

**Town of New Scotland  
Regular Town Board Meeting  
04/11/2018**

The following Town Officials were in attendance:

Supervisor:	Douglas LaGrange
Councilperson:	William Hennessy Adam Greenberg Daniel Leinung Patricia Snyder
Highway Superintendent:	Kenneth Guyer
Town 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.

**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:**

- **February 28, 2018**      **Special Town Board Meeting**
- **March 14, 2018**      **Regular Town Board Meeting**
- **March 28, 2018**      **Special Town Board Meeting - Mr. Leinung absent**

**RESOLUTION 18-088**

Supervisor LaGrange offered the following resolution 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 February 28, 2018, and March 14, 2018.

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

**RESOLUTION 18-089**

Supervisor LaGrange offered the following resolution 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 March 28, 2018.

Councilperson Greenberg seconded the motion. All present and voting, the motion carried (4 Ayes - 1 Abstained). Councilperson Leinung abstained since he was absent from that meeting.

**Announcements:**

- **May 19<sup>th</sup> Household Hazardous Waste Day 8 am – 12 pm at Highway Garage**
- **April 28<sup>th</sup> Document shredding 9 am-12 pm at Voorheesville Fire Dept. on Altamont Rd.**
- **Clarksville Historical Society Spring Programs: April 4 - Lost Radio Rounder's; May 2 - Mohawk Hudson Land Conservancy; June 6 - new Erie Canal Exhibit**

**5. Notice received re: Seasons Hospitality revised filing for liquor license**

Supervisor LaGrange advised that we have a revised filing for a liquor license from Seasons Hospitality. There were three things that they hadn't checked off, and the Liquor Authority caught that. This is a procedural thing for us. They wanted to make us aware that there were these additional items. Town Clerk Deschenes said they are looking for someone to sign this letter acknowledging that we saw this. Councilperson Greenberg said that this allows them to do three other things. Town Clerk Deschenes said that they didn't mark the

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box for recorded music, disc jockey, and patron dancing. Councilperson Hennessy asked if we know whether these are private or public events. Councilperson Snyder expected that they would be private. Councilperson Hennessey assumed so too.

Supervisor LaGrange didn't think a resolution was necessary, but he will sign the letter later.

**6. ~~Discussion/Action re: revised Proposed Local Law F of 2017~~**

Supervisor LaGrange said that this was postponed. We are waiting on the County. Attorney Naughton suggested rescheduling the meeting for May 9, 2018.

**RESOLUTION 18-090**

Supervisor LaGrange offered the following resolution and moved its adoption:

**RESOLVED**, that the Town Board of the Town of New Scotland does hereby schedule a public hearing for Proposed Local Law F of 2017 for May 9, 2018 at 6:00 PM.

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

Councilperson Green asked if we have to add that we are revising our application to Albany County and send it on. Attorney Naughton said that we are all set.

Councilperson Greenberg then asked if anyone came because they thought there was a public hearing.

Mr. Baltis said he would like to say a few words. Mr. Baltis handed Board members a map. Councilperson Hennessy asked if he had a copy for Engineer Dempf. Mr. Baltis said that he's the one that caused a lot of problems for him in the past. Some years ago, Mr. Dempf was in charge of a water district and sewer district on Route 85 by Stewart's. Although he was promised by the Board that at least 1000 feet of his property would be in the district, Mr. Dempf gave him only about 50 feet from the edge of the road, something that nobody can use. Everything else for his property was excluded. All of the other properties were included in the water and sewer district along Route 85 except his property. That was the second time that happened to him in the last 30 years. He wanted to mention that he's been a resident of this town for approximately 55 years. You may remember the controversy with Orchard Park with the wells they had. They had methane gas. The Town sometime later on had to create a water district. That water district included all the sections of Orchard Park out to Route 85 and all the way down to Hilton Road except for two building lots that he owned in Orchard Park. They were cut out of the water district. Mr. Baltis showed the Supervisor a map showing those lots. Supervisor LaGrange asked if that's where the wells were. Mr. Baltis said that one was the wells and the other one was where his daughter's house is now. When the time came to build his daughter's house he called Tom Dolin, and he questioned why those lots were carved out of the water district. At 8:30 AM the following morning he got a phone call, and they said it's okay to build a house on the property that's out of the water district. How that was done he didn't know, but he built the house. Again he believes Mr. Dempf was the engineer that carved those lots out.

Now for the new zoning that the town is proposing for his property on Route 85, he had an agreement and thinks he still does with the Albany County Sheriff's Department. He provided a plot plan of that. They were designing or planning to build a headquarters and a courthouse there. He hasn't heard anything for a year now. The last time they had a meeting at his lawyer's house was last year with Craig Apple and his attorney along with the engineer. He's very surprised to see that now again his property on Route 85 is carved out to become the commercial zone, only about 400 feet from the center of the road, and the rest of it is blue and he doesn't know what blue stands for. Councilperson Greenberg said that it stands for the development district within the hamlet, and it still allows for much commercial. Mr. Baltis said that it's not commercial. Councilperson Greenberg said that it's not called commercial, but it allows for many commercial uses. Mr. Baltis said the 400 feet from the edge of the road, from what he can see, is remaining as commercial. It is almost impractical for anybody to build anything in the commercial development. He would like the Board to consider at least maybe 20 acres. In other words, the line could be extended, and

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20 acres could remain commercial from the adjacent properties.

The reason he is mentioning things that happened in the past is that the subdivision of Swift Road, Swift Estates, where Baltis Drive is was an eight-lot subdivision. It took him 17 years to get the approvals from the Planning Board from this town. The developer next to me had a seven-lot subdivision. He received the approvals in six months. When the time came, finally 17 years later and after perhaps the lawyers had communicated, my lawyer expressed to his colleague that if it was not approved we were going to have a federal lawsuit against the Town. That night the attorney for the Planning Board instructed the Planning Board that if anybody was thinking of voting against, please come and talk to him before you do it. Do not vote against it. Well, guess what? He got the approval, 3-2. After all of that, why? As he said, he's been a resident of this town for about 55 years. All this harassment and this punishment against Baltis, because of his national origin and his religion, being Greek Orthodox. That's exactly why this has been happening to him and he wants to call attention to this for anybody that thinks otherwise. Hate crimes have no statute of limitations. So, he doesn't want to be forced to reach that point. He is asking kindly to consider his position that at least 20 acres in this property should remain commercial. He cannot understand why it has to be changed. For the last 40 years everyone was concerned about this commercial strip in our town and preserving the commercial land. All of a sudden everything goes out the window. We don't need commercial anymore? We don't need anything? He doesn't know what's happening. In closing, Mr. Baltis said that he's going to be going out of the country for six months until sometime in September.

Councilperson Hennessy asked him about the 20 acres. Is that just an estimate of Mr. Baltis? Mr. Baltis said it was, if you see what the Sheriff was proposing to build. He was also thinking about building a couple of office buildings.

Councilperson Greenberg said that he had one question. Mr. Baltis said that this was for a building for courts. Mr. Baltis said that that was a proposal from the Sheriff but he doesn't know if they are still going through with that. Councilperson Greenberg said that he can't look at the sketch and tell if it meets setbacks and all of that, but that use is allowed now in the proposed zone. This would not be illegal. Mr. Baltis said that he was told by the Town Supervisor the other day that they were thinking of buying the school in Clarksville so maybe they will. If that is out, then somebody else may come in. Councilperson Greenberg asked if Mr. Baltis has looked at the allowed commercial uses on that parcel. Is he aware of what the allowed commercial uses are? Mr. Baltis said that most of it was eliminated from commercial use. Councilperson Greenberg asked who told him that. Mr. Baltis said that he sees the blue line there that goes across his property. The blue is not commercial. Councilperson Greenberg said that it's not all commercial, but there are many commercial uses allowed in that district. Councilperson Hennessy said that it's just not called commercial, but it allows many of the commercial uses. It's called Hamlet Development District. Supervisor LaGrange said that it's like other zones. Mr. Baltis said that it's not called commercial, but it's allowed to be built as commercial? Councilperson Greenberg said that he should look at the allowed uses. Mr. Baltis said that he was trying to figure out that blue area and what that is all about. Attorney Naughton said that there is a key in the map. Mr. Baltis said that it's not very specific. Attorney Naughton said that he would get Mr. Baltis a copy that is specific and clear. He doesn't think Mr. Baltis understands what's permitted in there, and you will find that most of the uses are permitted that are currently permitted.

**7. Discussion/Action re: creating the paid position of “Deputy Registrar-Part-time” and setting an annual salary for the position at \$475.00**

Supervisor LaGrange said that we put this in the budget last year and Patricia Barber is the Registrar at this point. She would like to have Mrs. Deschenes fill in for her when she's not available. Councilperson Greenberg asked if we had someone who did that, but they no longer want to do it. Supervisor LaGrange said that Mrs. Glath was doing it.

**RESOLUTION 18-091**

Supervisor LaGrange offered the following resolution and moved its adoption:

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

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creating the paid position of “Deputy Registrar – Part-time” and setting an annual salary for the position of \$475.00

Councilperson Greenberg seconded the motion.

Councilperson Greenberg said just to follow up, we budgeted for this so it is not an extra expense.

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

**8. Discussion/Action re: extension of the Cold War Veterans Exemption beyond the initial 10-year period.**

Supervisor LaGrange said that we did this a couple of years back and the County also has it. Mrs. Kavanaugh borrowed the resolution from the County. The Board had asked for some information, and he believes the Assessor sent that information out regarding the marginal impact. Councilperson Greenberg said that we asked her how many people this involved, and she said there are 16 people. Councilperson Leinung said that this gets rid of the 10-year limit. Attorney Naughton advised that we wouldn't be able to take any action on this tonight. We are going to need to notice this in the paper. We would need to set a hearing. Supervisor LaGrange said that he didn't know it was to the extent of a local law. Attorney Naughton said that it's being set up as a local law. He hasn't really reviewed this in detail. Attorney Naughton suggested figuring on doing this for next month and going through the process. It's not a big concern because we are still within the timeframe that we started with. Attorney Naughton suggested setting it up for a hearing at 6:55 PM on May 9<sup>th</sup>. Councilperson Greenberg said that he would tend to do it first or we could do it in June. Supervisor LaGrange said that there is no rush we haven't had a chance to go through this. Attorney Naughton said to do it in June. Supervisor LaGrange said that we will get it refined for the May meeting and then set a public hearing for June. Attorney Naughton added that as he recalled someone did a workup on the fiscal impact of this and we had information on that. Supervisor LaGrange said that Assessor Corbari sent that out. Councilperson Greenberg said that he could forward that.

Edith Abrams asked if the public could see that fiscal impact work. Supervisor LaGrange agreed adding that, as Councilperson Greenberg said, it affected 16 people at the time. Mrs. Abrams said that it would be interesting to know how much money the Town does not receive. She would like to know. Supervisor LaGrange said that that's not a problem. Councilperson Greenberg said that it should also be understood that they've been getting it so the fiscal impact it's a continuation. It's not that it's actually going to cost the Town more than it did last year or the year before.

**9. Resolution re: Creekside Dedication of Water Line Infrastructure on Westover Rd. in the Heldervale Water District**

Supervisor LaGrange said that they did address a couple of our concerns. This would be the dedication of the new water line that goes through Heldervale to eventually service the Creekside development. It's all in and ready, but they had three things to do before they got started this year. They did those things, but they still haven't put in the as-built drawing which Stantec needs to be sure things are laid out for the future. This is postponed until next meeting.

**10. Report and recommendation re: examination/audit of the 2016 Justice Court records**

Councilperson Snyder said that she and Councilperson Greenberg met with the both justices and Mr. Purinton and did an audit of the court's books for the year 2017. They found no accounting discrepancies for either justice or their respective clerks. They tested several records, the receipt book, the bank statements, and other recommended tests by our accountant and no discrepancies were found. Councilperson Greenberg and Councilperson Snyder both respectfully submit these reports to the Town Board and ask that they be accepted for the year 2017.

**RESOLUTION 18-092**

Councilperson Snyder offered the following resolution and moved its adoption:

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**RESOLVED**, that the Town Board of the Town of New Scotland does hereby accept the audit reports as submitted for Justice Wukitsch's Court and Justice Johnson's Court for the year 2017.

Supervisor LaGrange seconded the motion. All present and voting aye, the motion carried (5 Ayes).

**11. Resolution re: dedication of Water Line Infrastructure in the New Salem Water District Extension 1**

Supervisor LaGrange said that this line was to service two more properties, Salisbury on one side and Wood on the other. Salisbury is building a house right now and Mr. Wood wanted the line for a piece of property. Mr. Frueh from Stantec sent us attachment #6. They are recommending that we take the water line over. Attorney Naughton said for this it's all within the town right-of-way. What we are going to do is just take a bill of sale. He's not sure if we have the signed bills of sale from Wood and Salisbury yet. So this is subject to and will be affected upon receipt of the bills of sale. He's sure that that will get cleaned up. He just wanted to point out that this is a resolution that we're accepting dedication subject to receipt of the signed bills of sale. Supervisor LaGrange said that we have approval from Mr. Brady of the Department of Health as part of things here.

**RESOLUTION 18-093**

**WHEREAS**, on May 10, 2017, the Town Board approved an Order Establishing Water District Extension #1 of the New Salem Water District in connection with the Developer's plan to extend a water line on New Salem South Road to property owned by the Developer for a residence;

**WHEREAS**, the Developer furnished and installed approximately 300 feet of 8-inch HDPE water line pipe and a 2-inch flushing hydrant (collectively, the "Improvements") in the Town right-of-way on New Salem South Road in the Town of New Scotland in accordance with the plan of Stantec, known as Project No. 195115086, entitled "New Salem Water District Extension #1" (the "Plan") a copy of which is annexed to the Bill of Sale as **Exhibit A**;

**WHEREAS**, the Improvements described on the Plan are complete and the Developer wishes to dedicate the Improvements to the Town (New Salem Water District); and

**WHEREAS**, the Improvements have been installed, tested and approved in accordance with the plans and specifications; and

**WHEREAS**, the Improvements serve and benefit residents located within the Town; and

**WHEREAS**, the Developer is desirous of relinquishing all right, title and interest in the Improvements and providing title to the Improvements to the Town; and

**WHEREAS**, the Town is desirous of owning the Improvements.

**WHEREAS**, the water line and related utility improvements have been examined by the Town Designated Engineer (TDE), Stantec Consulting, and Ken Guyer, Highway Superintendent, and the TDE and Superintendent of Highway have recommended acceptance of the dedication, and

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that subject to receipt of a fully executed Bill of Sale, the Town Board hereby accepts dedication of the water line Improvements described in the Bill of Sale and the Plan annexed thereto, and it is further

**RESOLVED**, that the Town Board approves the Bill of Sale regarding dedication of the water line and related Improvements, and the Supervisor is authorized to sign the Bill of Sale.

A motion by Member LaGrange, seconded by Member Greenberg, to adopt Resolution No.

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In favor: 5 Ayes

Opposed: 0 Nays

Motion Approved: 5 Ayes

**12. Highway Department:**

- **Action re: Stantec Engineering Consultant Agreement for Preliminary Engineering and Design on the Krumkill Road Corrective Maintenance Improvements FHWA project**

Highway Superintendent Guyer said that he needs a resolution accepting the Krumkill Road project. Engineer Dempf said that this is a separate project funded by NYSDOT and they have their own contract that the Town has to use. Attorney Naughton said that it's the attached consultant agreement. Highway Superintendent Guyer said that it's a contract agreement for preliminary design of the Krumkill Road project that we've been working on with CDTC, FHWA and DOT. Councilperson Hennessy asked if the \$28,800 was part of what we approved last month also. Attorney Naughton said that we approved the amount that would be for those services, and now what we need to do is just approve the contract itself and authorize the Supervisor to sign it. Highway Superintendent Guyer added that this is so Stantec can begin design on this project and get it rolling. Councilperson Snyder asked if Attorney Naughton reviewed the contract. Attorney Naughton said that he had.

**RESOLUTION 18-094**

Supervisor LaGrange offered the following resolution and moved its adoption:

**RESOLVED**, that the Town Board of the Town of New Scotland does hereby enter into a contract with Stantec Consulting Services, Inc., for an architectural engineering consulting agreement for the Krumkill Road project at a cost of \$28,800 and authorizes the Supervisor to sign it on behalf of the Town.

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

- **Authorization to accept Metro Ford OGS Marketplace bid of \$41,346.33 for 2019 Ford F-350 Super Cab with Fisher snowplow and sander**

Highway Superintendent Guyer said at the February meeting that Mr. Van Praag asked about going out for two pickup trucks. General Motors was able to build the ¾-ton truck, but they couldn't produce the one-ton pickup truck. They were built out on the contract for the year. We had to go back to the drawing board. We did the whole process over again. What you have in front of you is for a one-ton Ford pickup truck. We had to open it up to other manufacturers. Highway Superintendent Guyer asked for approval to go ahead and order that. This was the low bidder. We had six responses on the OGS mini-bid. This was the low bidder for the truck. It is a one-ton pickup truck, a snowplow, and an inbox sander that goes with it. It's all lumped into the \$41,000. Supervisor LaGrange said that this is below what was budgeted. Highway Superintendent Guyer agreed adding that it's about \$1,000 more than what the GM one was going to cost. We budgeted \$45,000, so we are still below what we budgeted. He's looking for Board approval to accept that. Attorney Naughton asked if this was on the State contract. Highway Superintendent Guyer said that it was.

**RESOLUTION 18-095**

Supervisor LaGrange offered the following resolution and moved its adoption:

**RESOLVED**, that the Town Board of the Town of New Scotland does hereby accept the Metro Ford OGS Marketplace bid, a state bid process of \$41,356.33 for a 2019 Ford F-350 Super Cab with Fisher snowplow and sander.

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

Chester Boehlke asked if this is a V-plow. Highway Superintendent Guyer replied that it's a straight blade plow. Mr. Boehlke asked if we would be better off with a V-plow. Highway Superintendent Guyer said if we were doing parking lots yes, but we plow roads. Mr.

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Boehlke mentioned all the new housing developments with cul-de-sacs. Highway Superintendent Guyer said that the roads are so large in the new developments that our straight blades work fine for them.

• **Expenditure of Highway Moneys 2018**

Highway Superintendent prepared his 2018 Expenditure of Highway moneys. Once again every year he explains that at this point in the year some of this is a guess. The Highway law says that he has to bring this to the Board in April. We don't have an official answer yet on our CHIPS money yet and other incentives the state will put out for us. They did a pave NY and sometimes they do an extreme winter program. There are some variables here. He put this list out, but it kind of depends on what the state comes through with for money for us. Highway Superintendent Guyer reviewed the form. Cass Hill Road is going to be contracted out. There are OGS contracts that we can use though the state, but he's waiting on Albany County. We do a joint bid with Albany County for our materials now; we've done that for about six years now. It just gets us better buying power than going out on our own. We're waiting for Albany County's 2018 in-place asphalt bid. They received the bids last week. There is a low bidder, but it has to go through the legislature and be approved. We are waiting for that. The county engineer tells Superintendent Guyer that hopefully when they meet in May that will be approved. Councilperson Hennessey asked if we're bidding it out because of the terrain and the topography? Highway Superintendent Guyer said he was. We don't have the ability to do that. We can't do that hairpin turn. It's above our equipment so that has to go out to bid. He will use either OGS pricing or Albany County, whichever ever works for us. It's about a mile from the bottom to the top of the hill. At that point we can take over but not this year. We're able to take care of the top on our own once we get up past Dunbar Hollow. Pangburn Road in between Route 308 and Route 443 is going to be a go. We're going to do a piece of Clipp Road where we left off where it meets Diamond Hill. A piece of Rarick Road down in Feura Bush will be done. A small little dead end off of Onesquethaw Creek Road, Willow Street, will be done. Krumkill Road is up in the air. This is the Krumkill project and of course it's a reimbursement grant. We're going to have to foot the bill for the entire project out of fund balance and then there is maybe a 20% piece of that we have to accept. He has been talking with the Supervisor and Mrs. Boehlke about it and whether or not that 20% share comes out of this or not. The whole thing will have to be paid up front, but a portion of it may come out of the DB5112 money. That's still up in the air. He's also awaiting Marchiselli funds on that which may lower that 20% down to 5%. That's another question here. Collabeck Road from CR102 to Rarick Road is the last one on the list. It's going to depend on the Krumkill project, what Albany County's bid comes in at for the in-place, and what the State brings to us for CHIPS money or other programs they allow us.

Supervisor LaGrange said that we have a process where we watch these roads to decide. Highway Superintendent Guyer said that we track them. We have records that go back over 10 years regarding what was paved when. We watch the roads. We have a lot of longer roads and for what it costs to repave these we are forced to do a piece here and a piece there. Clipp Road is 2-½ miles. The price of blacktop has been low the last couple of years but it's still costing us in-house right now \$75,000 for material alone to pave a mile. Four or five years ago we were upwards of \$90,000 in material. The price has come down in the last few years on asphalt which is allowing us to pave more. Supervisor LaGrange said that we've made up a lot of ground in that time. Highway Superintendent Guyer said that years ago the Town purchased our own paver, so we are now doing the majority of this work on our own. We've worked in the past with the Town of Bethlehem. We're still going to hopefully work on larger projects with them back and forth, but that will scaled down. We now have the ability to do this on our own timeframe. Councilperson Greenberg asked if Bethlehem is able to do Cass Hill. Highway Superintendent Guyer replied that they have a larger machine, but it's wheeled. You need a good sized track paver. Our paver is a track paver, but our paver is what we call a driveway paver. It's small but it's great for our developments. We paved Hilton Road last year all by ourselves. It just goes a little slower and it takes us an extra day to complete the job. It's not large enough to do Cass Hill. Highway Superintendent said that there are a lot of variables in this agreement money-wise.

**RESOLUTION 18-096**

Supervisor LaGrange offered the following resolution and moved its adoption:

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**RESOLVED**, that the Town Board of the Town of New Scotland does hereby accept this agreement for the 2018 Expenditure of Highway Money between the Highway Superintendent and the Town Board and authorizes all of us to sign it.

Councilperson Hennessy seconded the motion.

Councilperson Hennessy said that this is the biggest single town expenditure of the year, rightly so, but it's not all \$380,000 of CHIPS money as Highway Superintendent Guyer said. Do you know what the budget number is that we had? Typically it's under \$200,000 but it's over \$150,000. Highway Superintendent Guyer said that it's been around \$190,000. Supervisor LaGrange said that he would have to check for sure, but it's just under \$200,000. Councilperson Hennessy said that he just wanted to add to what Highway Superintendent Guyer said. We've been able to get upwards of 6-7 miles done per year for the past few years because of the pricing. Historically we've only done about five. A couple of years ago we did another five miles. We take advantage of what we can when the pricing works. Councilperson Greenberg said that we're at 5.6 miles this year. Highway Superintendent Guyer said that that's because of the one road we contracted out. We have our Albany County prices for FOB, which is us going to the plant and purchasing the blacktop. We're up a dollar a ton. It's not drastic, but there is a little loss there. Krumkill throws a little in it too. Last year with our own paver we put down around 7,000 tons of asphalt. Councilperson Hennessy said that generally the pricing is about \$180,000 for the Town and about \$200,000 in CHIPS and grant money. Highway Superintendent Guyer said that for the past few years it's been about \$240,000 roughly from the State. They did a Pave NY last year and the year before. They did a winter recovery both of those years, as well, so it's been around \$240,000 from the State and the balance of that \$380,000 from us.

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

**13. Liaison Reports**

Rail Trail Paving

Councilperson Greenberg said that the Sprint wires are going in. Have we heard about paving following that? Highway Superintendent said that one of our residents was in contact with Albany County engineering just last week, and he sent an email regarding that. Attorney Naughton said that at the last meeting he attended they said late summer. Councilperson Snyder asked if we have the County Executive coming here in May. Supervisor LaGrange said that he might have to postpone that with our other items scheduled for May. Highway Superintendent Guyer said that the email he saw was on par with what Attorney Naughton is saying. It was going to happen in late summer and he believes it's on schedule. Highway Superintendent Guyer thought that the Sprint issue was resolved, and they've either started or will be starting soon. Councilperson Greenberg thought that they would be done in a few weeks. Highway Superintendent Guyer agreed, adding they have to go from Tollgate down to the Voorheesville gazebo. Councilperson Greenberg added that the County could conceivably start any time after that. Highway Superintendent Guyer agreed. Councilperson Greenberg said that it would be nice to have it working for the summer.

New Scotland Lacrosse

Councilperson Hennessy got a note from the New Scotland Lacrosse Club, and they said that the field looks great. Please compliment Mr. Duncan and whoever else in Mr. Guyer's department who was doing that.

Voorheesville School Board Meeting

Councilperson Snyder attended the Voorheesville School Board meeting, and they are still trying to figure out ways to enhance the girls' sports programs. We may hear some inquiries from them. They are doing some surveys from students, and they're trying to develop a committee to get some input. I think they would like to figure out a role for the town but she's not sure what that would be. She just wanted to keep Highway Superintendent Guyer apprised of the situation.

They also voted on the budget and they're proposing a 2-1/2% increase.

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Comprehensive Plan Update Committee

Councilperson Greenberg said that the Comprehensive Plan Update Committee is in their final stages and we should have a working document to be reviewed by the Planning Board and Zoning Board. Attorney Naughton can probably update us on the other steps that have to be taken, but that should be on the radar for May or June at the latest. Attorney Naughton said that for the Comprehensive Plan Committee the steps generally are that they will first have a hearing on that and then once there is a hearing there will be a formal resolution when they are ready to recommend that the Town Board approve it. It will then come to the Town Board and then the Town Board will consider it and refer it over to the County. The Town Board would have a hearing on it and if it's satisfied then it could be in a position to pass it. There would be some notice provisions, etc., and there might be some revision along the way after a hearing. That's the general process. They have to have their hearing first and have a formal resolution recommending sending it over to the Town Board for approval. Councilperson Greenberg said that they are basically to the point where they can schedule a public hearing. Attorney Naughton said that it will take a couple of months between their work and the Town Board's work. You're probably looking at a couple of months to be able to get that formally adopted.

Charley Houghtaling Park

Councilperson Leinung said that he didn't really have a report, but he had two questions. I went to Charley Houghtaling Park the other day and noticed the pavilion. He was just wondering if anyone had an update about the pavilion. Supervisor LaGrange said that they've delivered some equipment and some screening for the slab pour which would be the floor for the pavilion. He believes they've already started some in-house construction of the pavilion itself. They had hoped to pour either last Friday or this week. They are pretty determined to have it done by early May.

Feura Bush Water Lines

Councilperson Leinung said that his other question is the work on the water line replacement in Feura Bush. Supervisor LaGrange said that there was a slight delay in the project because of the bonding aspect of it with the County. They did mobilize Monday. They started drilling and continued it today. They are setting up a mid-point and then they are going towards Fissette which they did today. They also had to have a day of potholing to see where the main was and where it was going to cross over and things like that. They use a machine that's about a foot around. They go down into the soil and suck it up and then they can see. They did that. They were also fusing pipe today. They mobilized and now they are fusing on Fissette Road. Now they take the units that they bored though and they come back through, pulling the pipe behind it. That will get the first path basically in the ground and then they will flip flop to the other side and go toward the sharp corner where the fire hydrant is and they will do that the same way. They are hoping to have the main in the ground either Friday or Monday. Then they will start going through the process of pressure testing and things like that. They'd like to be done by the end of next week. They think they might need a little extension because of the delay. He doesn't remember if the project had to be done by April 30<sup>th</sup>. Engineer Dempf said that April 15<sup>th</sup> is the date. Supervisor LaGrange said that that is going to be impossible because of what's going on. Engineer Dempf said that we didn't get anything officially from them requesting it. There was already some discussion about it and there is also some contractual issue if they don't meet that. The liquidated damages have to be waived or addressed by the Town Board. Councilperson Snyder asked if it has to be complete by April 15<sup>th</sup> or substantially complete. Engineer Dempf said that it is substantial completion by April 15<sup>th</sup>. Councilperson Snyder added that we gave them till April 30<sup>th</sup>. Supervisor LaGrange believed that that amount was correct before they got penalized. He thinks they're going to be in good shape. If they are going to have the main in the ground by April 15<sup>th</sup> that's pretty substantial. They've been a pleasure to work with so far.

Clean Energy Communities

Supervisor LaGrange said that we are participating in the Clean Energy Communities. He and Councilperson Snyder got started on it, and Councilperson Greenberg has done a tremendous amount with it. We had to go through four different things: benchmarking our electric bills, passing the Unified Solar permit, installing car chargers, and inspection training.

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All of that has been done. He's submitted the paperwork, and from what he's been told by Ms. Reynolds we are receiving either the second to last or last \$80,000 grant from the State. Once we are notified of that, we have a three-month period where we have to decide how we want to use that to promote energy savings. It can't just be used for anything. Some towns bought an electric car for the Building Department. Some bought cases of LED lightbulbs and they traded them to their residents. You don't have to use the whole amount for one thing. You can split it amongst several things. Once we get the notification, which he anticipates will probably be in another week or so, the clock starts ticking. Then he would suggest that some of us get together and look at some opportunities with Ms. Reynolds to see what we may want to focus on. In concert with that, we've been working on potentially changing our streetlights in our districts (Clarksville, Feura Bush, and Douglas Lane along with a smattering of others here and there) from what they are now into LEDs. The Village of Voorheesville got \$80,000 also, and they are going to put theirs toward LED lights. We have many things we could do. We have potential things over at the barn we might be able to do and stuff right in-house here. We need to explore all of the opportunities. Actually, Code Enforcement Officer Pine had a couple of suggestions today too for Town Hall itself. We've done a lot already. We have LEDs here, in the parks, and at the highway garage, but there are still plenty of opportunities. We will investigate those as we get to them.

Just so everybody knows, the car charging units are up. They are on a time clock so they are available during business hours. We did receive \$2500 for passing the Unified Solar permit, and we put that toward the chargers. The total price was about \$600 out of pocket for the chargers and installation. Councilperson Greenberg said that we added a timer to it; we didn't want people using it in the evening.

Community Choice Aggregation

Supervisor LaGrange said that he attended another meeting last night for the Community Choice Aggregation. There are CCAs around the country where they get together with a bunch of municipalities to purchase energy in bulk hopefully going more towards renewable energies. It's very preliminary right now.

Heldervale Sewer Line

Supervisor LaGrange asked if Councilperson Hennessy knew how far they drilled. Councilperson Hennessy said that they've drilled from the Westover-Helderview intersection southerly towards their connection near the ravine. Engineer Dempf said that they are still on Westover. Councilperson Hennessy said that it's a pretty wide right-of-way. Supervisor LaGrange said that that's also where they are staging the unit that pushes. Engineer Dempf said that it's in the ground right now. It's not like it's just sitting there. It's extended out. Supervisor LaGrange said that they were hoping to be done with that in two weeks. They also have to go out because they're fabricating one of the companies that does the manholes for sewers that we were obligated by Bethlehem to replace. We put that on the contractor doing this project to replace which saved the Heldervale residents money. That's being cast as we speak and should be coming out soon. The manhole is at the first house on the left as you leave the Town of New Scotland and enter Bethlehem. It's actually in the Town of Bethlehem.

Money for the Barn move

Supervisor LaGrange wanted to update the Board on the money for our barn move. Mrs. Kavanaugh has been literally fighting with somebody from the DASNY (Dormitory Authority State of New York). We've gone through all the processes for these grants. The \$125,000 was from Assemblywoman Fahy's office and the \$75,000 was from Senator Amedore's office. We've gone through all of the approvals, we got a final approval, and he signed the contract. He thought the next step would be waiting at the mailbox, but apparently this woman we've been dealing with at DASNY is kind of a final auditor of the whole thing. He wouldn't elaborate, but Attorney Naughton has seen some of the correspondence and it's been insane. Its tiny little nitpicking and he understands it to a degree, but we've gone through the process with all of this and they're coming back for about a couple of thousand here or a hundred there to come up with proof that Mohawk Hudson purchased the land. We don't have access to their records. We're dealing with it. He's been in contact with Assemblywoman Fahy's office and hopefully we'll have some help from her or will only get \$122,000 of the \$125,000 because we're down to that little bit to try and prove out.

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Councilperson Snyder asked if it's the same situation with Senator Amedore. Supervisor LaGrange said it was the same situation with the \$75,000, but we had few things in that so it was easier to answer. That's already gone past this particular person but because the \$125,000 was larger we had more room to plug stuff in. You have to plug in each of these charges whether it's anything from the land clearing. We were held up because we had three companies to drop the line so we could move the barn (Verizon, Time Warner/Spectrum, and National Grid). National Grid and Verizon were no problem because it was made out and billed to the Town of New Scotland at 2029 New Scotland Road, Slingerlands, NY. The one for Time Warner said to bill to Douglas LaGrange at 2029 New Scotland Road, Slingerlands, NY. That was a problem. Apparently she was concerned that we moved one of our barns and he was trying to slide it in. That's what they're looking at but we had to jump through all sorts of hoops just to make her understand.

Advertised for Part-time Planner position

Councilperson Greenberg wanted to mention that we advertised for our part-time planner position. That ad runs out in the next week or so. He and Councilperson Hennessy will set up the interviews and start that process. Hopefully by May we will have a candidate.

**14. Departmental Monthly Reports:**

- **Town Clerk, March 2018**
- **Registrar, March 2018**
- **Tax Collector, March 2018**

**16. Pay the Bills**

Supervisor LaGrange said that Pay the Bills is in a different format this month and he wanted to thank Mrs. Miller and Mrs. Boehlke for a tremendous job. When we put in the computer service in March we started having problems with our old accounting software. Because of the new server and because of the interaction with Windows and everything else, a month worth of entries disappeared. They had to go back and forth with the accounting software people and our IT people and try to get it all together. We were able to isolate a place on our service that we can still run this old software for the time being, but we're going to have to start to get prices on updated software. It's not going to interact like it used to for the future. For the time being this gives us pause. We already looked at that particular software company's program. Harris gave us a presentation. I believe BAS is also going to give us a presentation. The Town Clerk has also located a couple of other companies. Town Clerk Deschenes said there are several municipalities in the Albany-Schenectady Town Clerk group that use a program called Munis. Councilperson Snyder said that Albany County uses that. Town Clerk Deschenes said that Guilderland just signed on with them. Councilperson Snyder said that she knows that program pretty well. Supervisor LaGrange said that we are going to start looking into that, but for now it's delayed with the Annual Update Document. We rarely need an extension; we're usually on time. This time because of these things and the fact that we had our power knocked out Friday we've asked for an extension. Things are coming back together. His staff did a fantastic job, so he just wanted to thank them. He also wanted to thank Mrs. Kavanaugh for her diligence with the grant situation. They've all been incredible, and I want to say thank you.

**RESOLUTION 18-097**

Supervisor LaGrange offered the following resolution and moved its adoption:

**RESOLVED**, that the Town Board of the Town of New Scotland does hereby pay the following bills:

<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
Adirondack Pest Control	TH reg service March	\$ 36.00
	CC reg service March	\$ 30.00
ADP	payroll 2/25/18 & 3/11/18	\$ 552.96
	payroll 3/25/18	\$ 143.10

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Albany Truck Sales	lamp	\$ 121.12
Altamont Auto Parts	parts & batteries	\$ 355.20
Altamont Enterprise	ZB hearing #521	\$ 13.83
	legal notice - public hearing	\$ 6.32
	PB site plan #115 & PB #596	\$ 24.10
	PB #586	\$ 11.85
	legal notice - special TB meeting	\$ 4.74
American Rock Salt Co	salt	\$ 8,720.75
Answerphone, Inc	answering service 5/1-5/31/18	\$ 47.80
ASI Truck Parts Inc	parts	\$ 306.22
AT&T Mobility	cellular service 2/23-3/22/18	\$ 454.83
BAS	Tech support & equipment	\$ 465.00
	Tech support & equipment	\$ 13,941.48
	4/1-6/30/18 network mgt services	\$ 4,191.00
Callanan Industries Inc	crusher run & screenings	\$ 9,290.06
Chris' Coffee Services	Highway water cooler	\$ 37.90
	DPW water cooler	\$ 23.95
Comet Flasher	posts	\$ 193.08
Office of State Comptroller	Justice Court fees February	\$ 8,572.00
Deborah Corbari	March Mileage - 36 miles	\$ 19.62
County Waste	Swift Road	\$ 133.31
Delmar Sign Shop	Town Seal	\$ 375.00
Diane Deschenes	March Mileage - 31.4 miles	\$ 17.11
Dig Safely New York Inc	Jan, Feb & March 2018	\$ 20.00
ELOT Electronics Recycling	fluorescent lamps	\$ 203.75
Empire Auto Radiator Co Inc	fuel tank repair	\$ 850.00
Enterprise Printing & Photo	Envelopes	\$ 211.50
Evolution Recycling Inc	electronics recycling	\$ 363.40
Family Oil	Heating Oil	\$ 361.48
Fastenal Company	parts	\$ 214.76
Fleetpride	parts	\$ 2,874.07
Francotyp-Postalia Inc	postbase labels	\$ 52.33
	3/10/18-6/9/18 postage rental	\$ 231.00
Global Montello Group Corp	unleaded gasoline	\$ 1,983.31
Gorman Brothers	patch	\$ 579.07
Grainger	phone case & parts	\$ 748.00
Greg's Towing	repair on Water Van	\$ 1,389.63
	NYS Inspection	\$ 15.00
Ground Equipment Inc	bearing	\$ 400.30
HeritagEnergy	diesel fuel	\$ 5,235.56
H.L. Gage	parts & repair of truck #9	\$ 4,011.19
	clamp, muffler	\$ 661.13
JC Smith Inc	handles, brooms	\$ 104.30
Knightes Farm Lawn & Garden	parts	\$ 10.00
George LaPlante Inc	pump repair 11 Heldervue Ave	\$ 581.67
	pump repair 11 Heldervue Ave	\$ 1,323.84
Main-Care	Heating Oil	\$ 1,572.65
Joseph P Mangione, Inc	cash mgmt safe & shipping	\$ 1,150.00
Metro Ford	parts	\$ 100.48
Mohawk Army & Navy	boots	\$ 435.99
Mooradian Hyd & Equip Co	rebuild gates	\$ 190.00
Morgan Stanley Wealth Mgt	Onesquethaw Fire Dist contribution	\$ 25,687.81
New Scotland Auto Center	oil change - Senior Nissan	\$ 58.64
New Scotland Seniors Club	per 2018 budget c/o June Alberts	\$ 1,000.00
NYS Magistrates Assoc.	2018 annual dues	\$ 125.00
Jeffry Pine	February Mileage - 270 miles	\$ 147.15

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	March Mileage -276 miles & training	\$ 170.42
Polsinello Fuels Inc	oil	\$ 561.70
PowerPlan	hy gard	\$ 255.00
The Preferred Group	March & April flex admin fees	\$ 150.00
Ravena Welding Supply Inc	welding supplies	\$ 78.12
Robert Wright Disposal Inc	April Collection & Xfer station box	\$ 24,740.46
Robinsons Hardware HWY	parts and hardware	\$ 44.29
Robinsons Hardware DPW	TH & CC & Water parts	\$ 211.08
Southworth-Milton Inc	parts	\$ 1,075.24
Stantec Consulting Services	Levie farm subdivision 9/30/17	\$ 228.00
	Kensington Cluster subdiv 9/30/17	\$ 14,633.50
	Kensington Cluster subdiv 11/3/17	\$ 1,433.00
Staples	dry erase board #2 for meeting rm	\$ 269.99
Stewart & Stevenson Power	fuel lines	\$ 75.15
TJs Auto Parts	cable ties	\$ 5.97
TONS Highway Dept	unleaded gas (water, parks, dog)	\$ 651.68
	unleaded gasoline (senior)	\$ 199.41
T&T Sales Inc	parts	\$ 604.24
Ten Eyck Group	Right of Way Bond 4/17/18-4/17/19	\$ 250.00
Town Highway Superintendent	2018 dues (KG, CVP, JK)	\$ 225.00
Unifurst Corporation	uniforms	\$ 224.73
USBANK a TFS Program	Toshiba lease 3/21-4/21/18	\$ 167.65
Woodward Co	nuts & bolts	\$ 431.76
	Total Amount Paid	\$ 147,667.73

Councilperson Snyder seconded the motion.

Councilperson Snyder said that she likes this summary. Supervisor LaGrange said that he would mention it to them. He wasn't sure how time consuming it was. Councilperson Snyder said that she found it very helpful.

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

**17. Approve any Budget Modifications**  
There are budget modifications.

**15. Invitation to the Public to Discuss Non-Agenda Items**

Edith Abrams said she brought this up before but after a wind storm trash is blown on Route 85/85A. The properties that are commercially active obviously clean up their properties and homeowners clean up their properties, but the big swathes of field have trash lining the roads. She wanted to make the Board aware if they aren't already aware of it. It's the entrance to the Town. She doesn't know who's responsible for cleaning up that trash, but it needs to be cleaned up.

Chester Boehlke mentioned the rabid raccoon in Ravena. We did away with the Animal Control Officer here and made him strictly dog control. Why can't they reinstate that just in case that happens again? They would at least have somebody to call that can handle those cases. Supervisor LaGrange said that we actually have a list of people to call for any animals that fall outside of dogs. Mr. Boehlke said that he was the Animal Control Officer, and when Mr. Duncan took over all of a sudden it went back to Dog Control. Supervisor LaGrange said that part of is because of the insurance aspect of it. That was one of the big things. Highway Superintendent Guyer said that NYS Ag & Markets requires municipalities to have a Dog Officer. If you go to the DEC website there is a list of Nuisance Control Officers. He doesn't know what's required by DEC to be on that list. There are things you need to be trained on to be on that list and do that. Mr. Boehlke asked if the Town has someone on call. Supervisor LaGrange said that we do in a case like that, but if a homeowner calls with a raccoon in the attic or something like that we give them these DEC

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numbers. Highway Superintendent Guyer said that there are companies like Catseye, too. Mr. Boehlke said that cats have always been a problem. Highway Superintendent Guyer said that he was just using them as an example for pest control. If there is something like the rabid incident or something like that, we go to the DEC list. It's not like they're waiting for the Town of New Scotland to call them. Mr. Boehlke said that that's part of the problem. You have a dog control officer who has probably handled many rabid animals over a period of time who knows how to handle that stuff. It would be quicker for him to respond. If a homeowner has a rabid raccoon in their house and they have to wait for someone to come who is hours away they could get bitten. Supervisor LaGrange said again that there was an insurance aspect of this. Highway Superintendent Guyer said that it's an exposure. Attorney Naughton said that he remembered that we talked about this at length, and we made it official. Supervisor LaGrange said that Mr. Schenmeyer, our Dog Control Officer, was going anywhere when people had issues and it was getting a little out of hand. Highway Superintendent Guyer added that we got ourselves in a bind helping out. Mr. Schenmeyer has a big heart. About two years ago we ended up in a bind with the Town of Berne and a very large bill with the Humane Society. Mr. Boehlke said that that's going out of our town. When he was active, the year rabies was bad, he took in 280 rabid raccoons and animals. It was a critical problem. Now it's not critical.

Cynthia Elliott said that she understands a little bit better now that you explained you were out of service for a while, but she tends to find sometimes that the agenda attachments are not there. She's just wondering if there is better timing for that rather than the day of the meeting. Supervisor LaGrange said that a lot of times we're waiting on the attachments and we put them up as quickly as possible. Mrs. Elliott said that she understands that, but no one has enough time to digest and read them. Sometimes it's her own fault because she's out surveying and she sees them on her phone. You did explain that you were out of service this week so she gets that. It seems to be more of a routine thing. Supervisor LaGrange said that we talked about this a couple of months ago. We've been pushing everybody to get them quicker. Some municipalities don't put anything but an agenda up. We try our best to get as much as we can up there. Mrs. Elliott said that she understands. Supervisor LaGrange said that we're trying to do a better job, but unfortunately sometimes it just comes in late. Mrs. Elliott said just keep making progress. Councilperson Hennessy said that we talked about requiring things in by Friday. The problem with that is that we are all guilty. As you know, and I know from representing people on zoning, if you don't have it in two weeks before it's not going to be on the agenda. He wishes we could have something like that but he knows that some people just need extra time, and we're all guilty of it. Supervisor LaGrange said that the Board is part-time and they're working on a lot of stuff all the time and trying to get stuff together. He's just trying to make the point that you can't expect everybody to have everything in perfectly on time. Councilperson Greenberg said that they are aware of the issue, and we're doing the best we can.

Sharon Boehlke wanted to piggyback onto something Mrs. Abrams said. New Scotland South Road looks like a garbage pit. When she was running, she would take one day a week and pick up the garbage but she doesn't do that anymore. She went over there today slowly and took a survey of what was there (Styrofoam, liquor bottles, soda cans, etc.). She couldn't even say how many paper bags are hanging off of trees. She was just thinking that we might call Sheriff Apple and say that the next time his men need to do some work maybe they could come into the Town of New Scotland since this is where they're based. They might have a work team come to some of these roads and clean up. She suggested to him at one point that when you drive into Colonie Center where the cemetery is on your right what a pig sty it was. He had a crew over there to clean it up. She noticed how bad it is again after the winter so she's going to send him a private message again and ask him to clean that. Supervisor LaGrange said that he asked him to come out here. Mrs. Boehlke said that she's going to ask him to do both. They have enough prisoners that are on work-duty call there, and that would be a service to the town. Supervisor LaGrange said that he was going to call him anyway, so he'll mention it.

**Executive Session**

**RESOLUTION 18-098**

Supervisor LaGrange offered the following resolution and moved its adoption:

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**RESOLVED**, that the Town Board of the Town of New Scotland does hereby approve an Executive Session to discuss a contractual issue.

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

Executive Session began at 8:30 PM.

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

Executive Session adjourned at 9:24 PM.

**RESOLUTION 18-099**

Supervisor LaGrange offered the following resolution and moved its adoption:

**RESOLVED**, that the Town Board of the Town of New Scotland does hereby set a special meeting for April 25, 2018, at 6:00 PM to discuss a vendor contractual situation.

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

**18. Adjourn**

Councilperson Snyder made a motion to adjourn, seconded by Councilperson Greenberg. The meeting adjourned at 9:27 PM.

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Diane R. Deschenes, Town Clerk