. Supervisor LaGrange said that he wasn't sure but he thought it had to be five years. Supervisor LaGrange added that this machine is used constantly. Mrs. Boehlke added that they are quick to service it. Supervisor LaGrange felt that they were very responsive, too.

Resolution 2016-144

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does enter into a lease agreement with Toshiba Business Solutions under an upgrade cost (E-Studio 457/New York State Contract) as outlined above and authorize the Supervisor to sign anything necessary to

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complete that.

Councilperson Greenberg seconded the motion.

Supervisor LaGrange advised that he will send the contract to Attorney Naughton for review.

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

12. Appointment of Members to the Public Safety Committee

Supervisor LaGrange advised that we have our Public Safety Committee. Councilperson Greenberg said that they have not met yet but plan to in a couple of weeks.

Resolution 2016-145

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does hereby make the following appointments to the Public Safety Committee:

Douglas Miller, Chairman
Kenneth Guyer
Richard Berger
Adam Greenberg
William Reddy
Kate O'Dell
Leon Bormann
William Gruss
Brett Hotaling
Daniel LaDuke

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

13. Adopt updated Town of New Scotland Emergency Response Plan

Supervisor LaGrange said that amendments were made to this in 2004. We reviewed it, and there were some more typos and things like that which needed to be cleaned up. It's a good document. Supervisor LaGrange asked if were required to do it. Town Clerk Deschenes said that she was not aware how it came about, but she tries to keep the names updated. Supervisor LaGrange said that it outlines a procedure of how to address certain things. There is everything from the recognition of an emergency to evacuation and personal protective equipment. It includes a map and areas of service and spots to go to in the event of an emergency. Supervisor LaGrange asked if this is on the website. Town Clerk Deschenes said that it's never been on the website. This is an internal document. Town Clerk Deschenes recommended that the Board send it to their home emails in case we do have an emergency. Supervisor LaGrange said that the people who are part of the emergency response have this. It sets up a protocol for them to follow in case of any emergency. Councilperson Ten Eyck asked how the people of the town will know who to go to and where to go. Town Clerk Deschenes said that this is a resource for us, but if there are things you want on the website to let her know. There are opportunities with the new site to put alerts up. Town Clerk Deschenes then encouraged people to sign up for email alerts so that they get that information. Councilperson Snyder asked if it was easy to sign up. Town Clerk Deschenes said that it is, and if you sign up you will get notices all the time. Councilperson Snyder asked if you sign up once. Town Clerk Deschenes said yes, but you can sign up for different things. Supervisor LaGrange added that we're also trying to do a more complete job with our Facebook page. Mrs. Boehlke said she thought she read somewhere that if Albany County is involved they have a robocall. Councilperson Snyder said that they absolutely do, through the State Health Department. They test it a lot. There is going to be a Point of Disbursement on June 2 or 3. It's going to be a test on points of dispensing.

Resolution 2016-146

Supervisor LaGrange offered the following motion and moved its adoption:

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Resolved, that the Town Board of the Town of New Scotland does hereby adopt the updated Town of New Scotland Emergency Response Plan.

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

14. Discussion/Action re: Heldervale Water Intermunicipal Agreement

Supervisor LaGrange said that the next item is a discussion on the Heldervale Water Intermunicipal Agreement. We have not completed that document yet. We have some discussion on the mechanics. It's a contractual issue to begin with. We will take a few moments after the meeting to go into Executive Session to discuss it. As far as an agenda item, we will skip over it.

16. Utility audit services update

Councilperson Greenberg said that as of last month we decided to go ahead with auditing of Time Warner Cable and potentially other utilities that operate in the town. We sent out the RFP, and we had gotten three responses as of yesterday. By the next meeting, it will probably be on the agenda to choose a company and whether or not we want to go ahead and do this. It came up because we're trying to fold it into our negotiations with Time Warner Cable which are ending in about another year. We want to know when we're negotiating with them how they've done in the past. That was kind of the genesis for it. It now looks like maybe it would be worthwhile to do some other utilities, as well.

17. Discussion/Action re: advertising for Planning Board vacancy

Supervisor LaGrange said that he put this on because we do have a vacancy. We have four regular members, and the alternate at this time has been filling in as a regular member. Supervisor LaGrange wanted to see if the Board wanted to advertise for the position. It would be a regular Board position. If the alternate that we have now applies for the position and is selected for the regular position, then we'd have an alternate position open. Supervisor LaGrange said that, as we usually do, if that were to occur, we'd just use the applicants we have and fill both positions. That all depends on the number of applicants. Usually we have two Board members do interviews and make recommendations. Supervisor LaGrange asked if the Board would like him to advertise this and start the process. Councilperson Snyder said that the Planning Board wanted to know where we were in the process. Supervisor LaGrange added that we are coming up on vacations and things like that so we don't want to leave ourselves short. Councilperson Greenberg said that if they need a member, we need to advertise and move ahead. There's not a lot to talk about; we should just advertise. Supervisor LaGrange asked if the Board wanted to set up a committee tonight. After some discussion, it was decided to hold off for now on a committee.

New Salem Water Department

Councilperson Hennessy said that there was an inquiry about New Salem that just came in about some of the remedial work to finish up. He didn't know if Casale was gone and done. Engineer Secor said that they still have one-year maintenance and responsibilities. We could get him back if its justified. Supervisor LaGrange said that Mr. LaChappelle has been up there on a couple of these questions. We did receive an email tonight. There is one person who has several listed concerns with their property that haven't been addressed. Supervisor LaGrange said that he believed that if seeding didn't take and things like that that they are still responsible. Engineer Secor said that they have to do that, and he will follow up.

18. Highway Department

• **Resolution regarding Dunbar Hollow Road**

Highway Superintendent Guyer said that Attorney Naughton prepared a resolution for him about Dunbar Hollow Road. We spoke about this a few months ago. NYS is still cleaning up their local road list. The last thing we have to take care of is this one section of Dunbar Hollow that is one a mile. It comes off Cass Hill and ends at the Bethlehem Sportsman Club. Highway Superintendent Guyer said that he spoke to people around the community, and they said that they couldn't remember in the past 30 years anybody doing anything with this section of road. It runs to the Town of Westerlo line. At the Town of Westerlo line, there are two houses coming in from their end. Attorney Naughton said that it was his understanding that it's to the Town's benefit to tell the State that we are not maintaining the road. Highway

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Superintendent Guyer said that it's not really to our benefit, but they are asking for that. They need something official for this to come off this list. We're not giving up this road because there are landowners who own parcels of land on the road farther down. We're just saying that we have not and we do not at this time maintain it. So it would come off the local road list. If someone down the road says they are going to put a house up, at that point we would take a measurement, and that section of road would go back on the list. The State just needs to know that we are not spending tax dollars currently to repair, plow, or maintain this road. We are not giving it up because we don't want to landlock anybody. We don't spend any money on it at this time. Councilperson Greenberg said that it commits us to nothing in the future, and it can be changed at any moment. Highway Superintendent Guyer said that that is absolutely correct. This is just our local road list. This is how our CHIPS money is paid out. The State has been going around for the past year or so correcting these lists everywhere because they are tightening up their CHIPS money. We did a couple last year (Bear Hollow, Anderson Lane, and Orchard Hill). This is the last one on the list.

WHEREAS, the Superintendent of Highways for the Town of New Scotland, Albany County, New York, has requested a Resolution from the Town Board to memorialize the status of Dunbar Hollow Road (the "Road"), which is partially located in the Town;

WHEREAS, the Superintendent of Highways has investigated the history of maintenance of the Road, and determined, based on discussions with his predecessors in office and Town records, that the Town has not repaired, maintained, paved, or plowed this portion of the Road from the Bethlehem Sportsman's Club to the Town line, a distance of 5280 feet, in over fifteen (15) years, and there is no written evidence that the Town owns or maintains this portion of the Road;

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby determines and confirms that this portion of Dunbar Hollow Road in the Town of New Scotland, New York, will not be, at this time, repaired, maintained, paved, or plowed by the Town.

A motion by Member LaGrange, seconded by Member Greenberg, to adopt **Resolution No. 147 of 2016**.

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

• **Discussion/Action re: Solid Waste Trash Pick-up bid results and/or award**

Highway Superintendent Guyer said that we had two bids for curbside pickup. We have the low bid from Robert Wright Disposal of \$285,000 annually. The second bid was from Pollard Disposal with a total price of \$441,000. We had another potential bidder. He decided not to bid and that's where the letter came from with some recommendations. Supervisor LaGrange said that his concern was that it's a five-year contract, but we retain the right to renew it annually after the first year. This is the same contract that we bid out five years ago. Mr. Wright at the time said he liked the opportunity. It shows that he has to do a good job to retain the contract year after year. This other company didn't outline what might protect the town like this would, but they did have some concerns. There is a large outlay of cost for the totes which Mr. Wright had to do five years ago. It's certainly something to review and take into consideration the next time we go out to bid. Highway Superintendent Guyer said that the gentleman from Waste Management said that he would be willing to meet with the Town and give us information to consider.

Resolution 2016-148

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does hereby accept the bid from Robert Wright Disposal, Inc., for the Town of New Scotland Solid Waste and Recyclables collection of \$285,000 per year.

There is a clause in this as we add homes. It's in direct proportion to the number of pickups that are in the contract at this point in time divided out from \$285,000. Highway Superintendent Guyer said that that is done at the contract renewal date. Supervisor

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LaGrange said that if we add houses just after he starts, he picks them up until the following year and then we add them on. Highway Superintendent Guyer said that that's a ratio of the bid price. Supervisor LaGrange said that even though this was his bid, is this something that the Supervisor signs and enters into? Attorney Naughton said it is because it's a town contract. We have a form from last time, and he assumed we would use the same form. We also did have to amend it soon after the first one because they missed a number of houses. Attorney Naughton said that he assumed we would use the same contract form and just plug in the new numbers and term. Supervisor LaGrange continued with his resolution

It is further resolved, that the Supervisor is authorized to sign the contract after its review by counsel.

Board members then talked about the bins and the fact that some people leave them out by the road. They also talked about the recycling habits of residents. Councilperson Ten Eyck said she that would not be surprised if some people are throwing away recyclables because their bin is full. Supervisor LaGrange said that they may have found now that there is a need for a larger recyclable container. They may even have them. Councilperson Hennessy added that, as Highway Superintendent Guyer said, we used to only take plastics numbered 1-3, and now were taking more. Highway Superintendent Guyer said that he didn't know the numbers but agreed that we take a lot more than we used to. Councilperson Hennessy said that as time goes on more things are recyclable. In the waste stream, it can go either way because the state has to comply with certain recycling guidelines. You have to recycle more every year. Councilperson Ten Eyck asked if it's cheaper to have recyclables picked up. Attorney Naughton said that recyclables have value. Councilperson Ten Eyck asked if we are paying less for the pickup of recyclables than garbage. Councilperson Hennessy said that theoretically in their bid they calculate that. Highway Superintendent Guyer said that the recyclables are the property of the hauler when they are in those containers. In general, everything is down. We are having a tough time with electronics. Right now the recycling that goes into the single stream is down. The current hauler, Robert Wright, is not being paid. He has to pay for that right now. Every time he goes to dump the truck he has to write a check. If the recycling market was up, they would be paying him, and that would be his profit. Councilperson Ten Eyck said she was just wondering what is cheaper for us. Highway Superintendent Guyer said that as we recycle more, the weights switch. The tipping fees for the trash go down.

Sharon Boehlke said that she was at an event where several people said everything got stuffed in one truck so why recycle.

Highway Superintendent Guyer said that if you look at the side of the truck it is going in two different bins. It's a split-body truck. Robert Wright explains it on their website.

Resolution 2016-148 Vote

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

Highway Superintendent advised that Robert Wright was our only bidder for option #2. Mr. Wright chose not to vote on option #1. Option 1 refers to dumping at a private landfill. Option #2 goes to the Albany County Landfill, the Rapp Road facility. That is a set price because of our ANSWERS program. We pay \$52 per ton. Supervisor LaGrange asked if his fee to haul changed from last time. Highway Superintendent Guyer said if it had, it was only a dollar or two.

Resolution 2016-149

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does hereby accept the bid of Robert Wright Disposal on Option #2 for construction and demolition removal proposal and authorizes the Supervisor to sign it.

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

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Saul Abrams asked if there is a procedure for what we are supposed to do with our garbage cans when there is inclement weather.

Highway Superintendent Guyer said that if you have room to save it for the following week, but they do go out every day of the week.

- **Discussion/Action re: hiring and pay for two summer/seasonal employees, Robert Denman and Salvatore Genovesi**

Highway Superintendent Guyer said that Salvatore Genovesi is a returning seasonal employee. We have a new seasonal employee joining him, Robert Denman. This is in the budget. Supervisor LaGrange said that the hires are up to the Highway Superintendent, and the pay is a Board decision. Highway Superintendent Guyer said that only Mr. Denman needs to be approved. Since Mr. Genovesi was employed by the town last year, he's all set since there is no change in salary.

Resolution 2016-150

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does hereby approve Robert Denman as a summer/seasonal employee for Highway and Parks at a budgeted rate of \$12.50 per hour.

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

19. Fire and/or Ambulance:

- **Onesquethaw Volunteer Fire Co. Regular Membership request for the following individuals, Addison Taber and Anne Fiato**

Resolution 2016-151

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does approve Onesquethaw Volunteer Fire Co. applications from Addison Taber and Anne Fiato for regular membership.

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

- **Resolution authorizing Supervisor to sign the 2015 EMT/D Services contract with Albany County, not to exceed \$68,231.28.**

Supervisor LaGrange said that this is for EMT/D Services for 2015 between the Albany County Sheriff's Office, the County of Albany, and the Town of New Scotland. This was the budgeted amount that we had and what they told us in 2014. We just recently received the contract. There were several hold ups on it. The contract was fulfilled. This is basically just finishing it off and making it official. Supervisor LaGrange encouraged them to get it to us quicker this year.

Resolution 2016-152

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does hereby complete the contract for 2015 EMT/D Services between the County of Albany and the Town of New Scotland at a rate not to exceed \$68,231.28 and authorize the Supervisor to sign the contract.

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

- **Resolution authorizing Supervisor to sign the 2016 Advanced Life Support contract with Albany County, not to exceed \$250,931.07.**

Supervisor LaGrange advised that this amount was budgeted.

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Resolution 2016-153

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does hereby authorize the Supervisor to sign and enter into between the Town of New Scotland and Albany County for the 2015 Advanced Life Support contract, not to exceed \$250,931.07.

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

20. Liaison Reports

CDTC Study Advisory Committee

New Scotland Hamlet Zone Review Committee is finishing up. They have their draft zoning regulations prepared. Councilperson Hennessy wants to circulate them to the respective Boards for review and comment. They've gone through significant preparation, review, comment, public hearings, and study advisory committee meetings. They had a meeting with key stakeholders, and we need to start that process. We will have to have a State Environmental Quality Review Act process for it. Councilperson Hennessy said that the document will be in our email, and we have to schedule how we want to go about that review. It contains 38 pages. Councilperson Hennessy said that he wants the Zoning Board and Planning Board to look at it too. Councilperson Hennessy added that adoption is many months away, and it doesn't have to be as written. We may prefer to have another zoning exercise by a consultant to refine it further. Councilperson Hennessy said that we could have a working committee of a couple of members to make sure they are up to speed on all of the details of the document. Supervisor LaGrange said that eventually it will be a public process. Are we looking to get a general review first before we jump into that? Councilperson Hennessy said that we are. The Board members haven't gone through it as much as the study advisory committee has and as much as some of the public have. Everything has been on websites. These draft regulations are up on the CDTC website under the New Scotland Blog spot. We already have a link going to it. Councilperson Hennessy added that we need a little more focus on it.

Hilton Barn

Councilperson Snyder said that there was an informational meeting for the Hilton Barn, and she thought it was very well attended. About 45 people attended. A lot of good ideas were vocalized. She thought the discussion boiled down to a few issues that are open and will be for some time: budget and funding issues, what the immediate needs are and what the long-term needs are, how we assess those, what the funding streams might look like, and how we go forward on a lot of good suggestions for uses. A lot of things were talked about, but we wanted it to be that type of meeting. Concerns were how much to make it structurally useable and how long would that take. She thought that where we left off after about an hour and a half was that we as a town have some homework to do in terms of seeing how other communities have handled this type of a project, particularly how it relates to a barn, what the best uses were, how they structured it, and was there a Friends committee. Stephen Reilly has offered to connect us with some other communities that have gone through this. We don't necessarily have to reinvent the wheel. A lot of people have gone down this road before and had some very good outcomes.

Councilperson Greenberg said that to follow up, the footings should start any day and the foundation walls will quickly follow. We are still working on sill plates. We are now almost at the day that we will start renting the cribbing and the beams for hopefully only one month. We had a 45 day time period after the initial move. They donated the use of those for 45 days.

21. Departmental Monthly Reports:

- **Town Clerk, April 2016**
- **Registrar, April 2016**
- **Tax Collector, March 2016**
- **Justice Adkins, March 2016**
- **Justice Wukitsch, March 2016**

23. Pay the Bills

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Resolution 2016-154

Councilperson Greenberg offered the following motion and moved its adoption:

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

Pay the Bills		
Abstract #	Vouchers	Amount
	20160534-20160622	\$184,934.19
Prepays or Three signatures		
	Vouchers	Amount
1246	20160499-20160510	\$11,175.73
1247	20160511	\$682.75
1248	20160512	\$40,000.00
1249	20160513	\$323.35
1250	20160489, 20160515	448.18
1251	20160516-20160519	\$2,426.28
	20160520	Voided
1252	20160521-20160524	\$10,208.96
1253	20160525-20160526	\$34,878.36
1254	20160527	\$744.30
1255	-----	Voided
1256	20160528-2016533	\$2,020.53
See attached abstracts for additional details.		

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

24. Approve any Budget Modifications

Resolution 2016-155

Supervisor LaGrange offered the following motion and moved it's 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	A0909	Parks/Contr.	A7110.4	\$2,500.00
To increase both Revenue/Donations and Parks/Contractual for amount of Stewart's donation – received in 12/15.				
Fund Balance	WC0909	Trans./Distr. Engineering	WC8340.41	\$150.00
To appropriate money from fund balance to Transmission/Distribution Engineering for amount over budget.				
The Town Board hereby resolves, pursuant to authority in Town Law, section 112, to amend the Town's 2016 budget as stated above.				

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

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

Saul Abrams said several meetings ago he expressed some concern about the dugouts they were going to build at the softball field. He was concerned that they might not meet the character of the park. Having seen what they done, he feels that they've done an absolutely marvelous job.

Supervisor LaGrange especially thanked Mr. Hennessy for coordinating a lot of that. It was a good public and private cooperation with a lot of volunteers and donations. A part of the budget modifications were to use \$2,500 that Stewarts donated towards the project to help pay for a specific portion of that. We are very pleased.

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Howard Hoose had an issue with the speed limit on Onesquethaw Creek Road. He would like to see the speed limited reduced from the present 40 mph to 30 mph. It's only a side road, and there is no need for people to be zipping down that road.

Resolution 2016-156

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does hereby ask the Clerk to petition for a reduction in the speed limit. Our recommendation is 30 mph from the posted 40 mph.

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

Sharon Boehlke is on the Facebook page right now which she said "is a kind of nothing Facebook page." Supervisor LaGrange said that we just started it recently. Town Clerk Deschenes said to keep in mind that we can't put everything on the Facebook page. If people want to see minutes or agendas, they need to go to the website. Mrs. Boehlke said that she saw that there was a fair amount of photos from one person. There are three reviews. If you go to "About," it doesn't say anything. It sends you to the website, which is fine. Town Clerk Deschenes offered to look at it later if Mrs. Boehlke wanted to show it to her. Mrs. Boehlke went on to say that on the home page there is a picture of a ball field, and it says 6 people liked this page. Supervisor LaGrange said that, again, it's in its infancy and it's a way to direct people to the website. We are going to try to increase things. We share things with Voorheesville. Town Clerk Deschenes said that Mrs. Boehlke should let her know if there are things she would like on it. Mrs. Boehlke mentioned things like how many houses are in the town or how many kids go to our school. Those are Facebook things that you see. Supervisor LaGrange said that it's early, and we are trying to develop it.

Executive Session

Resolution 2016-157

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does hereby enter into Executive Session to discuss contract negotiations.

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

Executive Session began at 9:25 PM.

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

Executive Session adjourned at 10:15. No action was taken during Executive Session.

Resolution 2016-158

Supervisor LaGrange offered the following motion and moved its adoption:

Resolved, that the Town Board of the Town of New Scotland does hereby set a special meeting for May 25, 2016, at 6:30 PM to discuss any bids on sill plates for the barn.

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

25. Adjourn

Councilperson Ten Eyck made a motion to adjourn, seconded by Councilperson Hennessey. The public hearing adjourned at 10:20 PM.