

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

The following Town Officials were in attendance:

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

1. Call to Order

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

2. Pledge of Allegiance

3. Invitation to the General Public to Comment on Agenda Items: Please use the microphone available and state your name for the record

4. Approval of the Minutes of the Following:

- **August 10, 2016 Regular Town Board Meeting**
- **August 31, 2016 Special Town Board Meeting**

RESOLUTION 2016-210

Councilperson Snyder 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 the August 10, 2016, Regular Town Board meeting.

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

RESOLUTION 2016-211

Councilperson Snyder 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 the August 31, 2016, Special Town Board meeting.

Councilperson Hennessy seconded the motion. All present and voting, the motion carried (4 Ayes). Councilperson Ten Eyck abstained since she was absent.

Announcement:

- **AARP Defensive Driving, Oct 7th , 9AM-3:30PM at Community Center**
- **Fall Brush & Leaf Bag Clean-up October 11 – November 18**
- **National Preparedness Month Open House, Albany County Sheriff’s Office 9/15/16**

5. Notice received re: Hudson Valley Italian Restaurants, Inc., filing for liquor license for restaurant “Track 32”

The town received notice from Hudson Valley Italian Restaurant, the applicant for Track 32, which is located where Pixie’s used to be. This is their first time applying, and NYS requires them to notify the municipality. Supervisor LaGrange said that these folks are building a very nice restaurant, and he looks forward to seeing it open.

11. ~~Discussion/Action regarding Emergency Medical Service (Ambulance service) coverage as of October 15, 2016 --TABLED--~~

This was tabled because we didn’t have everything together. Supervisor LaGrange said that they were going to go into Executive Session afterward to address it along with a couple of other contractual and

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

personnel issues. There has been some concern on the residents' part. This is foremost in our daily activities to get this together and ready. There will be no break in coverage for the ambulance district. The building blocks to getting to a new situation are coming together. The main thing is that the folks in that district should rest assured that we have it covered, and things will be taken care of promptly. We have some legal hurdles and contractual stuff to get through. There will probably be no action tonight. There are two components. We have to finish off from October 16 which is the date that Voorheesville Ambulance decided to shut down. We have to address from that point until December 31 and subsequently enter into a new contract with someone for 2017 and address that in the budget.

Public Safety Commissioner Miller spoke with the Sheriff on Monday, and without something in writing it's going to be difficult. Commissioner Miller hoped to get a resolution tonight authorizing the Supervisor to sign an extension of the contract at the same rate that we are paying now. That would be the only change in the agreement. Supervisor LaGrange agreed, and that's potentially what we will do to tidy up the loose ends, but the Board members are not aware of our conversation, and those contractual issues need to be discussed before we finish that up.

6. Discussion/Action re: request for speed limit reduction on Thacher Park Rd.

Supervisor LaGrange asked the Clerk about our process on this. Town Clerk Deschenes advised that she submits a form to the County, then it goes on to the State.

Mary Boyce believes that everyone who lives on that section of road from the Park down to Route 85 has signed on to ask for a reduction in speed limit. There has been a big increase in traffic on the road, and it's been dangerous in her view. It is 30 mph coming out of the Park, but people are doing upwards of 70 mph. Mrs. Boyce believes that the other neighbors share her concern. Mr. Zinzow has property on both sides of the road. He had the police there one day when he almost got taken out. With the food stand that's going to open, they are thinking that it would be a good idea to have the speed limit lowered, as well. There are going to be people stopping. Mrs. Boyce felt it would benefit everyone.

Supervisor LaGrange advised that we have a petition from eight neighbors that live in that section, and he suggested a resolution. Councilperson Hennessy asked if we are requesting a specific speed. Highway Superintendent Guyer said that it can be requested, but it's whatever the state decides.

RESOLUTION 2016-212

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby direct the Town Clerk to fill out the appropriate application for a review and possible decrease in speed limit on Thacher Park Road as defined in the petition and letters.

Councilperson Hennessy seconded the motion.

Councilperson Snyder asked if we can put any mitigating circumstances in this such as the impending opening of the new Thacher Park Center and anticipated additional traffic. Town Clerk Deschenes offered to attach the petitions along with the letters. Councilperson Snyder said that's what's she's asking for, further support to strengthen it.

Steve Boyce asked about distance and where it's going to be changed. Supervisor LaGrange said that they will review that. We've asked them to take a look from where the 30 mph ends this way. That's part of the review. They will have to decide what's appropriate. Mr. Boyce said that as far as he's concerned they could put 30 mph all the way.

Supervisor LaGrange said that we will look at it together and make sure that our Highway Superintendent is happy with the way it's going together. Councilperson Hennessy asked who is taking the lead on it. Supervisor LaGrange said that the Clerk is putting it together, but he and Superintendent Guyer can review it before we send it in. Councilperson Hennessy said that we might want to touch base with the Parks Superintendent. He believes that they were also requesting that kind of review when they were here presenting the entire project.

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

10. Discussion/action- re: Acceptance of Roadway & Utility Infrastructure at Phase 2 of Colonie

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

Country Club Estates

Attorney Naughton advised the Board that they have a proposed resolution for accepting an offer of dedication or cession of the improvements. This is for Phase II of Colonie Country Club. Attached to the proposed resolution is a proposed agreement which Amedore Land Developer has signed and submitted. Attached to that document there is a letter from Stantec that was originally dated July 8 and revised as of September 12 outlining their recommendations. Basically, Stantec said that they're satisfied with the offer of dedication for Phase II. We've split this now into a third phase. So the letter mostly addresses the amount in the letter of credit which is required for each phase and makes recommendations as to the release of certain funds on Phase I and what's needed for Phase III. We now have in the file letters of credit for the full amount for all three phases as set forth in the Stantec letter. We also have as part of this dedication package that the developer submits and offers a section of deed. There is title work in this, as well. We will get a title policy for what we are accepting for the Town. We have a letter or email from Highway Superintendent Guyer saying that he's satisfied with the improvements, and we have an email that went to the Board from Building Inspector Cramer indicating that he is satisfied with the storm water retention basin and other issues he had earlier this summer. Those had all been addressed to his satisfaction. Everyone is recommending that we accept the dedication. That would just require the Board to pass a resolution.

Highway Superintendent Guyer said that throughout the project he was on site almost daily. He has no issue. Attorney Naughton added that the reason the agreement is there is because it explains that there is a temporary storm water retention basin because of the moving around that has to happen with the road. We call what's there a temporary sediment trap. It requires them to keep certain monies in place to cover the cost associated with finishing that to the way it's supposed to be on the plan. This is a vehicle for us to ensure that it happens on the timeline that we want it to. If you pass this resolution you are approving the dedication. The second part of the resolution is that you're approving the proposed agreement and authorizing the Supervisor to sign it.

RESOLUTION 2016-213

WHEREAS, Amedore Land Developers, LLC ("Amedore" or "Developer"), the developer of Colonie Country Club Estates, has requested that the Town Board of the Town of New Scotland accept dedication of the following roads along with utilities in the Colonie Country Club Subdivision:

Street Name	Stationing
Country Club Drive	Sta. B22+80 to B12+20

Said stationing being defined on the Approved Subdivision Final Plat recorded with the Albany County Clerk's Office in Drawer # 172, Map # 12400.

WHEREAS, said resolution will accept dedication from the Developer, Amedore, of the following street right-of-ways:

Country Club Drive	Sta. B22+80 to B12+20
--------------------	-----------------------

Said stationing being defined on the Approved Subdivision Final Plat recorded with the Albany County Clerk's Office in Drawer # 172, Map # 12400.

WHEREAS, said resolution will accept dedication from the Developer, Amedore, one (1) utility easement: said Easement Identifications being defined on the Approved Subdivision Final Plat recorded with the Albany County Clerk's Office in Drawer # 172, Map # 12400.

WHEREAS, said resolution will allow for the acceptance of building permit applications to the Town Building Department for the following parcels:

Parcel ID	911 Street Address	Easement Present
73.-4-73	22 Country Club Lane	
73.-4-63	21 Country Club Lane	
73.-4-72	20 Country Club Lane	
73.-4-62	19 Country Club Lane	
73.-4-71	18 Country Club Lane	

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

Councilperson Greenberg said that this is another proposed law they've been working on and the Board has been discussing. They worked on it extensively in the last month. They had generally considered if we wanted to increase the notification area to 1,000 feet. There was some discussion on whether or not it should be that way in a hamlet zone. Councilperson Greenberg felt that it was still up in the air. The other big issue was to get signs on the property sites for any pending public hearings. That's the basic structure of it. Councilperson Greenberg asked if Attorney Naughton agreed with being able to schedule a public hearing on this or do we want comments. Attorney Naughton thought we could schedule a hearing. Councilperson Greenberg said that both of these laws have been circulated amongst the Board for comments, and he thinks everybody is up to date. Supervisor LaGrange asked if Building Inspector Cramer's thoughts had been incorporated. Councilperson Greenberg said that they are working on that. His major concern was who is responsible for the mailing. We had the applicant be responsible, but he thought it would be better if the Building Department did it. He also had some concerns about the placement of signs. He'd like to be responsible for that as well instead of the applicant. One of his main concerns was what to do in the winter when the ground is frozen, but he agreed with the notification. Supervisor LaGrange said that the main issue we found was that at one time 500 feet along the road was the standard. Building Inspector Cramer expanded that to a 500-foot radius from property lines. Unfortunately there are a lot of places where the person at 501 feet wouldn't know about it. The primary thing was to implement some sort of signage. Moving it to 1,000 feet is something that Supervisor LaGrange always wanted to do. This is another great start. We certainly can move it to the Planning Board and ZBA. We probably should send it to the County at the same time if we're going to set a public hearing.

RESOLUTION 2016-214

Councilperson Greenberg offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby send Proposed Local Law F to our Planning Board and ZBA for comments along with the Albany County Planning Board; and

It is further resolved that the Town Board hereby schedules a Public Hearing on October 12, 2016, at 6:45 PM.

Councilperson Snyder seconded the motion.

Mary Boyce said that when we were discussing this in the past, she believed that she put forth the idea that when the letters go out they should have more information for the regular layperson explaining what their options could be. There are time limits if they want to object. Supervisor LaGrange said that he believes that Building Inspector Cramer has started to address that, but he will check. Attorney Naughton added that to some extent we can't really be giving people legal advice about their deadlines. Mrs. Boyce asked if we could please tell them there's a deadline. Attorney Naughton said that there may be different interpretations of that. It may not exactly do all of those things she is thinking it will do, but it gives people notice about what's going on and hopefully in terms laymen can understand.

Mrs. Boyce said that they got a notice about something happening on their road. She had no idea that she had 60 days to talk to someone about the definition of what was being proposed. A regular layperson wouldn't have a way to know that. She just thought that more information could be put in the letter to let people know. Attorney Naughton said that the notice is the notice of a public hearing. The public hearing is the time to come in and put an objection in. Mrs. Boyce said that they did, but they didn't know that they could have objected to the definition of what was being proposed. Supervisor LaGrange said that we can look into the legal parameters.

Councilperson Hennessy said that he and Councilperson Greenberg were on the ZBA, and they wrestled with this all the time because the properties are so large in the town. He thinks that many of us learned something recently that he never knew before. The Village only requires notification of adjoining properties. He thought it was astounding that they don't at least go 200 to 300 feet but understandably because of the nature of the land use in the village it's so tight that it wouldn't be feasible to send out 1,000 notices because there could be 300-600 houses within 500 feet. It's a difficult balance. We have so many areas of town where even if you go 1,000 feet you might be notifying 2-3 landowners. It's very difficult to try and having linear footage as the best way and only way to do it. If we have a special circumstance, maybe we can expand on that. The other thing that's

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

very valuable is our website. We plead with people to sign up for different notifications. Now it's just so valuable for people to be able to be notified of so many different things going on in the town. Ten years ago it was just not feasible. That's been helpful to keep people informed. All of these things have to tie together.

Mrs. Boyce said that she agreed. That's why the signage and things like that are excellent steps in the right direction. A lot more people will be notified.

Edith Abrams said that regarding the last point she thought it was excellent. Mrs. Abrams then asked if the Clerk has written a letter to the editor. It might be a good idea and also to put a sign out by the road saying to "sign up for notices."

Supervisor LaGrange said that we talked about sending out a one-time at worst newsletter hitting different things, especially making a big emphasis of the opportunity to sign up for notifications on the website in general. We will see how that goes.

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

9. Discussion/Action: Proposed Local Law G of 2016 amending Chapter 190 of the Code to establish regulations regarding solar photovoltaic systems & solar farms.

Supervisor LaGrange said that a lot of municipalities have been approached by the influx of solar farms. We've taken the road of not allowing it at all because we don't have anything to define it and make sure it's done correctly. Bethlehem developed a solar law that they passed recently. We sourced that along several others. We've had input from several people. This draft was put together through that process by Attorney Naughton. Now we are looking to start the process. He thinks the whole Board got a nice email from Judy Abbott. She had some good thoughts. He read it just prior to the meeting, so he didn't see what opportunities there were to add or rearrange things. He thinks we are close enough to send this onto Albany County and our Planning Board and schedule a public hearing.

Councilperson Ten Eyck had some questions. It's pretty dense so there may be things she missed. One thing she wanted to point out is that there has been quite a bit of conversation about solar farms in the agriculture community and their siting. There have sort of been two sides to the coin. Some farmers have been eager to get the extra revenue when approached by solar companies that would like to lease agricultural land and install an array; some farmers want to be able to have the opportunity to diversify their income by leasing the land and have the solar array installed. In that case, there is concern about when they've been receiving an agricultural assessment, how their assessment will be impacted, and the penalties paid if it's going to be withdrawn for conversion. On the flip side, a number of farmers, many in this town and the county, rent a considerable amount of farm land from people who are not farmers who own agricultural land and are receiving these solicitations who then choose to stop renting their land to the farmer and instead lease it for solar. Councilperson Ten Eyck said that in her own job she's been in conversation with the Commissioner of Agriculture about this concern that a lot of farmers are suddenly having acreage that they've relied on pulled from them. She just wanted to bring it to everyone's attention that Ag & Markets and NYSERDA have been meeting on this issue and developed guidelines. Councilperson Ten Eyck then passed around a fact sheet they prepared entitled "Landowner Considerations for Solar Land Leases." She didn't see anything in the law as it currently stands addressing the issue which she realized might be out of the context of this law such as conversion penalties and assessment. Some of those things are at the state level. One of the things that is happening now between Ag & Markets and NYSERDA is that they are making recommendations that the solar arrays be sited on land that is not of the soil classification codes of prime. Councilperson Ten Eyck didn't know it it's at the point that the state is going to dictate that, but one of the things they're doing is offering incentives for people to install renewable energy production on their properties, and they are considering increasing the incentives for marginal soils rather than on prime soils. This is her knowledge, and she's just wondering if we have anything in the law that's addressing the impact on agriculture and taking land out of agricultural production.

Attorney Naughton said that this just addresses the zoning aspect and whether there is permission for it. It regulates the where, how, what it looks like, and what in districts it's permitted. It's really just addressing the physical aspects of these things. There are some things like putting in guidelines for promoting consideration for solar in the future. It doesn't address anything about taxes or tax implications and policies associated with that because that's not something we can do. It's not something that would belong in a zoning-type ordinance for regulating land use in that fashion, but it's

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

good to have those resources available for people when they are making consideration about what should be built and how to use the land.

Councilperson Ten Eyck had one other question adding that she doesn't know much about the technology. When we define the solar arrays we define them as small scale and large scale. Councilperson Ten Eyck asked how large a large-scale array is. She noticed that it's really defined in terms of energy generated, not in terms of how much space it's going to take up. It seemed to her that that would be a concern of ours. Attorney Naughton said that there is a correlation between the size or space and the amount of energy it generates. A couple of panels would be a small scale, and it would be enough to recover most of the energy for a home whereas a large-scale array is something you see near the GE Plant in Bethlehem. That's made for industrial production. Councilperson Ten Eyck said that the bigger it is, the more energy it generates, so that's a definition in itself. Attorney Naughton said that based on a small scale, he should be able to tell you the number in terms of square feet that that kind of array should be. He can get that in time for the hearings. Councilperson Ten Eyck thought that would be relevant to the people on how to visualize a small array. Another thing that came to mind is that the technology is changing so fast so how will we adapt our law to that? What is likely is that the arrays will get small and generate more, but she thinks we have to consider eventualities as the technology changes. She doesn't know that we can predict everything and put it in this law, but she just wanted to point out that it's changing rapidly.

Supervisor LaGrange said that, from a personal perspective, his family was approached by a company 2 to 3 years ago, and he had the same concerns as Councilperson Ten Eyck just talked about, especially with the assessment. That's something that people have to address in their contract with the company. They looked into it and hesitated. Supervisor LaGrange finally got into contact with some other people with expertise. His biggest concern right from the start was that they get an Ag assessment on land. If you sell it that's not your problem, but if you lease it you are taking it out of Ag production. By taking it out of Ag production, you have an increased value so you can be penalized for back taxes plus about 4%. It's a sizable amount if you commit 10-15 acres. The important component to that is when you enter into a contract with that solar company it should be in the contract that they make up the difference. Councilperson Ten Eyck said that there are a lot of considerations for the landowners whether they are farmers or not. She felt that what's happened is that west coast companies have blanketed the owners of agricultural land with specific pieces of their property outlined as being targeted for potential solar array. A lot of people have jumped in thinking it's a great opportunity and then gotten into the weeds really badly. There hasn't been a lot of guidance. Fortunately Cooperative Extension, Ag & Markets, and NYSERDA are getting on top of it now. We have to caution people. Councilperson Ten Eyck wanted to emphasize that there are farmers who rent the land, especially with dairy farmers, and it's really critical to them. Those properties pulled have an impact on our economy.

Supervisor LaGrange asked for any other comments from the Board. Councilperson Greenberg asked why we should define it as energy produced as opposed to square footage. Attorney Naughton said that he did it because he was using a model that was used in Bethlehem and other laws. Other folks with their large planning staff and professionals spent a lot of time looking into this and investigating it. He thought that it was probably the good way to go because they had looked into it. We don't have that kind of staff. That's why he went in that direction. That's the way a lot of regulations are with respect to energy aspects of things. Even with the Public Service Commission we talk about wind energy projects and different things and how much energy it produces. With the current technologies, you have a pretty good idea about how massive something is going to be or how many square feet. It's going to cover based on energy production. That's typically how it's done in lots of areas. Councilperson Greenberg said that that's the part that concerned him. He thinks that Councilperson Ten Eyck had a really good point. In 10-15 years the amount that you could produce from a smaller area changes, and suddenly a major energy production is a one-quarter of an acre as opposed to an acre. Supervisor LaGrange said that that's a good thing. Councilperson Ten Eyck said that there could be other issues that arise from that major production from a small space. He did think that for those reasons he liked the fact that in the law there was so much language about the decommissioning, taking down, and getting rid of infrastructure that's been installed because it may become obsolete. That's his concern. Supervisor LaGrange said that that's another thing that the landowner has to have in the contract. If the technology ends or the company goes bankrupt, the landowner needs the protection, and that comes from the contract. It has to address the assessment, and it has to address the decommissioning and removing of the equipment. Councilperson Ten Eyck said that in the whole town we can't just rely on the landowner necessarily to get everything right because the whole town will be impacted by an obsolete infrastructure. Supervisor LaGrange added that we have something in

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

the cell tower law that addresses that where if for some reason something happens and we have to take care of it. Councilperson Ten Eyck said that she thinks that's important and it seems like it's in here.

Public Safety Commissioner Miller asked if there is anything in there about how long they have to decommission. Attorney Naughton said there is.

Councilperson Hennessy said that he's been involved in a project in another town. The only thing that he's not clear on is the implication on open space or a clearing on land in regard to this. He thinks we need to address it somehow, but he doesn't have a method yet. Right now we are going right along with zoning with the way each individual zone allows for that. The development of a property for solar is a little different from the development of it for subdivisions or commercial or industrial uses. Councilperson Hennessy said that he didn't have an answer, but he just wanted to mention that he thinks we might need to look at that element of this a little bit more. Councilperson Snyder asked if they were talking about clearing space. Councilperson Hennessy said yes; when these are developed a certain amount of land has to be cleared, developed, and established. She asked if it is the same as we now have for commercial uses, industrial uses, and residential uses. Councilperson Hennessy said that he didn't believe it was, and he didn't have the answers for what that implication would be right now, but he believes there should be some consideration as to whether or not we want to look into how much clearing of native resources should be allowed. It all has to be tied into how much solar use you can get on a property based on the orientation of the property and based on the trees that may impact it. There are just a lot of different things that he thinks might need to be looked at. He just didn't have any answers for that. Councilperson Snyder thought it was a good point.

Councilperson Snyder asked if there is any consideration in here about emergency services and input from fire companies or anything like that with respect to any emergencies that may occur around or near these installations. Do we need to get input from them? Now, they are not allowed so we're not necessarily dealing with it, but when they are allowed do we have to have some input prior to that or in conjunction with that from a fire company? Do they have the equipment and are they prepared to address any emergency issues that somehow involve the solar installation or somehow the solar installation is connected to another structure? Supervisor LaGrange said that he doesn't know if there are any issues with solar farm arrays. He did know that there have been issues with fire companies and going into residential homes that have the panels on the roof which create a big hazard for the firefighters. If they are still connected and not easily shut off, it can cause problems. It's certainly something we can look into. Public Safety Commissioner Miller said that there is actually special training being offered right now for home systems. The National Park Protection Association sends down guidelines and has started training courses based on these farms developing and having to deal with them. Councilperson Snyder requested that we also somehow loop our local fire companies into this discussion so they are at least aware that this is in the process of being considered and they can avail themselves of training if that's what they need. If they haven't been thinking about it, maybe now they should start considering it. Commissioner Miller said that the County Fire Coordinator sent out information to everyone in the fire service about three weeks ago. It does get out.

Sharon Boehlke said Slingerlands just had a training session.

Supervisor LaGrange said that the Building Inspector hasn't really delved into it from the Building Department aspect. Do we want to take the same approach and just send it to the Planning Board? Attorney Naughton agreed. Supervisor LaGrange said that if the Board is in a consensus we will send this to the Planning Board and continue getting comments from the Building Department. Maybe we can look into some of these issues that have been brought up tonight, too. If the Board is okay we will do that, and at the next meeting we will possibly have some revisions we can introduce and set the public hearing for November. The Board agreed.

- 12. Authorize Supervisor to sign agreement with Bauer Appraisal Group to prepare appraisal report for the Voorheesville Area Ambulance building, 21 Voorheesville Ave., Voorheesville, NY**
Supervisor LaGrange said we want to table this until further discussion.

- 13. Appointment of Board of Assessment Review member Sarita Winchell for a term October 1, 2016, to September 30, 2021.**

Supervisor LaGrange said that he talked with Mrs. Winchell, and she is interested in continuing. She's done a good job, and Assessor Corbari has been happy with her participation.

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

RESOLUTION 2016-215

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby reappoint Sarita Winchell to the Board of Assessment Review for the term October 1, 2016, to September 30, 2021.

Councilperson Greenberg seconded the motion.

Councilperson Snyder asked if they have any training. Town Clerk Deschenes said that they do. Councilperson Snyder asked if it was once a year. Town Clerk Deschenes thought it was a rotating schedule and Mrs. Winchell would go this Spring.

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

14. Discussion re: Intermunicipal Agreement with Town of Bethlehem and the Heldervale Water and Sewer Districts

Supervisor LaGrange said that we are going to table this item. We did get some response from Bethlehem, and this will be one of our contractual issues in Executive Session.

15. Authorize Supervisor to execute “Addendum to June 25, 2007 Water Purchase Agreement” with the Village of Voorheesville regarding the Colonie Country Club Water District

We haven't gotten comments back from the Village on this yet so we're going to table it.

16. Highway and Parks:

- **Request to change job title for highway employee James Kendall from EO-1 at pay rate \$20.96 to EO-1 with Class A License at pay rate of \$21.26 effective September 19, 2016**

Highway Superintendent Guyer requested a job title change for James Kendall. Supervisor LaGrange said that our salary scale provides for this when someone upgrades like this, and we reward them with a differential according to the pay scale.

RESOLUTION 2016-216

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby change James Kendall from EO-1 at a pay rate of \$20.96 to EO-1 with a Class A license at a pay rate of \$21.26 effective September 19, 2016.

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

- **Annual Highway Vehicle & Equipment Inventory**

Highway Superintendent Guyer provided the Board with his annual highway equipment inventory. Highway and Parks equipment is on the list. Supervisor LaGrange thanked Highway Superintendent Guyer for this. It's something that the Board has needed to give them a snapshot of where we are with the upcoming budget. Supervisor LaGrange asked if there was anything Highway Superintendent Guyer wanted to highlight as a pending concern. Highway Superintendent Guyer said that he'd love a 10-year rotation on our mainline trucks or a 15-year rotation. It's very hard to accomplish. When you read the mileage on our trucks, a municipal truck is much different from an over-the-road truck. By the time our trucks have 150,000 miles, they are junk. We drive in the worst conditions and carry salt all of the time. They're not over-the-road trucks. Highway Superintendent Guyer told the Board to be ready come budget season because he'll be asking for a truck. They don't last even though we squeeze everything we can out of them. We don't have any gems. Supervisor LaGrange said that our mechanic should be commended for the job he does. Highway Superintendent Guyer agreed adding that we're driving trucks that are 20 years old. What he does to keep these things on the road and keep them going is great. Supervisor LaGrange added that some newer Board members might look at truck #6, a 1995 International Dump which shows poor condition with 251,000 miles on it. Supervisor LaGrange added that we rotate the worst of the crew out of the plow route when you purchase a new truck. Highway Superintendent Guyer agreed adding that we don't get rid of it because it still has a use. That truck that you spoke off turned into our chipper/brush truck. The sanding parts are worn out, but it still has a use. Highway Superintendent Guyer advised that all the small stuff is on this list too which gives you an idea of what the mechanic maintains. There is a lot of maintenance for one man. He does a lot as well as some of our regular highway guys. Everyone pitches in.

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

Councilperson Ten Eyck said that she assumes that none of the pieces of equipment, whether it's a truck or a small piece of equipment, represents any kind of a safety risk to the employees if it's in poor condition. Highway Superintendent Guyer agreed. Highway Superintendent Guyer said that all of the big equipment passed their annual vehicle inspections. Light trucks have to go out for inspections (pick-up truck, van, etc.). The big dump trucks are inspected in-house. Mr. Klink is a NYS registered inspector, so he's allowed to do the heavy trucks. Councilperson Ten Eyck said that when we talk about something like a steam pressure washer that's in poor condition what does that mean? Highway Superintendent Guyer said that it doesn't work; it's finicky. Councilperson Ten Eyck asked if it's going to blast boiling water at us. Highway Superintendent Guyer said it would not. Supervisor LaGrange thanked Highway Superintendent for the information.

- **Discussion/Action re: dedication of West Street**

Highway Superintendent Guyer said that we're waiting for title insurance, so we're going to table this.

- **Adoption of Civil Service Job Description for Dog Warden**

- **Adoption of Town of New Scotland Dog Warden Duties**

Highway Superintendent Guyer said that Mr. Schenmeyer has been asking for a written adopted job description for the past few years. We've been working on this for about a month now. Attachment 10a came from Civil Service. This is what Civil Service describes the job to be. Highway Superintendent Guyer said that he will work with Mrs. Kavanaugh to get this implemented so Civil Service recognizes these guys. A lot of the information in attachment 10b came from Ag & Markets laws and what they require of us. We threw in some do's and don'ts that we feel the town wants. Supervisor LaGrange said that we don't have any job descriptions that describe the duties as specific as this. Should this be adopted by the Board? Attorney Naughton said that the job description is for the Civil Service aspect of it. He thinks it's a good idea to do. The actual duties go into more detail, and he doesn't think it's a bad idea for the people to have an understanding of what their job is and what they're signing on to. Some might want to say that it limits them and they aren't going to do certain things because it's not in their job duties, and that can be a problem, but the concept is to let people know exactly what they are supposed to be doing. We don't want them doing things like capturing other kinds of animals. That's been a problem in the past. It might be helpful for them to be able to say that's not part of what their job is. It's really a statutory duty.

Councilperson Ten Eyck asked if the Dog Wardens go through training. Highway Superintendent Guyer said that there is training. Councilperson Ten Eyck said that there are just a couple of inconsistencies here. There are a couple of items that she imagined would involve formal training. One would be investigating reports of cruelty to a dog. You need the ability to understand the law and what, in fact, constitute cruelty. Highway Superintendent Guyer said that he doesn't think they uphold the law; they investigate if something is going on, and if there is it's turned over to law enforcement. Councilperson Ten Eyck asked how they know what they are looking at when they see it. It would seem that they would have to have some sort of training in terms of dealing with situations. Some situations can be bad or potentially dangerous. The other thing is looking at the full performance of the skills that they need to have. It says they need to have the ability to acquire working knowledge of laws and regulations dealing with the seizing, impounding, and destruction of stray and dangerous dogs. Destroying a dangerous dog isn't one of their work activities. They would just need to understand what to do, but they're not expected to do that. It's pretty serious if you're giving the Dog Warden the responsibility or the ability to decide to destroy a dog they may deem as dangerous. Councilperson Ten Eyck said that she didn't want to make this a big deal, but there are a few flags here that make her think we should be clearer about some of these more extreme examples. Highway Superintendent Guyer advised that it's pulled right from Civil Service. We didn't create that, but we're certainly not destroying anyone's dog. If we capture a dangerous dog, it goes right to the Humane Society. Councilperson Ten Eyck wondered how the dog wardens know how to capture a dangerous dog and what training they have. Highway Superintendent Guyer said that Ag & Markets doesn't require any training, and he would assume that every situation is different. Highway Superintendent Guyer said common sense plays a big role. There is no official training, but yearly training is available to them. Councilperson Ten Eyck said that maybe we should put in here that we encourage them to avail themselves of the available training.

Commissioner Miller asked if they attend Peace Officer training. Highway Superintendent Guyer said that they do not. Commissioner Miller added that they are charging people. A violation is law. That's not a light task. Judge Adkins said that probably 15 years ago we made a real effort to have them get

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

their licenses if they were going to handle things like raccoons. Judge Adkins added that she didn't know if they still do that. Highway Superintendent Guyer said that historically we did this, but he is just now learning that some of the things we've been doing we're not supposed to do. Councilperson Ten Eyck said that it's very good to be clear that they are not to do that. That's a whole other situation. Highway Superintendent Guyer said that we are not supposed to, and we are not licensed. We had a meeting with Ag & Markets. Everyone thinks of us as Animal Control. That's not what we are. We are dog control officers. We deal with domestic dogs. We are also trying to get a link on the Animal Control page of our website to DEC. That way when someone has a fox or raccoon they will know who to call. Once we have that, we will print out a list so the dog warden has that information in the van. We can make that list available for people who have nuisance wildlife. Supervisor LaGrange said that the Civil Service description too is a basic outline with typical work activities. If we don't outline the duties of the Town of New Scotland Dog Warden, things like putting down animals, then it's not one of their duties. We've somewhat addressed that. If it's not to the Board's satisfaction, we tweak it. Councilperson Ten Eyck said that she totally trusts the wardens' judgement. She's just thinking of the people in the town. It would be very alarming if we didn't know the wardens to see reference to the destruction of a dog. She realizes it's not in the activities, but it's in what they should know how to do.

RESOLUTION 2016-217

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 job duties of the Town of New Scotland Dog Warden as outlined below:

Town of New Scotland
Dog Warden
Job Description

General: The Dog Warden shall assist with the licensing and control of dogs and the enforcement of Article 7, §113 and Article 7, §123 of the NYS Agriculture and Markets Law in the Town of New Scotland. The Dog Warden shall enforce all Town of New Scotland local laws and ordinances relating to the control, confining, and leashing of dogs.

TYPICAL WORK ACTIVITIES:

Seizes and impounds stray and dangerous dogs;
Issues tickets in accordance with provisions of law;
Investigates and takes corrective action on complaints concerning dogs at large and unlicensed dogs;
Impounds unlicensed dogs running at large and in the case of licensed dogs takes them into custody and returns to registered owner;
Investigates reports of cruelty to dogs;
Testifies in court, if required;
Enforces quarantine laws and ordinances applicable to dogs;
May maintain an animal shelter and insures that dogs are fed;

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

Good knowledge of local geography;
Ability to acquire a working knowledge of the laws and regulations dealing with the seizing, impounding and destruction of stray and dangerous dogs;
Ability to acquire a working knowledge of methods and procedures in handling dogs;
Ability to acquire a working knowledge of the provisions of state and local laws governing the licensing and control of dogs;
Ability to meet and deal effectively with the public;
Ability to understand and carry out oral and written instructions;
Ability to maintain records and prepare reports;
Physical condition commensurate with the demands of the position.

ACCEPTABLE EXPERIENCE AND TRAINING:

Graduation from High School or high school equivalency diploma
Must possess valid NYS driver's license.

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

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

17. Discussion/Action re: hiring of Lawrence Salvagni as Equipment Operator I – Water/Sewer Maintenance, part-time, at a pay rate of \$23.31 and on an as-needed basis.

Supervisor LaGrange advised that Mr. Salvagni has filled in for Mr. Hensel when he's been out. In the past, he believes he's done it on a per diem basis. He asked if he could become a part-time employee. He's actually taking a pay cut to do this, but it also tidies up our payroll and how we handle it.

RESOLUTION 2016-218

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby hire Lawrence Salvagni as an Equipment Operator I – Water/Sewer Maintenance, part-time, at a pay rate of \$23.31 and on an as-needed basis.

Councilperson Greenberg seconded the motion.

Councilperson Greenberg asked how much he is working. Supervisor LaGrange said that he covered for a week and a half while Mr. Hensel was on vacation. There have been a few other times also. Supervisor LaGrange estimated that he would fill in about three weeks a year, but he would restrict it to that. It's on an as-needed basis. Councilperson Greenberg asked if he's only working when Mr. Hensel isn't available. Supervisor LaGrange said that that's correct. Councilperson Snyder asked if he will be full time with the Village of Voorheesville. Highway Superintendent Guyer said that he is. He has all the certifications with regard to the sewer, as well. Councilperson Snyder asked if there are any vocations with respect to benefits. Supervisor LaGrange said that there are no benefits from us because it's far below our part-time status where benefits would kick in, but it gets him further into the retirement system. It helps clear up clerical when he does fill in.

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

18. Report and recommendation re: examination/audit of the 2015 Justice Court records

Councilperson Snyder read the report into the minutes.

RESOLUTION 2016-219

Councilperson Snyder offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby accept the audit results for the 2015 checklist that we did for Judge Adkins and Judge Wukitsch as outlined:

Justice Court Audit Report to Town of New Scotland Board

On March 17, 2016, we, the Audit and Finance Committee, completed the checklist for the review of Judge Adkins' and Judge Wukitsch's court records as published in the Office of the State Comptroller's "The Local Government Management Guide, Fiscal Oversight Responsibilities." A copy of the completed checklist is attached.

Our review of Judge Wukitsch's records was satisfactory and we have no further matters to report. We recommend that the New Scotland Town Board resolve to accept these audit results for 2015 financial records for Judge Wukitsch.

Our review of Judge Adkins' records was satisfactory except for the incomplete bank reconciliation of the Fine account. We referred the matter to the Judge for further review. It is our understanding that Judge Adkins has now referred the matter to the State Comptroller for resolution; see attached letter. Therefore, because Judge Adkins is independently pursuing resolution of the matter, we recommend that the New Scotland Town Board resolve to accept these audit results for 2015 financial records for Judge Adkins.

These findings have been reported to Judge Adkins and Judge Wukitsch.

The Committee appreciates the cooperation during our review of the court records of both Judge Margaret Adkin and Judge David Wukitsch and the Court Clerks.

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

Respectfully Submitted,
Pat Snyder
Adam Greenberg
Darryl Purinton
Town of New Scotland Audit and Finance Committee

Councilperson Greenberg seconded the motion.

Judge Adkins said that there could be a mistake in assuming that money was missing. They had \$100 extra which was ultimately accounted for. She just didn't want a mistake in impression. Supervisor LaGrange added that we had some correspondence with trying to assist, and she took care of it. We have it all documented. He stated that Judge Adkins mentioned in her last letter that she called the Comptroller's office, and they returned the call. Judge Adkins said that it's reconciled. Supervisor LaGrange said that the point is that our committee did their part, and we're good. Judge Adkins said that this reinforces that those should be done every year. That was from 2014, and the audit wasn't done that year. Supervisor LaGrange said that it was. Judge Adkins begged to differ. Supervisor LaGrange said that the audit was done in 2014. The discrepancy wasn't found because an audit goes over a percentage of transactions and reconciles them. Part of it was the final reconciliation for the year, and it wasn't found at that time.

Councilperson Greenberg asked what the Comptroller said. Judge Adkins said that the Comptroller said these things happen. They were content because it was over. They worry when money is missing. The way that certain things get reported, there are perceived errors. Councilperson Greenberg asked if we got anything in writing. Judge Adkins said that she would check with her clerk. Councilperson Ten Eyck agreed that it's over, but we have such a comprehensive paper trail that it would seem odd to not close the loop with some sort of documentation from the Comptroller. Councilperson Greenberg asked if we should wait to vote until we have that letter. Attorney Naughton thought we could vote.

Sharon Boehlke said if someone got overcharged in a fine. Judge Adkins said that it was just an accounting discrepancy. Mrs. Boehlke added that she has complete confidence in the courts.

Councilperson Snyder asked if we are going to receive something in writing. Judge Adkins said that if they get something from the Comptroller, they will certainly forward it to the Board.

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

Supervisor LaGrange thanked Judge Adkins and the clerks. They helped out a lot with the audit.

19. Report and recommendation re: examination/audit of the 2014 & 2015 Supervisor/Chief Financial Officer records

Councilperson Snyder read the report into the minutes.

RESOLUTION 2016-220

Councilperson Snyder offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby accept the report as outlined:

Supervisor/Chief Financial Officer Audit Report to Town of New Scotland Board
For the Years Ended December 31, 2014, and 2015

Dear Board Members,

On August 11, 2016, we, as the Audit and Finance Committee, reviewed all aspects of the financial records for the years 2014 and 2015 for the Town of New Scotland Supervisor/Chief Financial Officer. To complete this task, the following actions were completed:

We completed the checklists, as recommended by the Office of the State Comptroller, for each fund and reviewed; segregation of duties, how certain transactions are processed, and the status of prior recommendations.

The process revealed no accounting process issues but did identify the following continuing concerns and

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

recommendations to improve the internal control over bank reconciliations.

Attached are the completed checklists for each fund.

We recommend the following:

The Supervisor should review the bank statement reconciliations for all accounts under his signatory authorization.

The Audit and Finance Committee recommends no further review of the Supervisor/Chief Financial Officer's records for the years 2014 and 2015.

The finding has been reported to Supervisor LaGrange. It is our recommendation that the New Scotland Town Board resolve to accept this audit report for the years 2014 and 2015 financial records for the Supervisor/Chief Financial Officer.

Respectfully Submitted,

*Patricia Snyder and Darryl Purinton
Town of New Scotland Audit and Finance Committee*

Councilperson Greenberg seconded the motion.

Councilperson Hennessy asked when one says the Supervisor should review the bank statement records does that mean the Supervisor's office or the supervisor. Supervisor LaGrange replied that the actual supervisor should. This was a recommendation in the past. We set up many layers of accountability in this building. There has been tremendous progress made in the past few years. There is separation of how money is handled. We're on the right track, and he thinks this will finish it off.

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

20. Report and recommendation re: examination/audit of the 2013 Supervisor/Chief Financial Officer records

Supervisor LaGrange said that it's his fault that this wasn't done sooner. The audit was done on March 6, 2015, but he never brought it to the Board. Supervisor LaGrange read the report.

RESOLUTION 2016-221

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 report as outlined:

Supervisor/Chief Financial Officer Audit Report to Town of New Scotland Board

Dear Board Members,

On March 6, 2015, we, as the Audit and Finance Committee, reviewed all aspects of the financial records for the year 2013 for the Town of New Scotland Supervisor/Chief Financial Officer. To complete this task, the following actions were completed:

Cash reconciliations were cross referenced between the Cash Disbursement Journal, bank statements, invoices, and the system-generated bank reconciliation:

Compared General Journal Entries Report of 12/31/12 – 01/18/13 to:

Bank Deposit Slip, Town Clerk Monthly Report and Receipt #18202

Compared Cash Disbursement Journal to Bank Statement and printed check #23174

Receivables were reconciled through cross referencing the Annual Update Documents to the Audit Notebook.

Indebtedness Records were reconciled with the Statements of Indebtedness.

Bank Protection of deposited money was confirmed.

The process revealed no accounting discrepancies or obvious failings but did identify the following concerns and recommended implementation of the steps below to improve the accounting practices and controls for the Supervisor and staff.

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

We recommend the following:

- 1. A second party should review the bank statement reconciliations.*
- 2. Change employee manual to submit mileage reports within 30 days of the end of each month.*

The Audit and Finance Committee recommends no further review of the Supervisor/Chief Financial Officer's records for the year 2013.

These findings have been reported to Supervisor Dolin and his staff. It is our recommendation that the New Scotland Town Board resolve to accept this audit report for the year 2013 financial records for the Supervisor/Chief Financial Officer.

Respectfully Submitted,

*Douglas LaGrange, Patricia Snyder and Darryl Purinton
Town of New Scotland Audit and Finance Committee 2014*

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

Judge Adkins advised that we will not be getting anything from the Comptroller. The Comptroller worked with Mrs. Dudwoire and SEI, the computer program that we use, and it is in there as unidentified funds.

21. Liaison Reports

Hamlet Development District Study Committee

Councilperson Hennessy and Councilperson Greenberg met with our new Hamlet rezone committee made up of Planning, Zoning, and Town Board members. We are scheduling our next follow-up meeting. The first meeting was just informational. Councilperson Hennessy has spoken to our consultant who prepared the zoning language, and they do have some remaining money in their budget. This is a CDTC project, and they are the lead on the project so we are trying to schedule the next meeting which may occur before the end of the month. It may just be our own members to go over some of the language. Councilperson Hennessy and Councilperson Greenberg are coordinating that right now.

Hilton Barn

Councilperson Hennessy advised that the brackets are finally done. There was some difficulty with the supplier coordinating with the Town and the contractor. They are completed and that work may be starting by the end of the week. Councilperson Hennessy said that it's his understanding that the wood has been cut and is ready to go.

Budget

Town Clerk Deschenes advised that by October 5 we do have to have another meeting for the budget. Supervisor LaGrange said that he was aware of that and will schedule it.

Employee Policy Manual

We've had some issues with the Employee handbook over the past few months. Councilperson Greenberg spoke to Mr. Mackey who helped write the last version. He has volunteered to go over it with him or maybe a committee we set up and make some recommendations. Councilperson Greenberg asked if anyone else on the Board was interested in doing that and if everyone thought it was a good idea. Highway Superintendent Guyer said he would like to participate. Councilperson Ten Eyck also offered to help out. Councilperson Greenberg said that everyone should comment on it regarding any issues that they want us to look at.

Assemblywomen Fahey meeting

Supervisor LaGrange and Mrs. Boehlke met with Assemblywomen Fahey to primarily discuss the tax cap, which we are trying to stay under. Special district improvements, like we did in New Salem, hammer us when it comes to the cap, which in a sense is a detriment to opportunities to do things in other areas of the town. Supervisor LaGrange said that it seems like a good time for the State Assembly and Senate to get together, especially with those water issues that are going on to maybe take that component, a special district assessment, out of the comptroller's equation for staying under the

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

cap. Supervisor LaGrange thought that the first year the 2%, but since then it's been a lot lower. Last year it was at about 0.69, and he thought it was about that this year. So when we do a major improvement like the New Salem Water District, it hurts us to be able to do other things that are necessary. Assemblywomen Fahey is going to take that on to the Assembly and hopefully get somebody in the Senate to introduce something too. Supervisor LaGrange added that he guesses there has been some legislation, but now it is more of an opportune time, especially with the infrastructure issue that everyone is encountering. This was a bit of a surprise when we found out last year when it really hit us.

Assemblywomen Fahey also made us aware that she has potential project money that she might be able to help us get for this coming year. She likes to focus on Parks and Recreation, Public Safety, and things like that. As we develop ideas we might source another opportunity as we did with the barn. Supervisor LaGrange advised that \$75,000 came through her office the previous years on a couple of different odds and ends that we haven't finished yet. You can't image the amount of work, especially what Mrs. Kavanaugh does, to implement the application process of any of these grants.

VCSD

Councilperson Snyder is the liaison for the schools. Last Monday the VCSD had an informative meeting because the District Superintendent gave a detailed view of his strategic plans for the district which covered a lot of territory with respect to capital projects, enrollment, development, and enrichment for the school. That was very noteworthy, and it's on their website. Another important topic that came up and will be discussed this coming Monday is the result of some water tests that were done in the elementary school.

Planning Board

Councilperson Snyder said that we had very well-attended Planning Board recently. There was discussion before the Planning Board in the early stages with respect to development in the hamlet. The hamlet study and Planning Board are kind of converging on an issue that is before us now. Her point in saying this is to make the public aware that there are plans in the development stage for an opportunity to develop some property in the hamlet district and to encourage any and all interested residents to please go to the Planning Board meeting. That's where all of these things are thoroughly discussed and the public's ideas can be heard. Councilperson Snyder said that she is advocating for the public's continued attendance.

Public Meeting at the VCHS

Councilperson Ten Eyck advised that the date for the Public Meeting at the school might have been misprinted in the Altamont Enterprise as being on Tuesday. It's on Monday.

22. Departmental Monthly Reports:

- **Town Clerk, August 2016**
- **Registrar, August 2016**
- **Justice Wukitsch, June, July, August 2016**

Judge Adkins asked where her reports were. Supervisor LaGrange said that we either didn't receive them in time or we didn't receive them at all. Supervisor LaGrange said that they will be on the next agenda.

24. Pay the Bills

RESOLUTION 2016-222

Supervisor LaGrange offered the following motion and moved its adoption:

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

Pay the Bills		
Abstract #	Vouchers	Amount
	20161029-20161122	\$131,462.89
Prepays or three signatures		
	Vouchers	Amount
1293	20160987, 20161003, 20161005	\$1,186.82

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

Councilperson Snyder seconded the motion. All present and voting, the motion carried (5 Ayes).	1294	20160988	\$315.79	Council Greenb second motion present voting, motion (5 Aye
	1295	20160989	\$22.93	
	1296	20160990	\$.47	
	1297	20160991	\$106.55	
	1298	20160992	\$21.02	
	1299	20160993	\$21.02	
	1300	21060994	\$397.34	
	1301	21060995	\$357.96	
	1302	20160996	\$25.84	
	1303	20160997	\$86.44	
	1304	20160998	\$418.84	
	1305	20160999	\$188.81	
	1306	20161000	\$21.98	
	1307	20161001	\$532.05	
	1308	20161002	\$54.35	
	1309	20161004	\$231.46	
	1310	20161006-20161007	\$1,181.65	
	1311	20161008	\$15.68	
	1312	20161009-20161012	\$34,295.94	
	1313	20161013	\$55.00	
	1314	20161014	\$168.15	
	1315	20161015	\$21.92	
	1316	20161016	\$417.07	
	1317	20161017	\$353.94	
	1318	20161018	\$24.35	
	1319	20161019	\$26.02	
	1320	20161020	\$490.87	
	1321	20161021	\$95.04	
1322	20161022	\$91.95		
1323	20161023	\$210.58		
1324	20161024	\$25.90		
1325	20161025	\$22.93		
1326	20161026	\$313.89		
1327	20161027	\$21.02		
1328	20161028	\$21.02		
See for additional details.				

25. Approve any Budget Modifications

RESOLUTION 2016-223

Supervisor LaGrange offered the following motion and moved its adoption:

Whereas, there is a need to provide additional funding for amounts made or to be made in excess of the appropriation provided in the adopted budget, the Town Board resolves to provide funding as follows:				
FROM	CODE	TO	CODE	AMOUNT
Fund Balance	A0909	Clarksville Bldg./contr.	A1624.1	\$727.04
To appropriate money from fund balance to Clarksville Bldg./contractual for amount over budget.				
Fund Balance	A0909	Justice/contr.	A1110.4	\$287.86
To appropriate money from Fund Balance to Justice/contr. for amount over budget for 9/16.				
Fund Balance	A0909	Youth Programs/contr.	A7310.4	\$233.89
To appropriate money from Fund Balance to Youth Programs/contr. for amount over budget.				
Fund Balance	WNS0909	Purification/contr.	WNS8330.4	\$350.00
To appropriate money from Fund Balance to Purification/contr. for amount over budget \$11 and amount for balance of year.				
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).

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

Schedule Special Meeting

Supervisor LaGrange said that we are feverishly working on the budget. We do have to get that out, and he anticipates having it done by about September 29. The Town Clerk is directed to present that officially to the Town Board on or before October 5. We need a special meeting somewhere in that timeframe. Supervisor LaGrange would also like to include on that potentially three other things. He believed the interview committee interviewed potential applicants for the Planning Board and the ZBA. We might also have some resolution to a couple of things, one being the IMA for Heldervale with Bethlehem and the agreement with the Village of Voorheesville on amending the agreement to provide water to Colonie Country Club Estates. Councilperson Greenberg preferred to hold the meeting prior to October 5 because he would like to have someone on the Planning Board before their next meeting on October 4.

RESOLUTION 2016-224

Councilperson Snyder offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby schedule a special meeting of the Town Board for September 29, 2016 at 6:30 PM.

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

Budget Workshops

Supervisor LaGrange advised that we need to set aside three budget workshops in October. The second meeting we usually bring in the emergency services folks.

RESOLUTION 2016-225

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby schedule budget workshops for October 11, 2016, and October 13, 2016, at 6:00 PM.

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

RESOLUTION 2016-226

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby schedule a budget workshop for October 26, 2016, at 6:30 PM.

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

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

Mary Boyce is interested in seeing if the Board could make a change in the zoning law definition regarding food trucks and restaurants. Right now they are lumped together. How do you get that on the agenda to see if it can be changed? Mrs. Boyce said that the NYS Compilation of Rules and Regulations has a very clear definition of mobile food services. There is no way they can be considered to be the same.

Supervisor LaGrange said that just like the other potential laws that we had tonight that deal with the Zoning Code, that's how they are initiated. If a Board member wants to take that on, we have a ton of stuff in the Zoning Code that we need to take on. There are several definitions and that's one of them that needs addressing. They are something that aren't defined yet that we need to do. It's something we can look into and get back to you onto it. Councilperson Greenberg suggested writing a letter to the Supervisor's office and requesting the change and perhaps copy the Town Board members so it's on everyone's radar.

26. Possible motion for Executive Session regarding contract negotiations

RESOLUTION 2016-227

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve an Executive

Town of New Scotland
Regular Town Board Meeting

September 14, 2016

Session to discuss contractual and personnel issues.

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

Executive Session began at 9:15 PM.

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

Executive Session adjourned at 10: 49 PM.

No action was taken during Executive Session.

27. Adjourn

Supervisor LaGrange made a motion to adjourn, seconded by Councilperson Greenberg. The meeting adjourned at 10: 49PM

Diane R. Deschenes, Town Clerk