

Town of New Scotland
Special Town Board Meeting

September 29, 2016

The following Town Officials were in attendance:

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

1. Call to Order

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

2. 2017 Tentative Budget has been filed with the Town Clerk & will be available on the Town website

Supervisor LaGrange announced that the Board has the tentative budget in front of them along with the salary scale for 2016, sales tax revenue, and mortgage tax revenue for the last few years. One other thing to note is that we are looking at no tax in the B and DB funds. That allows us to use sales tax in the A fund. The A fund has been dropping at an incredible rate using fund balance over the past few years. A number of years ago the Town Board decided to change the winter highway department from the DA to DB. That was because at the time the A fund was flush and the B fund was in trouble. Now, we have the opposite situation and we are looking to change that back. Supervisor LaGrange said that he'd like to sit down with each Board member to go over the particulars.

3. Discussion/Action re: contract 2016 Addendum & Agreement to the 2016 Albany County Sheriff EMT-D and ALS Contracts

Supervisor LaGrange said that this addendum is to supplement the loss of VAAS. Attorney Naughton has been working on this along with Supervisor LaGrange, Attorney Reilly, Mayor Conway, and the sheriff's department. We are going to keep a watch on the situation with VAA as we get closer to their closing date of October 15. We are starting to talk with the Sheriff on the 2017 budget which will fulfill the needs for that district. Attorney Naughton said that this afternoon he emailed the latest version of an amendment to the contract to provide for coverage by the County for the period October 15 through December 31, 2016. He drafted the original one, which is included as exhibits, the VAAS contract, and the other two contracts that we entered into for 2016 with the County. He did that because the Village is not a party to that contract, and he thought they should have a copy. The County yesterday circulated a revised contract. They changed the formatting and took out those exhibits. He felt like he was simplifying it by just putting in the basic provision. Attorney Naughton circulated the redlined version. It looks like a lot of changes, but it's okay. They are taking the provisions out instead of relying on what's said in the contract that he attached, and they are putting the language in here. Attorney Reilly also sent an email stating that he had gone through it, and he was okay with it. The Village approved it Tuesday night. Attorney Naughton is fine with this and recommended signing it. Attorney Naughton said that we kept the same 61-39 split. It is \$27,408 for the balance of the year which he understands is still within the budget. Supervisor LaGrange said again that this is just for finishing up 2016. Councilperson Greenberg asked how much this increases the budget for 2016. Supervisor LaGrange said that, because we haven't paid VAA anything or received any revenue recovery, this will be less than we had budgeted. The increase will simply be to the County for what the agreement is. Attorney Naughton said that even for the second last quarter of the year it will be very close to the charges that we were going to be paying VAA.

RESOLUTION 2016-228

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve entering into this amendment to the EMT-D contract with Albany County and the Village of Voorheesville to supply additional ambulance and emergency services as outlined in the 2016 Albany County Sheriff EMT-D and ALS contract and authorizes the Supervisor to sign it.

Councilperson Greenberg seconded the motion.

Councilperson Snyder asked about question seven in the contract. She asked if everyone is aware or is the Village aware of any further arrangements, contracts, or licenses that are necessary to either have this

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4. Discussion/Action re: Intermunicipal Agreement with the Town of Bethlehem regarding the Heldervale Water and Sewer Districts

This item was tabled.

5. Appointment of a Planning Board Member with a term of October 1, 2016, December 31, 2019

RESOLUTION 2016-229

Councilperson Greenberg offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby appoint Crystal Peck as a member of the Planning Board with a term October 1, 2016, to December 31, 2019.

Councilperson Hennessy seconded the motion.

Councilperson Snyder said that she thought we had a lot of good candidates, and she hoped this Board would agree. Councilperson Greenberg said that five people applied, which is impressive. They were qualified and interested. Councilperson Snyder said that she was happy to see that we had at least several qualified candidates to choose from. That heartened her because earlier in the year there was a lot of discussion, and then there was a resolution passed alluding to the premise that we didn't have a sufficient number of candidates and qualified people to choose from. She thinks that we've been enlightened at least to the fact that there are a lot of good people out there, many who are well qualified and willing to serve on the Boards.

Councilperson Snyder then wanted to understand where we are with respect to the ZBA and Planning Board resolutions or legal information that we need from our Attorney on those two Boards. Supervisor LaGrange asked if she meant decisions. Councilperson Snyder said decisions, resolutions, or anything that's necessary. Supervisor LaGrange said that he hasn't checked in a while, but the last he heard they were caught up to the end of 2015, but he hasn't heard about 2016. Councilperson Snyder said that her understanding is that you we for all of those to be brought up to date. It's now September 29, 2016, and we don't have any decisions or resolutions for 2016. Supervisor LaGrange said that he could only speculate. He doesn't know that as a fact, but he can find out.

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

6. Appointment of a Zoning Board of Appeals Member with a term of October 1, 2016, to December 31, 2020

Supervisor LaGrange got a call from Heather Dolin tonight who has not moved yet but plans to, so she's not interested in staying on the Board.

RESOLUTION 2016-230

Councilperson Hennessy offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby appoint Michael Barton as a member of the Zoning Board of Appeals with a term of October 1, 2016, to December 31, 2020.

Councilperson Greenberg seconded the motion.

Supervisor LaGrange asked if he would entertain it. Councilperson Greenberg spoke with him, and he was willing. He added that to go back to Councilperson Snyder's comment on the last appointment, no one applied for the ZBA position so we asked people that were interested in Planning if they would be willing to do zoning. Mr. Barton was one of the only ones who said yes.

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

7. Discussion/Action re: dedication of West Street

Supervisor LaGrange said that this was on the last agenda, but we were waiting for title insurance. Attorney Naughton said that we've got that squared away. Supervisor LaGrange said that all of the concerns are addressed. Attorney Naughton said that the big picture on this is that it's at the end of a road, and they just created a turnaround for the snowplows. The land is being dedicated for that. The

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improvements have been done, and the Highway Department is satisfied. Stantec looked at it, and they are fine. It's a small piece. It's 10,000 square feet at the end of the road. What happens is there is an offer of cession where they offer to give it us, and there will be a deed. We have the signed deed and all the documents for filing that. We have title insurance for a value of \$25,000-\$35,000. Everything is set. Attorney Naughton recommended that the Board approve the resolution accepting the dedication.

RESOLUTION NO. 231 OF 2016
Town of New Scotland, New York

RESOLUTION APPROVING DEDICATION OF
LAND AND IMPROVEMENTS FOR
WEST STREET EXTENSION DEDICATION

WHEREAS, Wayne LaChappelle and Sheri Lynn LaChappelle (collectively, "Developer"), have requested that the Town Board of the Town of New Scotland (the "Town") accept dedication of the land described in the Warranty Deed annexed hereto as **Exhibit 1** (the "**Deed**"), including the improvements for the West Street extension, as shown on the map and survey plan prepared by Nathan M. Burrows, L.S. NMB Land Surveys, PLLC, last revised June 26, 2016 (the "**Plan**") attached hereto as **Exhibit 2** (which was recorded with the Albany County Clerk's Office on July 26, 2016).

WHEREAS, the Town wishes to accept dedication of the land and improvements from the Developer;

WHEREAS, the street improvements have been examined by the Town Designated Engineer, Stantec Consulting, Inc., and Ken Guyer, Highway Superintendent, and were found to be acceptable for dedication.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts dedication of the land described in the Deed for the West Street Road extension, as shown and described on the Plan annexed hereto as Exhibit 2.

IT IS FURTHER RESOLVED that the Supervisor should sign any and all documents.

A motion by Member LaGrange, seconded by Member Hennessy to adopt **Resolution No. 231 of 2016**.

- 8. Correction of approved pay rate increase for James Kendall – EO1 with Class A license. New hourly rate effective September 19, 2016, should be \$21.28 per hour (2-cent correction). RESOLUTION 2016-232**

Councilperson LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby amend the previously approved rate increase for James Kendall as an EO1 with a Class A license from \$21.26 to \$21.28 per hour effective September 19, 2016.

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

Hamlet Development District Study Committee

Councilperson Hennessy is trying to schedule a meeting for next Thursday for the Hamlet Zoning Review Committee.

Parking lot at Town Hall

Supervisor LaGrange said the Highway crew is helping out a lot. They are getting the parking lot ready, and we hope to pave next week. That will culminate our five projects that we we're trying to get done for the year. We've squared the parking lot off and we've made it safer in the front. We've got a pretty good design of what we are doing. After it's paved, we hope to have it lined. Supervisor LaGrange thanked the Highway Department for their help.

Hilton Barn

Supervisor LaGrange said that we've been getting the drainage tile in and the gravel over the top of it.

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Wayne LaChappelle is donating time. Finke Equipment donated an excavator which helped us do a better job; that was appreciated. The sills are being cut, the holes for the brackets are being drilled, and things are moving along.

9. Adjourn

Supervisor LaGrange made a motion to adjourn, seconded by Councilperson Greenberg. The meeting adjourned at 6:58 PM.

Diane R. Deschenes, Town Clerk