

Town of New Scotland

Regular Town Board Meeting

November 9, 2016

The following Town Officials were in attendance:

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

1. Call to Order

Supervisor LaGrange called the meeting to order at 7:00 PM, extending congratulations to Laura Ten Eyck who won her election.

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:

- **October 11, 2016** **Budget Workshop**
- **October 12, 2016 A** **Public Hearing Local Law F - Doug absent**
- **October 12, 2016** **Regular Town Board Meeting – Doug absent**
- **October 13, 2016** **Budget Workshop – Pat absent**
- **October 26, 2016** **Budget Workshop**

RESOLUTION 2016-238

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 of the October 11, 2016, and October 26, 2016, budget workshops.

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

RESOLUTION 2016-239

Councilperson Greenberg offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve the minutes of the October 12, 2016, Public Hearing and regular Town Board meeting.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (4 Ayes – 1 abstained). Supervisor LaGrange abstained since he was absent from those meetings.

RESOLUTION 2016-240

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 of the October 13, 2016, budget workshop.

Councilperson Hennessy seconded the motion. All present and voting, the motion carried (4 Ayes – 1 abstained). Councilperson Snyder abstained since she was absent from that meeting.

Announcement:

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- **Fall Brush & Leaf Bag Clean-up October 11 – November 18
Resolution to set special meeting.**

Supervisor LaGrange would like to set up a special meeting to deal with a couple of local laws that we've been working on.

RESOLUTION 2016-241

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 November 30, 2016, beginning at 6:00 PM.

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

Councilperson Greenberg advised that there are three proposed local laws to be discussed on notification, solar, and storage containers.

6. **Resolution approving the Relevy of the 2016 unpaid water and sewer charges, as presented by the Town Clerk, to the 2017 tax roll.**

This is the normal relevy of water and sewer bills that are not paid. Albany County has asked that Town Boards pass a resolution authorizing that they be added to the tax warrant. Town Clerk Deschenes advised that this amount is similar to last year.

RESOLUTION 2016-242

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve that the relevy is sent to Albany County for the 2016 unpaid water and sewer charges as presented.

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

7. **Discussion/Action re: Proposed Local Law F of 2016, regarding notice to residents of pending applications for permits and approvals.**

This is being postponed until the November 30, 2016, meeting.

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

Attorney Naughton said that we have had a water agreement with the Town of Bethlehem for many years, and we've been working under an arrangement with no written or formal agreement with the Town with respect to Bethlehem providing water at two times the published rates used for Bethlehem residents. There was some effort to renegotiate the charges and the amount of the charges and to clean up some administrative issues on some of the fees that are being charged. This agreement has been done for some time and is acceptable at this point for both towns, but Bethlehem is insisting that the approval of this be tied to approval of a related agreement for amending the sewer agreement with them. Attorney Naughton prepared a resolution for the Board to approve the intermunicipal water supply agreement. We've talked about this many times. We have that and we have an addendum for the existing sewer agreement for the Heldervale Sewer District. Unlike the water side, there is an existing agreement. It's been amended once already, and we need to amend it to bring Creekside subdivision and some related properties near that into the district. Under the agreement with Bethlehem for sewer, we need to get authorization if we expand the district. The town has already approved conditionally the district extension for Creekside, and there are some water system improvements related to that which need approval by the Town of Bethlehem, as well. That is all set forth in this addendum to the agreement. We had issues in the contract negotiations, but he thinks we've worked them out at this point. He is recommending that the Town approve the water agreement and

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addendum #2 to the sewer agreement. There is also a resolution for that purpose. Attorney Naughton wanted to point out one other thing. Water has been in the news a lot lately. Under this written agreement with the town of Bethlehem, because they are providing water, they are obligated to provide potable water that meets the then current state, county, and federal standards. Really, all we can ask the Town to do is to meet the existing standards although there may come a time when the standards are changed. They are contractually obligated to provide us with water that meets those standards.

RESOLUTION NO. 243 OF 2016
Town of New Scotland, New York

RESOLUTION APPROVING INTERMUNICIPAL WATER SUPPLY AGREEMENT WITH TOWN OF BETHLEHEM [HELDERVALE WATER DISTRICT]

WHEREAS, the Town of Bethlehem currently provides water to the Heldervale Water District pursuant to an arrangement with the Town of New Scotland and in accordance with the published rates;

WHEREAS, the towns wish to enter into a formal intermunicipal agreement concerning the Town of Bethlehem supplying water to the Heldervale Water District.

NOW, THEREFORE, BE IT RESOLVED, that the Town of New Scotland hereby approves the Intermunicipal Water Supply Agreement, dated as of November 2016 (the "Agreement") and authorizes the Town Supervisor to sign the Agreement on behalf of the Town.

A motion by Member LaGrange, seconded by Member Snyder, to adopt **Resolution No. 243 of 2016**.

Councilperson Hennessy said we negotiated for this, and we made sure it does not preclude our interests in pursuing negotiation and/or actions to new water rates down the road. It was specifically addressed in the agreement. He also believes there is some slight forgiveness in certain meter funds that had been previously charged. There is a slight forgiveness in some of those costs. Councilperson Hennessy thanked Attorney Naughton for looking at the sewer agreement and addressing some of the difficult language that Bethlehem seemed to have in there.

Marcus Hotaling

Mr. Hotaling asked how long the agreement is for, adding that it sounds like there is no actual rate change but maybe some forgiveness on the fees. Attorney Naughton responded that it is 20 years, but it doesn't preclude any changes or the annual review of water charges. We were unsuccessful in getting everything we wanted in terms of the water rates, but we are not necessarily locked into that rate forever.

In favor: 5 ayes
Opposed: 0 nays
Motion Approved: 5 ayes

RESOLUTION NO. 244 OF 2016
Town of New Scotland, New York

RESOLUTION APPROVING AMENDMENT TO INTERMUNICIPAL AREEMENT/ADDENDUM #2 TO SEWER AGREEMENT WITH TOWN OF BETHLEHEM [HELDERVALE SEWER DISTRICT]

WHEREAS, the Town wishes to amend a certain intermunicipal Agreement, dated March 23, 2005, (the "Sewer Agreement") between the Town of Bethlehem and Town of New Scotland concerning the Town of Bethlehem accepting for treatment at its wastewater treatment facility wastewater from the Heldervale Sewer District; and

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WHEREAS, on December 9, 2009, the parties amended the Sewer Agreement pursuant to an Amendment of Sewer Agreement, dated December 9, 2009, to cover the Heldervale Sewer District Extension No. 5; and

WHEREAS, on October 21, 2015, the Town of New Scotland approved Heldervale Sewer District Extension No. 6 in connection with the “Creekside” residential subdivision project and certain neighboring properties described and depicted in the Order establishing such district extension; and

WHEREAS, the Town of Bethlehem currently provides water to the Heldervale Water District pursuant to an arrangement with the Town of New Scotland and in accordance with the published rates;

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby approves the agreement entitled “Intermunicipal Agreement and Amendment/Addendum #2” to the Sewer Agreement and authorizes the Town Supervisor to sign the Addendum on behalf of the Town. This Resolution supersedes Resolution #90 dated March 9, 2016, regarding this subject.

A motion by Member LaGrange, seconded by Member Snyder to adopt **Resolution No. 244 of 2016**.

In favor: 5 Ayes

Opposed: 0 Nays

Motion Approved: 5 Ayes

**5. Resolution adopting the 2017 Preliminary Budget as the Final 2017 Budget
RESOLUTION 2016-245**

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby adopt the Preliminary Budget as amended as the official budget of the Town of New Scotland for the year 2017.

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

9. Discussion/Action re: results of request for proposals for security fencing for New Salem Water District facilities

Supervisor LaGrange advised that Mr. LaChappelle got these numbers for us. The New Salem Water District was completed during the past six months as far as odds and ends go, and it's up and running. We have two areas, the tank by the highway garage which is open and not secured and the pump house which is the second building on the left as you enter New Salem where we have all of our main shut-offs and metering. We also use that for storage when we purchase water meters in bulk. This facility isn't very secure, but it should be because we have the many valves and equipment that regulate the water district not to mention the fact that we use it for storage. This is all a part of the overall plan and the budgeting for the New Salem Water District. It's part of what was approved in the financing. We did have three different proposals. We also asked for a proposal on the Clarksville Water District area, but we're not able to do that now. These are solely for the tank and the pump house.

RESOLUTION 2016-246

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 proposal from Siena Fence Co., Inc., regarding these two projects, the water tank enclosure being \$8,680 and the pump enclosure totals \$7,550, and authorizes the Supervisor to sign the contract with the supplier.

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Councilperson Ten Eyck asked why this one as opposed to the others. Supervisor LaGrange said that it was because it was substantially cheaper than the other. That's why we have to get three bids. The top two items are what's in question. The bottom one is for the Clarksville Water field.

Councilperson Greenberg seconded the motion.

Councilperson Hennessy asked why we have such a large amount of fence around one of the water tanks. Supervisor LaGrange said that the third item is the water tank enclosure quote from Siena Fence for the Clarksville well field. We are only entertaining the top two items.

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

10. Discussion/Action re: Barton & Loguidice Task Order for engineering and landscape architecture services for Clarksville Pedestrian Safety Improvements

Supervisor LaGrange advised that we have a task order from Barton & Loguidice for engineering and landscape architecture services for the Clarksville Pedestrian Safety Improvements. We attempted to apply for a grant last year. Councilperson Hennessy did a tremendous amount of work getting that together. It fell short last year, but we are hoping for the future to get it. In the meantime, we're preparing for it. Supervisor LaGrange went up to Clarksville with Barton & Loguidice and showed them the area we were talking about. They suggested doing this as a scoping project to check it out and give us an idea. It would also give us an opportunity to present something to the residents of Clarksville. Supervisor LaGrange said that he would like to look into three phases eventually. The main reason for this is because Delaware Turnpike is a state road and quite a thoroughfare through Clarksville, and there is no place for people to walk along the road. Supervisor LaGrange added that he thinks it's the only thing people in Clarksville have ever really complained to him about. There are a lot of young couples with strollers trying to negotiate Delaware Avenue with not much of a shoulder if any. They have a lot of events there. The church and the post office are along that area. The school is occupied by the Albany County Sheriff's Department and is still being retained by Bethlehem Central in case they ever want to open it again. This would lend safety towards that in the future. All in all, Supervisor LaGrange said that it's something he would like to move forward on. Barton & Loguidice gave us a proposal fee of \$3,500. Supervisor LaGrange would like to move forward and at least get this portion of it together. The other reason is that he needs some better ideas if we apply for grants or anything else and, there is another round coming up for 2017. It would be nice to have some idea of the cost to specify in the grant application.

RESOLUTION 2016-247

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 a contract with Barton & Loguidice at a proposed fee to be no more than \$3,500 to provide scope and services as outlined in the task order for Engineering and Landscape Architecture Services dated November 1, 2016, and authorizes the Supervisor to sign this.

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

11. Authorize Supervisor to accept proposals from Teal, Becker & Chiamonte for audit of:

• **2015 financials of the Krumkill Road Federal Highway Project**

Supervisor LaGrange said that with Federal programs that exceed \$500,000 you have to have an audit of the program. Our CHIPS money normally doesn't have to be audited, but because of the Krumkill Road improvement we did and the money we got from the Federal government exceeded that, the CHIPS money falls into the need for the audit. Councilperson Hennessy asked if the money from Krumkill Road was in the overall project budget or was that a separate audit. Supervisor LaGrange didn't know. Engineer Dempf

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said that he thought we might have had a line item in the budget but wasn't sure. Sometimes special insurance is covered, but he didn't know whether we put in for the audit. He will let the Board know tomorrow. Supervisor LaGrange said that this is for professional services, and we enlisted them before to do similar things.

RESOLUTION 2016-248

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 an agreement with Teal, Becker & Chiaramonte, certified public accountants, to audit the 2015 financials for the Krumkill Road Federal Highway project for a price not to exceed \$6,800 and authorize the Supervisor to sign it.

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

• **2015 Consolidated Local Street & Highway Improvement Program**

Supervisor LaGrange said that this again is a full-scale audit that the federal government requires because our CHIPS money is a part of this whole federal funding. This year we have to provide the audit.

RESOLUTION 2016-249

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 an agreement with Teal, Becker & Chiaramonte, certified public accountants, to audit the 2015 Consolidated Local Street and Highway Improvement Program for a price not to exceed \$5,800 and authorize the Supervisor to sign it.

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

12. Resolution authorizing payment of a special weekly stipend of \$515.82 to Justice David Wukitsch for temporary coverage for Justice Margaret Adkins' vacancy until such time as that vacancy is filled.

Supervisor LaGrange advised that Justice Adkins decided to retire effective November 15 and Judge Wukitsch has offered to fill in. We verified that it's okay to do so. He can't be paid an increase to his salary because that is fixed in our budget, but a stipend can be paid. We would pay that to him or anyone else who would fill in. Judge Wukitsch has agreed to that. Supervisor LaGrange proposed going from November 15, 2016, to December 31, 2016. It would be a special weekly stipend of \$515.82 which is the exact amount Judge Adkins would have received.

RESOLUTION 2016-250

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize payment of a special weekly stipend of \$515.82 to Judge David Wukitsch for temporary coverage for Judge Margaret Adkins' vacancy until the time when that vacancy is filled which he proposed would be November 15, 2016, through December 31, 2016.

Councilperson Greenberg seconded the motion.

Councilperson Hennessy advised that we have been receiving some resumes to fill the position. The Town has an advertisement on its website to seek other applicants who may be interested. Supervisor LaGrange added that it is in this week's paper, on the website, and on Facebook. We have had at least three interested individuals. Supervisor LaGrange added that this will change our sequence of elections for the justices. They will now alternate again when they run.

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

13. Highway and Parks:

- **Electronics**

Highway Superintendent Guyer advised that as of December 1, 2016, we are no longer accepting electronics at the Town of New Scotland highway garage. Electronics can be taken to the transfer station. There is no charge at this time; however, you must have a valid transfer station permit. This has been put on the website and also Facebook. The Highway Department has also been advising people when they come in. Highway Superintendent Guyer said that they've cleaned up over in the barn and organized. This will give the Highway their bay back. They lost a whole truck bay to electronics.

- **Plow Truck**

Supervisor LaGrange advised that Highway Superintendent Guyer had a budget item for a replacement snowplow. It was taken out of the budget because we do that by bonding it. We are getting the figures together, and we will probably discuss it at our December meeting.

Engineering

Engineer Dempf said that he has some information to hand out tomorrow on Toby Lane.

14. Hilton Barn Relocation Capital Project:

- **Project update**

Supervisor LaGrange advised that we lowered the barn on Monday. Mr. Moore and his crew have done a wonderful job on the sills. Mr. O'Rourke did a wonderful job on the foundation and the piers inside the building. We had brackets installed by Mr. Moore's crew. Wolfe lowered the barn which was interesting and went smoothly. Wolfe has all their material primarily out of the barn. They have a few odds and ends to pick up tomorrow. Our next step is to get the fill inside to protect the foundation.

- **Resolution authorizing purchase of fill for project site**

Supervisor LaGrange said that he and Councilperson Greenberg are going to look into a couple of places that Mr. LaChappelle found for the two-inch insulation. We are looking to get that here by next week and then start to bring fill in. Mr. LaChappelle has someone that he contracts with at Callanan Industries who wanted to donate the material. They have screenings that they use for things like this. They had a pick-up at their price of \$1 per ton. They said to deliver to the site would be a total of \$5.50 per ton. That is a good price and donation. We've had a lot of things donated or breaks given for the project which is very much appreciated. Depending on how much we end up getting, at least to start off, we are going to fall under procurement. We did have a couple of other additional fill materials that we got prices on. This is definitely the lowest price, and the best fill we've had. Regardless, we are in very good shape here.

RESOLUTION 2016-251

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does authorize the purchase of the fill that we need to complete the task from Callanan Industries, Inc., at the rate of \$5.50 per ton for the Hilton Barn project.

Councilperson Snyder asked if we are going to put a maximum. Supervisor LaGrange didn't think it was necessary since it's basically on an as-needed basis. We may also be able to procure some others donations. Councilperson Greenberg added that there is a timing issue too. We need the fill to be in there before the frost gets in under the foundation.

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

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- **Barn Roofing**

Supervisor LaGrange said that he and Mr. LaChappelle have been getting some pricing on roofing. There is about 60 tons of slate up there. There are a few leaks. It's also something we probably can't entertain as a long-term solution. It tends to slide off and doesn't work well for a municipal building. Repairs would probably be a lot more than we'd want to put into it. We've started to look into any type of faux slate which would look well up there. There is also steel that Supervisor LaGrange got prices on. It looks nice. Supervisor LaGrange has a sample in his office. There are also regular shingles that look like a slate roof. We are starting to investigate that. The reason Supervisor LaGrange was starting to get prices and ideas on that is because we could incorporate it into a grant for next year. Either way, we are going to need underlayment too, so we're going to have to figure that price in. We would probably need one-quarter inch or one-half inch plywood plus the installation cost. We will see how this all transpires. Councilperson Hennessy said that that's in the current grant that's pending. If we get that grant, all of that planning and design work is part of it. Hopefully that comes through and we'll be able to do that. Councilperson Greenberg added that we also have a couple of other grants that are a possibility, as well.

15. Fire and Ambulance:

- **Service Fee Agreement with Penflex for Service Award Programs of: New Salem Fire Protection District & Onesquethaw Fire protection District**

Supervisor LaGrange said that we have the LOSAP programs for both New Salem and Onesquethaw. These are required to be audited yearly. We have the proposal from Penflex to do each of those fire protection districts. The price is the same as it's been.

RESOLUTION 2016-252

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 an agreement with Penflex, Inc., for the New Salem Fire District LOSAP audit for an amount not to exceed \$3,500 and authorize the supervisor to sign it.

Councilperson Greenberg seconded the motion.

Supervisor LaGrange said that both fire districts chart their member participation in both calls and training. Each member gets a certain number of points. There is a minimum amount to participate in this program. This is not only carefully watched by the membership and the officers, but also the Town helps. We have the responsibility to oversee this program, and then we are required to have the audit which the fire districts pay for out of their budget.

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

RESOLUTION 2016-253

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 an agreement with Penflex, Inc., for the Onesquethaw Fire District LOSAP audit for an amount not to exceed \$4,100 and authorize the supervisor to sign it.

Councilperson Greenberg seconded the motion.

Supervisor LaGrange said that the reason the amount is higher is because the membership level is higher.

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

16. Discussion/Action re: amendment to employee policy manual section 702-Health Insurance to amend coverage options

Supervisor LaGrange advised that this has to be amended due to the fact that we changed

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providers. Mrs. Kavanaugh put this together for us. It identified who's eligible and how they are eligible. All of this is to conform to the new company, MVP. We need to make this change in our employee manual to reflect that.

RESOLUTION 2016-254

Supervisor LaGrange offered the following motion and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby amend the Employee policy manual as follows:

Amendment to Employee Policy Manual Section 702, Group I and Group II

Group I

Employees employed by the Town of New Scotland prior to January 1, 2004 without a break in service. A break in service is any separation of service other than an approved leave of absence.

Full-time eligible participants who select individual coverage have no employee contribution toward the premium.

Full-time eligible participants, ~~and employees designated by the Town Board who work twenty (20) hours per week or more~~ who select ~~family or two-person~~ Employee+Spouse, Employee+Children, or Employee+Spouse+Children coverage, contribute twenty percent (20%) of the total monthly premium for the plan in which they enroll.

Elected Officials who work more than 20 hours per week but less than 35 hours ~~less than full-time~~ contribute fifty percent (50%) of the total monthly premium for the plan in which they enroll for ~~individual, two-person or family coverage~~ all levels of coverage.

Group II

Employees employed by the Town of New Scotland on or after January 1, 2004

Full-time eligible participants who select individual coverage contribute ten percent (10%) of the total monthly premium for the plan in which they enroll.

Full-time eligible participants who select ~~two-person or family~~ Employee+Spouse, Employee+Children, or Employee+Spouse+Children coverage contribute thirty percent (30%) of the total monthly premium for the plan in which they enroll.

Elected Officials ~~who work less than full-time~~ and employees designated by the Town Board who work twenty (20) hours per week or more and less than thirty-five (35) hours per week, who are eligible participants, contribute fifty percent (50%) of the total monthly premium for the plan in which they enroll for ~~individual, two-person or family~~ all levels of coverage.

- Strikethrough language has been removed
- Highlighted language has been added

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

17. Liaison Reports:

• **Update on Cable Franchise utility and agreement audit**

Councilperson Greenberg advised that we started a utility audit with Computel this summer. They were looking into our cable franchise agreement with Time Warner. They recently got back to Councilperson Greenberg, and he will forward their letter to the Board. Basically they found \$6,000 that we can collect plus \$1,000 per year ongoing in the future. The one hitch is that if we decide to collect the \$6,000, they pass it onto the customers on their bills. The Board will have to decide if they want to do that. It doesn't list it on the bill that the Town of New Scotland has added a charge. It just increases the cost to anyone who gets Time Warner. This could be added to the next agenda, giving the Board a month to think about.

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- **Lighting at Thacher Park's Visitors Center**

Supervisor LaGrange had a call from Timothy Albright who was concerned about the lights at the new visitor center at Thacher Park. They are primarily work lights right now. It's lit up bright at night, and it's kind of a new interruption to the escarpment and what has been quiet and serene. Mr. Albright mentioned that it recently changed to the Office of Parks, Recreation, and Historical Preservation. His comment is that the historical preservation aspect of it tends to fold when it comes to the recreational aspect of it. He asked if the Board would support sending a letter to the State. It's all the State, so we don't have much say in it. Supervisor LaGrange didn't know if the Center is going to be brightly lit. He assumes that if they have evening activities, especially this time of year, it's going to be lit up after 4PM. Councilperson Ten Eyck thought Mr. Albright was going to attend tonight. She added that it has been lit relatively brightly during the construction that's going on at night. It looks like the Starship Enterprise. It's not as if the lights are blindingly bright in your eyes if you're driving. It's just unusual in appearance. There was some communication from the Park. There was some sort of problem. The lights were supposed to go off on a timer when the workers were done, and they did not, so they've been on all night which was not the intention. Councilperson Ten Eyck thought that the Park's intention was to only have the place lit when they have activities; however, it is a public building and she thought there would be security lighting. Normally when we have something go before the Planning Board, we have tremendous discussion about lighting at night, but because this isn't under the Town's jurisdiction there has really been no discussion. Councilperson Ten Eyck thought that the visitor's center is going to be a great thing for our town, but she thought it was worth a letter to the Park stating our concern about the degree of lighting, the brightness, and the disruptiveness of it to the scenic element but also for driving by there. The other thing Mr. Albright was concerned about is that we take under consideration now that there are a few houses up there. One has a tremendously bright light that shines directly down onto Indian Ladder Farms. It makes you squint when you look up. Councilperson Ten Eyck said that we should consider being cautious going forward as to what the nightscape is going to be if more people do construct homes up there. The Planning Board is probably the entity that would be dealing with it. Not only should we think about the impact of the lights on the neighbors on top of the hill, but we should think about the impact of the lighting on top of the escarpment in general to the lower lying area. It could be, if it's not done correctly, ending up being not the kind of Helderberg escarpment look that we want. Councilperson Ten Eyck thought that those were Mr. Albright's main points. Supervisor LaGrange said that if it's individual homes, it would just be the Building Department, but we could certainly discuss that with them. Councilperson Ten Eyck said that this has been many years that the one home has been there with a very bright light, and it is disruptive. We would want to make sure that kind of thing is happening going forward. Councilperson Ten Eyck didn't know what level of security lighting the center needs. She understands that the place will be lit when it's being used and it's good that it's being used, but it would be nice to know more. Councilperson Greenberg said that direction-wise maybe they can make some adjustments. Supervisor LaGrange said that he's spoken to the two people that are part of the Parks on the speed limit situation and they were helpful with that. He can give them a call to see just what is going on. Councilperson Ten Eyck felt that they would be cooperative. They are in the business of maintaining the aesthetics of the escarpment. When you're on the site you may not think about what it looks like from below. Councilperson Hennessy added that the general requirement in our lighting law was the impact on adjoining properties, and he suspects that that location is centrally located so it's not bleeding off onto adjoining properties. There may be some other provisions in our lighting law that can be highlighted if not the general intent of our law was to recognize the difficulty of lighting on nearby landowners. Councilperson Ten Eyck said that there might be some properties that are adjoining. It would be interesting to take that into consideration. Councilperson Ten Eyck thought Mr. Albright's point was more to just the general view of the escarpment. It is quite dramatic if you've been by there at night. Supervisor LaGrange offered to call them.

Saul Abrams said that he knows it's a state facility, but are they exempt from our zoning requirement? Attorney Naughton replied that they are. The State just has to have a hearing and follow a process, but they are exempt. Councilperson Snyder added that they had three public hearings on the whole project. Attorney Naughton felt that if we we're going to fix it the

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timing is now. They probably haven't closed out the contracts. If there are things that could be done, this is the time to ask for modifications to these lights. Councilperson Ten Eyck said that the lights right now appear to be the interior lights. This place is just lit up from within as the workers work at night. Mr. Abrams said that if you drive on New Scotland Avenue where the new building is going up you can see that there are hundreds of internal lights that are on during the construction phase for security reasons. He assumes that they won't be there once the project is completed. He is also assuming that that will be the situation at this site in the Helderbergs.

Supervisor LaGrange said that he would take a ride up there.

18. Departmental Monthly Reports:

- **Town Clerk, October 2016**
- **Registrar, October 2016**
- **Justice Adkins, August 2016**
- **Justice Wukitsch, September 2016**

20. Pay the Bills

RESOLUTION 2016-255

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:

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Pay the Bills		
Abstract #	Vouchers	Amount
	20161266-20161359	\$217,279.55
Prepays or three signatures		
Abstract#	Vouchers	Amount
1351	20161246	\$360.00
1352	20161247	\$333.77
1353	20161248	\$22.82
1354	20161249	\$120.80
1355	20161250	\$123.75
1356	20161251-20161252	\$2,089.92
1357	20161253	\$169.57
1358	20161254-20161258	\$10,001.00
1359	20161259-20161262	\$724.81

Councilper
 Greenberg
 the motion
 present an
 the motion
 Ayes).

21. Approve any Budget Modifications

RESOLUTION 2016-256

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	DB0909	Workers' Comp.	DB9040.8	\$670.00
To appropriate money from fund balance to Workers' Comp. after insurance adjustment.				
Contingency	A1990.4	Justice/Contr.	A1110.4	\$1,126.13
To appropriate money from fund balance to Justice/Contr. for amount over budget.				
Contingency	A1990.4	Central Serv./Contr.	A1610.4	\$861.66
To appropriate money from Contingency to Central Services/Contr. for amount over budget including payroll service.				
Contingency	A1990.4	Hwy Superint./Contr.	A5010.4	\$65.33

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To appropriate money from Contingency to Highway Super./Contr. for amount over budget.				
Contingency	A1990.4	Interfund Loan Int.	A9795.7	\$.75
To appropriate money from Contingency to Interfund Loan Interest for amount over budget.				
Fund Balance	SS0909	Health Ins.	SS9060.8	\$100.00
To appropriate money from Fund Balance to Health Ins. for amount over budget plus estimate through year end.				
Fund Balance	WH0909	Health Ins.	WH9060.8	\$100.00
To appropriate money from Fund Balance to Health Ins. for amount over budget plus estimate through year end.				
Fund Balance	WN0909	Trans./Contr.	WN8340.4	\$1,243.04
To appropriate money from Fund Balance to Transmission/Distribution/Contractual for amount over budget – mainly due to repair earlier in 2016.				
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).

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

Saul Abrams asked if there is anything to report on item 17. Supervisor LaGrange said that we received notification from Councilperson Greenberg a minute ago. Mr. Abrams asked if we had just started. Councilperson Greenberg said that he finalized it except for a few tweaks, and we have to decide if we want to go a little further with it as a Board. He finished the cable part of it. We can still do some internal telephone, Verizon issues, and National Grid. That won’t be nearly as large because it’s not a town-wide issue.

Recycling

Highway Superintendent Guyer and Mrs. Campana went to an electronic recycling meeting at DEC. They learned of a 50% reimbursement grant for 2016. They take your totals and weights and estimate the last quarter of the year. We have the paperwork in, and it would be nice to receive it. We are creeping up on about \$5,000-\$6,000 a year in what our electronic waste costs us. If we can get 50% back, that would be great.

22. Adjourn

Councilperson Snyder made a motion to adjourn; seconded by Councilperson Ten Eyck. The meeting adjourned at 8:05 PM.

Diane R. Deschenes, Town Clerk