The following Town Officials were in attendance:

- **Supervisor:** Thomas Dolin
- **Councilperson:** Douglas LaGrange, Patricia Snyder, William Hennessy
- **Highway Superintendent:** Kenneth Guyer
- **Engineer:** R. Mark Dempf
- **Town Clerk:** Diane Deschenes
- **Town Attorney:** Michael Naughton

1. **Call to Order**  
   Supervisor Dolin 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:**
   - **June 3, 2015** Special Board Meeting
   - **June 10, 2015** Public Hearing – Kensington Woods
   - **June 10, 2015** Regular Town Board Meeting

   **RESOLUTION 2015-147**  
   Supervisor Dolin 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.

   Councilperson LaGrange seconded the motion. All present and voting, the motion carried (4 Ayes).

5. **Ms. Maureen Curry, Park Manager, Thacher Park will provide an update on the various projects at Thacher Park.**  
   Supervisor Dolin introduced Maureen Curry who is the new Park Manager for Thacher Park. Mrs. Curry previously worked at Beaver Island State Park. Mrs. Curry is here to discuss the improvements planned for the park. Mrs. Curry has 30 years’ experience in state parks. Mrs. Curry stated that on May 21st and on June 2nd we broke ground for the new three million dollar visitor’s center. Currently there is a lot of equipment on site and they’ve stated construction. Right now they are planning for the infrastructure. They are taking down the Indian Ladder restroom. They will be closing the trail a few times throughout the construction. The contractor feels that they would interrupt some of the activity on the trail so they will close it down a few days here or there. You can call the park at any time to find out when it would be closed.  
   Mrs. Curry advised that they have just completed the four brand new comfort stations. They include a family section, and they are beautiful. They are new, clean, and energy efficient. One will be winterized, and that will be the one at Hop Field. Winter visitors will be able to use that restroom.  
   Mrs. Curry said that there is a lot of planning and moving ahead right now. Mrs. Curry is excited to be here and be a part of this. Supervisor Dolin said he understood that Mrs. Curry has a geology background. Mrs. Curry said she does and that is what drew her to this area. The type of geology we have here is similar to that of Niagara Falls. It’s mid to late Devonian, which is the type of fossils identified in this area. It is sedimentary rock, and it literally runs laterally across the entire state from Niagara Falls all the way to the Helderberg escarpment. Mrs. Curry is very familiar with the geology of the area so that’s exciting for her.  
   She started out in geology at the Schoellkopf Geological Museum educating people about the geology of Niagara Falls. Mrs. Curry did that for about 25 years, and she opened up a number of nature centers in the Niagara region, so she has experience with nature and visitor centers. She also started about 5 years ago in a maintenance facility at an island just outside of Niagara Falls in the Niagara River. Mrs. Curry has also done trail work, education, visitor centers, etc. Supervisor Dolin asked Mrs. Curry to tell us more about the year-round winterized facility. Mrs. Curry said the facility is going to be year round. It will be like a visitor destination. Everyone that comes into the park will start at the Visitors Center. They will get an interpretation of the cultural history and the geological history. There will be special events there. We are working with some of the geologists from the State Museum and other geologists throughout the region.
Town of New Scotland
Regular Town Board Meeting
July 15, 2015

hopefully to create a destination for Indian Ladder Trail and Thacher Park. There will be offices as well as an event room that will probably have a capacity of approximately 100 people. Special events and meetings could be done there along with talks and lectures. Supervisor Dolin asked when that might open. Mrs. Curry said that it’s not slated until 2016 so by late summer or fall of next year. Mrs. Curry advised that it is two stories, and it will have an overlook patio and a vista. They cleared away some of the trees today and the view is breathtaking. Mrs. Curry said that they will continue to improve the park and do some creative planning for uses on some of the older buildings. Supervisor Dolin asked about things for the children. Mrs. Curry said that there is the zip line. Wild Play is a concession coming in. We expect them to get started, but there is a little bit of a delay. There is going to be a high ropes course and some other adventure activities in the park. We are starting on mountain biking trails, so that will be exciting for anyone interested in biking. Mrs. Curry said that in the center of the facility there is going to be a large fireplace with an area to sit down and relax. If you go on to the NYS Parks Website there is information on there with pictures of the building. Councilperson Hennessy said we refer to it as karst geology here. Is that similar to what extends out to Niagara Falls? Mrs. Curry said its Devonian sedimentary and you have karst geology because of the water and the erosion that occurs underneath. Niagara Falls is similar. We do have caves similar to this that consists of limestone and shales.

Councilperson Hennessy said that she mentioned that it goes from Niagara to the Helderbergs. Is that essentially the end of that section? Mrs. Curry said that it does head south closer to the Hudson, but it ends at the Taconic Mountain ranges. Councilperson Hennessy said that the Board was fortunate to be at the groundbreaking, and he spoke to the consultants about the Visitors Center. Councilperson Hennessy wanted to point out that the Visitors Center is not right at the edge. It’s set back and down a little. Mrs. Curry added that there are two levels. Councilperson Hennessy said that it has many lines and angles that help it not to stand out. We have some structures on the escarpment that stand out, and we would like to buffer them. It appears that it wasn’t necessary with the new visitor center. You are able to accommodate having a beautiful vista yet not having it stand out tooonerously below. Mrs. Curry said that they hope to use local rock for any of the decorative features. That will be a nice aspect. The shape of it is a little contemporary, but it’s sort of shaped like the cliffs of the escarpment. Councilperson Hennessy added that there will be earth-tone painting and finishes so it blends in well.

Councilperson Snyder thanked Mrs. Curry for coming and making this information available. She added that we would love to partner with her as a town in any way that she thinks is appropriate. Mrs. Curry said that that would be wonderful. They would like to hear our input, and they would like to partner with us on anything. Maybe we can get together and think about how we can do that.

Supervisor Dolin added that we would like to thank the Commission and Governor for sponsoring this. This is a very positive thing. Mrs. Curry added that there are a lot of positive things going on in state parks. During her 30 years she hasn’t seen the kind of construction that’s she’s seeing at Thacher right now. Thacher stands out as a place that they are really vested in. Councilperson Snyder said that we are thrilled with that. Supervisor Dolin added that they are spending three million dollars.

15. Discussion of Proposed Municipal Water Protection Law pending before Albany County Legislature

Legislator Reilly attended to discuss a proposed Municipal Water Protection Law he is sponsoring as a follow-up to Legislator Mackey’s Well Water Protection law. We have some other problems that the town should be aware of and we’ve tried to draft a public water supply protection plan. Legislator Reilly referred to a map and showed where the reservoir was that has been here since 1950. It is the main source of water for the Town of Bethlehem, and it also provides water for a lot of New Scotland residents along Route 85A. Legislator Reilly said that before he left office in 1998 he had a call from a lady who was extremely stressed who lived on North Road. She had a major pollution problem. She was getting a major source of gasoline and other products, especially MTBE in her water supply. She lived on North Road approximately 100 ft, from a company called Kleen Resources. Kleen Resources was a spill fund contractor for NYS DEC. If you had a problem, you would call them. Over the years, he would bring a truck loaded with waste products into the shed on North Road, and the next morning the truck was empty. This went on for a long period of time. Wells became polluted. The water became toxic, and people were being provided drinking water in bottles. Mrs. O’Rourke on Flat Rock Road also had a problem. One house was condemned. Anther home had a baby, and they were told not to even bathe the child in that water because it was so toxic. Legislator Reilly said he ended up with some major town hall meetings. The State DEC attended along with the Attorney General’s office, the Health Department, and the County Health Department and our legal system. After a lot of testing, it was becoming clear about what had
happened. We had no knowledge whatsoever about this facility causing any problems. Apparently prior to this discovery there was an oil spill right at the site, and DEC was called to it. They ended up pumping the oil into a system where they aerated, and shot it into the sky. The UV light from the sun was supposed to be killing the problem. They never notified the town. They did this on their own to solve the problem. We had issued two or three more building permits since that period of time. This one house had a serious problem. We did a lot of exploration, and we had them in here at a meeting trying to find the source. It all pointed to Kleen Resources because there was no gasoline station anywhere near there. It became extensive, and we had to supply water. DEC spent about a million dollars. There was a $900,000 grant and a $100,000 interest-free loan to extend the Clarksville Water District. They took in about 25 more houses. It amounted to about two miles of pipe. It went from North Road to Flat Rock Road and then across Flat Rock Road past the old Transfer Station and then back to the O’Rourke property. Legislator Reilly added that they call it Flat Rock or Rock Hill for a good reason; it is a problem. What had happened was they had been dumping that stuff. Legislator Reilly thought it was 1800 ft. from where their site is located to the pipeline. Kinder Morgan is coming through, and they want to use dynamite. They want to put in a 36-inch gas main in the same right-of-way where there are two other gas lines already. One goes right underneath the reservoir. Legislator Reilly said that our concern is if our private well protection law refers to a mile and we’re talking about 1800 ft. (or a third of a mile). They are coming through here with this blasting so we have deep concerns about this soil. Rock Hill Road is only 200 yards from this site, and then it goes right downhill along the reservoir. They are taking an awful risk, and we want to protect the water supply. Legislator Reilly, Legislator Mackey, and the County Attorney talked about even requiring them to post a bond. We’ve been working on this, and now we are at a point where we are going to insist that they contact any municipality along the route. Legislator Reilly then discussed a problem with Village water years ago.

Legislator Mackey said he gave everyone a copy of the proposed law. This is essentially a companion law that will expand the drinking water protection law that was passed a month or so ago. This was partly because Councilperson Hennessy had made a suggestion that we expand that law to include some protection for municipal water sources. Rather than slow the first law down, we let that go through, and now we are proposing this one. Essentially it would require any blaster to notify any municipality if they are going to blast within a 2-mile radius of a municipal water source such as the Clarksville Well Field or the Vly Creek Reservoir. They have to notify the municipality and ask the municipality amongst other things if it’s aware of any subsurface contamination or if it suspects that there are areas of subsurface contamination. If the municipality does identify that, then there is a procedure where the County Health Department can then require the blaster at its expense to investigate that. There would then be a report. If subsurface contamination is found, then the Health Department would have authority to either require that the blaster clean it up prior to blasting or that they make some provisions to protect drinking water that the Health Department deems to be adequate. Essentially it requires that if six months after the blasting there are increased levels of contamination in the municipal water sources, the legal presumption would be that it was caused by the blasting. The blaster would be responsible to remediate. As Legislator Reilly said, the Health Department could require posting of a bond that the Health Department deemed appropriate depending on the circumstances of what they were doing and what the issues were. Legislator Mackey said that it is still a little bit of a work in progress. It’s in pretty good form, but we are asking for any input for improvements, and then within the next month or so we will have a final product to be introduced and ultimately adopted.

Councilperson LaGrange asked if this was expanded to a 2-mile radius. Legislator Mackey said that it was because Councilperson Hennessy said he checked out the Clarksville Well Field, and it was ½ miles from where there is going to be blasting, unlike the other law where the company has to test wells within a one-mile radius. It’s really not so erroneous for them to notify the municipality of blasting within 2 miles of these limited public water sources, so we expanded it to 2 miles. Because the potential cost is so dramatic when you trying find public water systems, we thought it was appropriate.

Legislator Reilly added that we did have pollution in the Clarksville Water District. We were within 3 months of putting that district on line, and that was a lot of work. They were doing the final pump test for the Health Department when lo and behold levels of nitrates shot right up. It was undrinkable water. We ended up putting in interceptor wells along the perimeter of the well field. We put in five wells, and they pumped them for a month or two until the levels of nitrates dropped. It was a serious problem, and it traveled underground, across fields, and popped up in our well. So, this can happen.
Councilperson LaGrange asked if the private law people could have the opportunity to make them test before they blast. In this case, what would be the determining factor? Would it be the municipality’s own records? Legislator Mackey agreed. Municipalities are constantly monitoring and testing, so you have a baseline. We didn’t feel we needed a requirement for testing of the municipality’s water source. If you think that would be appropriate, it’s not a problem to add it. Councilperson LaGrange said that that was just his question. Is that what we are relying on and would that satisfy the arbitrator? Legislator Mackey said that the arbitrator is the Albany County Health Department. Essentially you have the municipality’s records of what their water quality is, and you have a blast. If two later you have a contaminant that wasn’t there before that’s now in the water system, the legal presumption will be that it came as a result of the blast. One of the biggest problems if we don’t have a law like this is you have to prove. Changing the burden of proof on this as a condition allowing them to blast is probably the most important aspect. They do have the opportunity by clear and convincing evidence to prove it wasn’t them, but they’ve got the burden rather than you. Burden of proof is very important.

Legislator Reilly said that on a side note when we built the Clarksville Water District the County Health Department tested the wells. There may be 80 homes or so in the first boundaries and approximately 70 of them have E. coli in the water. It’s not a healthy situation. Legislator Reilly added that where it crossed underneath the reservoir, it’s only 2100 feet from where they are blasting. We’re talking about 2 miles. That’s only one-half mile, so that’s close. Legislator Reilly added that it’s really important that they shoulder their share of the responsibility.

Public Safety Commissioner Miller said that there were two things mentioned that sparked his interest. One is the dams. If they are doing blasting, is there a prevision in there if they are within a certain distance of a dam for relief. A pre-blast inspection would take care of that. The other thing is there a map of where the caves lie in respect to the geographical area. Commissioner Miller added that he knows that people are in the caves. Legislator Reilly added that the cave on Tarrytown flooded when people were in there exploring. Commissioner Miller asked if there was a way to put the onus on the blasting company if there is a cave site within a certain amount of visitors. They would have to check to make sure that there is nobody there somehow or put warnings up. Legislator Mackey said that one of the issues and difficulties is that the municipalities and counties don’t have authority to control pipelines. What they do to install pipelines is permitted by the Federal Government Regulatory Commission. Some people came to the Town and asked if they could try to stop the pipeline. The County and the Town have no authority to do that. Legislator Mackey added that the County does have authority under state law to protect drinking water. In talking to the County Attorney, he felt that we had the authority to create the Drinking Water Protection Law. This would be an extension of that. Some people asked if we could put in protections for damages to basements. The County Attorney’s feeling was that it would not be within our purview. Anything related to water the County would have authority, but beyond that his understanding is that we really don’t have authority to regulate. Councilperson Snyder said that we have talked about it in the context of Public Health preparedness and the dams and the impact that any kind of radical earth movement would have on the community surrounding it. That really does lend itself to maybe be included in this. Legislator Mackey agreed about the dam definitely. It would have to be related to the protection of drinking water for the County to have authority is what he’s been told.

Supervisor Dolin thanked the Legislators for attending. Councilperson Snyder asked if there is anything we can do at this point. Legislator Mackey said that if we have any thoughts for improvement, notify us and at some point a resolution of support for the law is important. Councilperson LaGrange said that he would be prepared tonight to do that in support of the concept and intent of the law acknowledging that there may be changes. Councilperson Hennessy asked if one of the items on the burden of proof for Kinder Morgan is to research the known spills along the pipe or if it is within a certain number of feet. Legislator Mackey said that with any known or suspected subsurface contamination called to the attention of the blaster by the municipality, the Health Department would then have the authority to compel them to investigate. Councilperson Hennessy said that we have to find out where those are. Legislator Mackey said any that we are aware of or that we suspect. They also have to contact DEC and notify DEC where they are going and get a list from DEC of any known or suspected areas of subsurface contamination. Councilperson Hennessy asked if there is a distance from the pipeline. Legislator Mackey said 2 miles from any blast. Councilperson Hennessy said that that’s actually something we can do online. A DEC spills database can be done. It’s a little extensive to deal with, but we can probably do that. Councilperson Hennessy said that he would look at it. Legislator Reilly said that there might be other places with problems too like the old landfill.
RESOLUTION 2015-148
Councilperson LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland hereby supports the intent and the concept of the proposed Public Drinking Water Protection Law pending before the Albany County Legislature and acknowledges that there may be some changes for the betterment of the law.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (4 Ayes).

Legislator Mackay said he knows the town is working on a grant application for sidewalks in Clarksville. He spoke with Sheriff Apple today, and he is preparing a letter of support explaining why he thinks it’s important for public safety reasons. Supervisor Dolin said that he thought we were going to schedule a public hearing at the end of the month.

6. Statutory Installment Bond Resolution in an amount not to exceed $191,600 financing the 2015 purchase of a Highway Department dump truck

RESOLUTION 2015-149
The following resolution was offered by Supervisor Dolin, seconded by Councilperson LaGrange, to wit:

BOND RESOLUTION DATED JULY 15, 2015

A RESOLUTION AUTHORIZING THE ACQUISITION OF ONE (1) DUMP/PLOW TRUCK WITH PLOW, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $191,600 OF THE TOWN OF NEW SCOTLAND, ALBANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

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

SECTION 1. The specific purpose (hereinafter referred to as “purpose”) to be financed pursuant to this resolution is the acquisition of one (1) Dump/Plow Truck with plow and related equipment. The maximum cost of said purpose will not exceed $191,600.

SECTION 2. The Town Board plans to finance the maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed $191,600 of said Town, hereby authorized to be issued therefore pursuant to the Local Finance Law.

SECTION 3. It is hereby determined that the acquisition of one (1) Dump/Plow Truck with plow and related equipment, is an object or purpose described in subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years.

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

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

SECTION 6. The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.
SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 63.00 and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, has been authorized by a “Notice of Intent” approved by the Town Board at a meeting held on May 13, 2015, and is therefore authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse such expenditure with the proceeds of the bonds or bond anticipation notes authorized by Section 2 of this resolution. The “Notice of Intent” approved by the Town Board on May 13, 2015, shall constitute the declaration of the Town’s “official intent” to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

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

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

SECTION 11. The Town has determined that the acquisition of one (1) Dump/Plow Truck with plow and related equipment is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act (“SEQR”) is required.

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

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

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

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

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

SECTION 14. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in the official newspaper or newspapers of the Town.
SECTION 15. This resolution is not subject to permissive referendum pursuant to Section 35.00 b.1.(2) of the Local Finance Law and shall take effect immediately.

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Vote</th>
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<tbody>
<tr>
<td>Thomas E. Dolin</td>
<td>Aye</td>
</tr>
<tr>
<td>William Hennessy, Jr.</td>
<td>Aye</td>
</tr>
<tr>
<td>Douglas LaGrange</td>
<td>Aye</td>
</tr>
<tr>
<td>Patricia Snyder</td>
<td>Aye</td>
</tr>
</tbody>
</table>

The foregoing resolution was thereupon declared duly adopted.

7. Discussion/Action re: Purchase of riding lawn mower for water district maintenance of water district properties
Supervisor Dolin asked to table this. We had a vendor who wanted to bid. We might be able to get a suitable lawn mower for a better price.

RESOLUTION 2015-150
Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the existing 2001 John Deere Model 335 lawn tractor be declared as surplus equipment in order to sell or trade it in.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (4 Ayes).

8. Discussion/Action of Approval of one year extension of Solid Waste Disposal Contract with Robert Wright, Inc.
Supervisor Dolin advised that we are in the fourth year of our option to extend the original agreement. The original agreement provides for the fixed manner of computing any changes in the existing contract. We have added five households. The contract has an escalator clause for increasing the annual contract if the C.P.I. exceeds 2%. In this case it has’t, so there is no C.P.I. adjustment. The new contract price will be $292,175.59 to be paid in 12 equal installments.

RESOLUTION 2015-151
Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland does hereby renew its agreement with Robert Wright Disposal for an additional year at the price of $292,175.59.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (4 Ayes).

Resolution to set Special Meeting and Public Hearing
Supervisor Dolin said that we need a special meeting and public hearing by the end of the month in order to pursue two grants. They need approval before they are submitted, and one of the grants requires a public hearing.

RESOLUTION 2015-152
Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland hold a Special Town Board meeting on July 27, 2015 at 6:45 PM: and

It is further resolved that the Town Board hold a Public Hearing to consider the approval of the grant application on July 27, 2015, at 6:30 PM.

Councilperson LaGrange seconded the motion.
Town of New Scotland  
Regular Town Board Meeting  
July 15, 2015  

Councilperson LaGrange asked that we have some discussion and entertain appointing someone to fill the Board seat at that meeting. Supervisor Dolin agreed, adding that there will probably be other items on the agenda.  

All present and voting, the motion carried (4 Ayes).  

9. Discussion/Action concerning final payments for acquisition of Bartholomews’ property on Krumkill Road  

Councilperson LaGrange said that we settled the issue of payment for the property on Krumkill Road. Attorney Naughton said that the maps have been filed with the County Clerk, so the Town is now the owner of that parcel for the Krumkill Road reconstruction. That part is done for the land itself. Councilperson LaGrange said that we’ve had some background discussions on a couple of issues that the Bartholomews had during the whole process. One was a fence that was wrecked by the town during the process. They had asked a number of years ago if that might be repaired. Councilperson LaGrange thought that Mr. Bartholomew had repaired it himself awaiting possible payment. They’ve had a few different issues during the process. One was bringing in a cleaning service to clean the outside windows of their home from everything that was disrupted during excavation. This is obviously separate from the purchase or lease of the property. They also had some trees that they had hoped to retain at the end of their driveway, but it wasn’t possible. The question came up. We certainly should have compensated them for the fence and possibly for some of the cleaning and then possibly some compensation for the overall issue and the fact that they are losing their trees. Councilperson LaGrange said that this is for discussion. We’ve talked about it a couple of times. Mr. Bartholomew gave us a quote for what it would cost to replace the fence as it was. We need to decide what to do in fairness and to maybe go out on a little bit of a higher note. Councilperson LaGrange said that there is an actual calculation you can use to put on a certain tree in a certain location. Councilperson LaGrange said that he acknowledges that part of the purchase is purchasing the land those trees are on, and that’s to be taken into consideration too. The estimate for the fence, through AFSCO Fence Supply Company in Latham, was approximately $950. The window cleaning was somewhere in the $200 range. Councilperson LaGrange said that he doesn’t know what they are losing for the trees. He added that he didn’t know what we legally make restitution for, but he wanted to bring it up. Attorney Naughton said that in connection with the settlement we got a general release from them. There is no legal obligation from them to do anything further, but when we were negotiating these things did come up, and we said that we would consider some of these other claims if they cooperated and signed off on the stipulation so it could be done in a timely fashion so we could build this construction season. Strictly from a legal point of view, the town is not required to do it but they do have these claims so there would be some merit, especially with respect to the fence. Attorney Naughton thought that when we acquired the land the trees became our trees. You have to look at that separately. The window cleaning bill wasn’t a big charge. Attorney Naughton thought that the Board had an option of doing something with that. The other payments that have been made to the Bartholomews have been or will be reimbursed through Federal funds, and we’ve receive prior approval for the monies. The town won’t be out of pocket for those monies. These funds, if we are contemplating paying more, he doesn’t think we can assume that we will have reimbursement for that. Supervisor Dolin said that early on when we temporarily relocated the road and entered into a lease agreement with them, they did itemize some of the expenses or losses that they had which was unrelated to taking the property. Supervisor Dolin did indicate to them that that’s something we should talk about and consider. There was some representation by different people that these sounded like legitimate losses and that we should probably make them whole. Supervisor Dolin didn’t have any objection to it. He felt legally that the fence was damaged, and when this went on the permanent alignment wasn’t known. The fact that we were actually take the property we did take with the trees wasn’t even talked about. There were 2-3 possible alignments. Supervisor Dolin said he would support reimbursing them for the fence and the window cleaning. As far as the trees, he didn’t know what our capacity was to do anything. Councilperson LaGrange felt that that was more subjective. It’s something that people put a value on. It is still a taking even though we are paying for it. You are losing some of the aesthetic value; it’s hard to put a price on that. Councilperson LaGrange said that he’s not campaigning for it, he’s just giving some of the thoughts that they had. Attorney Naughton said that because the boundaries have changed, they are also looking for the Town to provide an updated survey. Councilperson LaGrange thought that Engineer Dempf was working on that. Engineer Dempf thought that he sent Attorney Naughton something. Attorney Naughton roughly recalled $1,500 as the cost. Attorney Naughton said that he wouldn’t recommend that the town try to compensate them for the trees. Supervisor Dolin agreed adding that he thought there was a legal problem with it.
RESOLUTION 2015-153
Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland does hereby authorize compensating Mr. & Mrs. Bartholomew for certain damages they suffered as a result of the temporary relocation of Krumkil Road on their property; specifically the sum of $950 for the replacement of a fence that was damaged; the sum of $200 for window and house cleaning; and we will assume the cost of delivering a new perimeter survey for their property not to exceed $1,500 following the taking.

Councilperson LaGrange seconded the motion.

Engineer Dempf noted that the survey can’t be done until after the markers are set in the field.

All present and voting, the motion carried (4 Ayes).

10. Status report of Grant Applications
Councilperson Hennessy advised that for the past three months the town has been pursuing submission of two grant applications for funding under the NYS Consolidated Funding Application Program. The first grant application is for improving our Swift Road Park and our Feura Bush Park. The improvements at Swift Road generally consist of construction of a new maintenance garage. The relocation of that garage will be further to the rear of the park so we have more of an inviting entry to the park. We will have to replace that location with a pavilion for picnickers and for rental use. There will be some minor improvements to the site and to the ball field. The drainage will be improved, and part of the design of this facility will be a grading design for a new natural drainage area/skating pond which will help the town replace the annual difficult effort to install our skating pond. The liners do not last more than 5 years. When we are able to grade the new skating pond, we will be able to use relatively impervious clay soils that help retain the water allowing it to freeze and have a natural skating pond. It will be close and adjacent to the new pavilion similar to our old skating pond.

The Feura Bush Park improvements will include an expansion of the existing pavilion which as we know is quite small. We will be improving the parking lot there also. It is small, and sometimes we have vehicle parking extending down the entry road a bit. The drainage is not as well defined as it should be. That’s a summary of the park improvements.

The grant application has 50% funding for the Swift Road improvements and 75% funding for the Feura Bush Park. That application is being prepared by Barton and Loguidice and it will be submitted before July 31.

The second grant application started with a notification from someone in the County about this program so it’s in a parallel path with what we are doing in the parks. Councilperson Hennessy said that he and Councilperson LaGrange have been talking about sidewalks. Councilperson LaGrange has had a long history of this desire for Clarksville. In this consolidated funding application round, it is a very viable possibility. Councilperson Hennessy, with the help of Assessing Clerk Mrs. Rosa and the assistance of some others, is putting together this grant application. We are going to do an income survey to supplement the applications. Barton and Loguidice will provide assistance with that. This application also will be done prior to July 31. That’s the reason for the public hearing on July 27; it’s one of the requirements.

11. Engineering:
- Draft report on Highway Garage Floor Drain Alternatives
Engineer Dempf and Highway Superintendent Guyer met this afternoon to go over the draft report on the Highway Garage floor drain alternatives. It was never the intent to get this deep in the weeds on working through the alternatives. We have a situation between the permitting people and the Stormwater people. The permitting people will allow us to permit our base alternative that we started with, and the Stormwater people want us to basically show them why we as the town could not do that. We’ve come up with three different alternatives. The first base alternative is to get a SPDES permit which allows us to clean and discharge the water. The second is a hold-and-haul permit. We will be required to build a system that will collect the water, and we will pay to haul it away. The third is actually to reuse the water where we will install a system that actually recirculates water and allows us to reuse some of it without having to
discharge, but we would still have to hold and haul in addition to the reuse of the water. Engineer Dempf said that we investigated these, and we basically knew the answer without having to do the analysis, but the most cost effective way for the town to deal with this situation is to obtain a SPDES permit, discharge the clean water, and haul only the dirty water away. That is option 1. Engineer Dempf said he would like to apply for the SPDES permit as we said we would in our original proposal and basically see how we get through the permitting agency and present it to the Stormwater agency. Supervisor Dolin asked for a summary. There is an initial construction cost of $61,000, and then there is an annual maintenance fee. Engineer Dempf said that there are three different pieces in this instance. In going over the annual bond repayment with Highway Superintendent Guyer, he basically feels that we would never take out a bond for 30 years to pay for something costing $61,000; however, if you apply the same theory to the rest of the items, let’s say we took out a five-year bond that would change the annual bond payment to about $14,000 for a five-year period. Supervisor Dolin asked if the $9,000 would include a bond payment. Engineer Dempf said that it would include a bond payment, but that’s a 30-year payment. Supervisor Dolin said that the tank cleanout is $3,000 and the sampling is $1,800, so the annual maintenance is about $5,000. Engineer Dempf agreed. Supervisor Dolin said that it sounds like something we have to do. Engineer Dempf added that we are under review. Councilperson Hennessy said that historically an oil-water separators, before the Stormwater regulations, were concrete septic tanks. Now, we are seeing a couple of things in this that maybe responds to the new Stormwater requirements that he is not aware of. Is that a double-walled tank or is that the other tank? Engineer Dempf said that it’s the other tank. What you are doing is pulling off the oils and greases and storing them. That’s why it’s double walled because it has to meet secondary containment. Councilperson Hennessy added that it helps to keep the option-1 price down. The second point Councilperson Hennessy asked if installing a secondary filter is something that came about from the multi-sector general permit or is that something that came about from all the Stormwater regulations. Engineer Dempf said that it was part of the SPDES permit, not part of the Stormwater regulations. Councilperson Hennessy said that since we’re going to have a SPDES permit for the discharge, is there going to be a requirement for a multi-sector permit for the facility to have the oil-water separator. Engineer Dempf said that there is no more discharge from the facility anymore. The facility discharges into the oil-water separator now. Engineer Dempf said that we have a budget in order to move forward and prepare and work with the agencies. That’s where we stand with that. Supervisor Dolin said that we will take it under advisement and make a decision at a future meeting.

- **New Salem Construction Update**
  This item was not covered.

- **New Salem Meters and Backflow Preventers/Service Connections**
  Supervisor Dolin advised that these have been ordered. Engineer Dempf added that everything has been distributed to the people, and he believed applications are being accepted. Engineer Dempf then referred to the preliminary regulations and the fees. Supervisor Dolin said that we will talk about this more later this evening.

- **New Salem Construction Observation CO#3**
  This item was not covered.

- **Krumkill Road Construction Status Update**
  Engineer Dempf said that he just gave a simple update regarding Krumkill Road to the Board via email. Everything has moved forward, and we are waiting on the State to give approval to go out to bid. That should happen within the next month.

- **Task Order Request – Highway Department Consulting – Concept Design, Hilton Road Vertical Alignment**
  Engineer Dempf said he is working with Highway Superintendent Guyer to prepare a vertical alignment. A task order request has been prepared for the Board to review three alternatives and to coordinate with Sprint as well as the Highway Superintendent and the County on any potential rail issues as part of the lowering of Hilton Road. Councilperson LaGrange advised that this is for the hump where the railroad used to go through. We are proposing lowering that down, and Sprint has a fiber optic cable. Engineer Dempf said that it runs below it, and he and Highway Superintendent Guyer already met with them in the field. They said there is enough slack in their cable. They just need to know how deep we want to go, and they will lower the cable so we can then lower the roadway. If we envision that the alternative to bring it to the design standard of the roadway as it is today is too much, we may possibly consider lowering the
speed limit. That way we would have to reduce the amount that we cut into the hump. Engineer Dempf said that their proposal for doing that work is $3,200. Councilperson Hennessy asked about the current speed. Engineer Dempf said it’s currently 40 mph, but that would mean that the design speed would be 45 mph. We have to design for 5 mph over the speed limit. Highway Superintendent Guyer said that he was on board with all of this. He and Engineer Dempf went over the proposals, and they discussed lowering the surface 6 feet which would be the design to the 45 mph. That would be for the posted 40 mph speed limit. We will send that onto US Sprint who in turn will send it on to their excavation company who is the only company that they allow to work on this line. Highway Superintendent Guyer said that they will return the cost to us. When the cost comes back, then we will have discussions on who is paying and who will help pay. The gentleman from Sprint said that it’s going to be one of three or a combination of the Town of New Scotland, Albany County, and Sprint themselves. They will come back with a price, and then we can discuss how to pay for it. They won’t start construction until we know that. Engineer Dempf added that the road will have to be graded back almost 300 feet in each direction in order to meet the ADA accessibility requirements. So far, preliminarily they are willing to work with the town when that needs to take place. Highway Superintendent Guyer said that Sprint will lower the cable back that distance, and then the County has shown an interest in working with the town to get the rail bed itself graded to the property distance. Councilperson Hennessy felt that a 30 mph speed limit request might have to happen to help cut back on what needs to be cut. Councilperson LaGrange felt that with the added traffic we might want to entertain it anyway. Public Safety Commissioner Miller mentioned that there is a parking issue there. Highway Superintendent Guyer said that we hope to alleviate that with the parking area proposed with the Kensington development.

RESOLUTION 2015-154
Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland retain the engineering services of Stantec Consulting Services, Inc., for the purposes of giving engineering advice regarding the lowering of Hilton Road in the vicinity of the Rail Trail. The contract proposal is for $3,200.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (4 Ayes).

- Pay App #8 – New Salem – Casale
Engineer Dempf said we received this month pay application #8 from Casale in the amount of $273,940.28. We have estimated that the contractor is approximately 80% complete at the end of June with what he needed to do. As an update to actual physical progress, as of Monday morning all of the water main in has now been completely tested. As of today, they took their second bacteriological test for the last section of pipe. That passed on Monday. Today we were doing testing of the PRV (pressure reducing value) at various locations throughout the district. The contractor’s main pieces of work are to clean the PRV because he discharged sediment through it. Then we need to retest it. He is doing long and short side services to homes. Essentially the main pipe work is complete, and of course restoration is still happening as we speak.

RESOLUTION 2015-155
Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland, in further payment under the Master contract for the construction of the New Salem Water District, does hereby pay to Casale Construction Services, Inc., the sum of $273,940.28.

Councilperson LaGrange seconded the motion.

Councilperson Hennessy said that this is still well within the project budget and as scheduled in the contract. There is still significant retainage left from the 5% retainage in the contract plus additional retainage as established by Stantec’s contract with Casale. So we have appropriate protection still in place.

All present and voting, the motion carried (4 Ayes).

- Pay App #2 – New Salem – Stilsing
Engineer Dempf requested that the Board authorize payment of $21,270.40 to Stilsing under this contract. This should be the final progress payment for Stilsing. They have no other work to complete other than any potential punch list items. Stantec feels that based on their work would be covered by the 5% retainage of $5,559.95. We are still not paying him that amount. Supervisor Dolin said that there is a change order on the agenda for $477. Engineer Dempf said that that would be in addition to this.

RESOLUTION 2015-156
Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland pay to Stilsing Electric, Inc., the sum of $21,270.40 pursuant to a contract we have with them in connection with the New Salem Water District.

Councilperson Hennessy seconded the motion. All present and voting, the motion carried (4 Ayes).

- **Change Order #3 – New Salem – Stilsing - $477 for extra wiring to booster pump thermal protection circuits**
  
  Engineer Dempf added that there is a small change order to Stilsing Electric, Inc., for $477 for extra wiring at the booster pump to include the connection of thermal protection circuits.

RESOLUTION 2015-157
Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland pay to Stilsing Electric, Inc., the sum of $477.

Councilperson LaGrange seconded the motion. All present and voting, the motion carried (4 Ayes).

- **Countryman Road – Request for Dispensation of Work Hours**
  
  Engineer Dempf said that we are all set. We have signed contracts for Countryman Road. The contractor, William J. Keller & Sons Construction, has asked for a request for dispensation for work hours. He is doing this in advance to work overtime to meet project deadlines set by FEMA to minimize the road closure duration. Engineer Dempf recommended approving this.

RESOLUTION 2015-158
Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland does hereby accept the request for dispensation of hours by William J. Keller and Sons Construction Corporation for 10 hours per day and five days per week.

Supervisor Dolin advised that this is a modification of an underlying contract. Engineer Dempf said that the underlying contract was 8 hours per day for five days.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (4 Ayes).

Councilperson LaGrange asked about the anticipated start date. Engineer Dempf thought it would be in two more weeks.

12. **Highway Department:**

- **Old New Salem Road**
  
  Highway Superintendent Guyer advised that as of July 27, 2015, he will be closing Old New Salem Road at the top for the intersection project. It will be closed for about two weeks. Albany County was notified today of closure along with all emergency personnel. All of the residents will be accessible from the bottom end of the road. You just won’t be able to exit from the other end. Signs were put up today stating the date for the traveling public. Highway Superintendent Guyer said they also printed out an information sheet for the residents that they will hand out tomorrow. They will also put this onto the website as well as the Facebook page.

- **Request approval to repair highway garage roof, estimated at $4,000**
  
  Highway Superintendent Guyer had a quote from last year to remind the Board what it would cost for a
complete removal and replacement of the entire garage roof. Highway Superintendent Guyer spoke with S & L, and he gave an informal $2,500-$3,000 price range to walk the entire roof and attend to what they deem is bad and possible leaks. He said he can work around our gutter system we have on the roof. That is one of our main sources of leaks. The gutters are in the center of the roof and then they come down inside the garage. With the visual patchwork there is no warranty. Highway Superintendent Guyer said that if the Board decides to do it we could cap it at $4,000. S & L thought it would be lower than that. Councilperson Hennessy asked about the procurement policy. Supervisor Dolin said that we should have a second opinion. Highway Superintendent Guyer said that he can get one, but being it’s maintenance he didn’t know if it was required. He will read the policy and search out other companies to get a few quotes on this. Supervisor Dolin said we could address this at a future meeting. Attorney Naughton said he should give us a written proposal. Highway Superintendent Guyer offered to get a few quotes and then we can go from there.

- Resolution re: Town acceptance of “roads by use”

Highway Superintendent Guyer said in our eyes these are town roads and for some reason NYS is not recognizing them as Town Roads. In order for the State to recognize them, we need a Board resolution accepting them.

WHEREAS, the New York State Department of Transportation has requested that the Town Board of the Town of New Scotland accept, pursuant to Section 171 of the NY Highway Law, certain roads.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the Section 171 of New York Highway Law, the Town Board hereby accepts, pursuant to Section 171 of the NY Highway Law, ownership and maintenance the following roads:

(1) Anderson Lane-starting at State Route 156 to dead end, a distance of .08 miles;
(2) Bear Hollow Lane-starting at State Route 443 to dead end, a distance of .08 miles;
(3) Brownrigg Road-starting at State Route 308 to dead end, a distance of .37 miles;
(4) Mason Lane-starting at State Route 85 to dead end, a distance of .37 miles; and
(5) Weisenborn Road-starting at State Route 32 to dead end, a distance of .25 miles.

A motion by Member LaGrange, seconded by Member Snyder, to adopt Resolution No. 159 of 2015.

In favor: 4 Ayes
Opposed: 0 Nays
Motion Approved: 4 Ayes

18. Discussion re: status of Voorheesville Area Ambulance Service contract

Supervisor Dolin introduced Mitchel Donovan who is the new Captain of the Voorheesville Area Ambulance, and he invited Doug Wildermuth along to join us tonight. Supervisor Dolin advised that Mr. Donovan has been Captain for two months now, and he’s been trying to devise a plan to move forward with the Voorheesville Area Ambulance Service. Captain Donovan said that, as everyone is aware, they have had some staffing issues. His predecessors had some ideas and plans that they discussed with the Board. It came to a point that the way they wanted to do those things was not going to be something that could be accomplished in a short time. At one point, closing the doors and shutting down the operation was discussed. The membership was not in favor of this. People have put their life’s work into this organization, and they don’t want to lose that. Captain Donovan researched other options, and he found E5 Support Services. In discussions with them, Captain Donovan found the company’s model serves volunteer agencies in a unique way. It allows for a paid staffing option, but it works diligently to preserve as much of the volunteer opportunities as possible. VAA had a lengthy discussion in terms of how this would get paid for. Obviously transitioning from a volunteer model to a paid or combination model will have a significant start-up expense. We discussed using the reserves that we’ve been holding for new apparatus which isn’t absolutely necessary. It took a great deal of effort to convince the membership that our ambulances are in more than fair condition. They’re very well maintained. They are maintained enough that the few employees who have come from E5 have commented that they haven’t seen
Town of New Scotland  
Regular Town Board Meeting  
July 15, 2015

ambulances in as good condition in other places they’ve worked. Captain Donovan added that he has also had the ambulances independently looked at by a garage, and they gave them a very good bill of health. He also had Mr. Chesney from Western Turnpike as an independent party review the plan as far as the staffing model is concerned. He looked at it, and he thought it was a good model. With those things and the research Captain Donovan did, he presented it to the membership, and they approved it. They approved the idea of not buying an ambulance and using that money to fix the staffing problem. What’s the sense of buying an ambulance if you don’t have the staff for it? Having a fully staffed ambulance is crucial to the mission. That we have. We have now entered into a contract with E5 Support Services. This model is going to afford us the opportunities for staffing in any gaps that we have, and it also allows us to have a 24-hour a day full staff, both volunteer and paid combinations, without any gaps. Captain Donovan said that with their assistance and through our contract we will be able to supply a full-time ambulance service in our operational area. We have signed a contract, made our first payment, and we are ready to roll.

The previous solution to the staffing problem went through several stages to solve the problem. It had all been building to a model like this to begin with. There were a variety of reasons which they were cautious to discuss as to why they chose E5 over working with the County staffing model. The biggest reason was that E5 speaks to our mission, our values, and our community’s values in a way that will preserve the volunteer part of this. Captain Donovan didn’t believe any other way could. He felt that we would end up with a fully paid service 24/7 which would be a considerable expense. That is likely going to happen over the course of years. The Department of Labor projects that by 2020 there is going to be a 33% increase in emergency medical service jobs. Part of that is largely due to the lack of volunteers. People are working 2-3 jobs. Because of changes that were made in terms of how the support was provided by the County, we have lost volunteers in the daytime. We can work to fill those gaps day and night. There is going to be a transition period that is necessary. We certainly don’t want to see the County Ambulance go away in terms of being a backup for us and other communities that it serves; however, we also don’t want to see us go away. Previously it was presented to the Town Board and the Village as their problem. Captain Donovan said he was bringing a solution. Unlike his predecessors, he doesn’t really believe in problems so much as challenges. Captain Donovan said he is fully prepared to meet the challenge. He’s been working a lot to do that. Mr. Wildermuth has been very patient, helpful, and insightful in the process.

CEO and founder of E5 Support Services Mr. Wildermuth introduced himself. E5 Support Services is a staffing, training, and consulting business for emergency medical services organizations. Mr. Wildermuth said he was in Captain Donovan’s shoes 7-8 years ago. As an EMS and volunteer leader, he was very upset when the staff came to him and said they didn’t work for him; they got town monies to be there, and their bosses were on the other side of town. This was in Queensbury. Mr. Wildermuth didn’t think that that was right. This was town money. He was a resident of the town, and he felt that they should be working together and making a solution. They were not a high-volume agency, and because of that they couldn’t sustain themselves from billing. They needed volunteers. For years on end, the volunteers were poignant on the fact that they wanted to manage themselves. They needed to go ahead and find members who would not only be pooled and used universally by multiple different agencies but were also trying to solve a Department of Labor law issue. Volunteers cannot work for the same company they volunteer at. It’s a violation not only federally but within the state. If you actually had a third company that they worked for and contracted back to the volunteer agency, you could retain your volunteer, and they could be paid by the same agency that they volunteer at. We are not only creating jobs locally, but we are also retaining our residents’ input and value as a volunteer into the community. That’s what we’ve done. We started the company in 2010, and we had our first contracted agency on January 1, 2011. From then until now, we’ve grown five contracted agencies from the staffing perspective. We have other contracts for training and consulting. Things are going great. Success stories similar to this one are in Johnsonville, Rensselaer County. They were going to close their doors. They had three volunteers left, and they had 100 calls a year. They had money for a new ambulance, but instead they invested in us. Captain Donovan advised that VAA has about 27 volunteers. Mr. Wildermuth said that they invested in us, and we staff them for six months. In two more months, they had three more volunteers who graduated from an EMT class. Now they are up and running themselves. That is the ideal image of what we are about. Some agencies are still with us today. Mr. Wildermuth feels that they deliver a great product of personal, appropriate management, oversight, training, and appropriate credentialing for the onsite workplace as well as a lot of the little things that get overlooked from a volunteer management perspective. More importantly, when we do this training onsite we open the doors to the volunteers. If they are paying for this and we have to do it for the paid staff, then bring the volunteers in and get that same required training.
such as OSHA, etc. We can capitalize on this together. The operation is still run by them. We bring our people in and follow their standard operating procedures. That way when then get on scene you don’t know who is volunteer and who’s paid. You see one symbol, the Voorheesville symbol. Anything that comes back goes back to that agency. Mr. Wildermuth said that through all of his experiences and contacts we’ve been working very closely and well with VAA. He added that he is very pleased with where we are right now. They recently hired 5 new employees specifically for this region, two of which are right in your own village. They also have more interviews and evaluations coming up. They go through the people to make sure that we’re not just hiring someone with a valid pulse and a valid card. Mr. Wildermuth said that he personally oversees a lot of them.

Councilperson LaGrange asked if the service is primarily EMTs. Mr. Wildermuth said for this particular case it is all EMTs, but for other agencies they service they offer Advanced Life Support and paramedics as well. Councilperson LaGrange asked how many EMTs VAA has now. Captain Donovan replied 11, and they will be losing one to retirement. Captain Donavan added that since this started they’ve taken on three new volunteers. Councilperson LaGrange asked if they’ve lost any recently. Captain Donovan said they did lose Jason Windsor who was a valuable asset. His felt it was too much work for a small agency to accomplish, and that’s why the relationship with E5 is the difference from Captain Donovan’s approach and his. His approach was to do it internally. That was too much of a struggle. This has all happened in the past two months. Captain Donovan added that, as the Board knows, VAA has had some contract issues in the past so their Board of Directors took this contract apart letter by letter. VAA added an entire page to the contract. Captain Donovan said he has also prepared the membership for some significant cultural changes during the next six months. Captain Donovan also wanted to point out that he has done a significant amount of work to repair their relationship with the Village. The feedback that he’s been getting back from the Village Board has been extremely positive.

Supervisor Dolin asked if there is going to actually be a paid person or a volunteer at the ambulance site. Captain Donovan said that that’s part of the cultural change. They will be staffing the ambulance directly so they won’t be coming from their home for the most part, but other volunteers may still be coming from home to assist. Captain Donovan and Mr. Wildermuth discussed how staffing would work. Captain Donovan added that he plans to develop partnerships with other agencies, and he plans to open the doors again and have better communication with the fire departments. Councilperson Hennessy asked who is handling the cost-recovery issues administratively speaking. How is that all being taken care of? Captain Donovan said that they have an outside company which is part of Empire Ambulance. They do all of the billing and take a percentage. Councilperson Hennessy asked if that’s different from before. Captain Donovan said that it’s the same, but they are going to explore some other options. Councilperson Hennessy asked if they are operating off that now or are they still working on some of their own funds. Captain Donovan said that they are working off their own funds. They will have a different proposal in the next month which will reflect what their staffing needs are. That is where it goes back to the Board’s job of finding a solution. Captain Donovan said that they are prepared to work with the Board to develop what needs to be done to make it work. There is going to be a question of other agencies and how it will affect them. Captain Donovan said that they are not looking to battle with anyone or be in conflict with anyone. They want to fulfill their mission, and they want to do it with the same values they’ve been doing it with. It has been a lot more than a challenge. They’ve had a situation where volunteers were doing so much work it was abusive as far as the amount of work to keep going. The fact that the volunteers want to continue is what’s driving Captain Donovan. These are people in the community, and it’s their town. This is their agency. Captain Donovan said we got a solution right here. It’s not just a solution. It’s an opportunity to create positions and jobs in the town. Captain Donovan said that they are ready to move. The contract is signed and the bills are paid. They would like to move back into their 24-hour model. In order to do that, they are going to have to ask the County to become a secondary running agency. Right now it’s the other way around. This was started as a test program two years ago. It was supposed to be reviewed, but that fell through. It has worked, and they appreciate the efforts of the County, but they don’t feel they are quite in line with our mission. As far as the care, certainly, but as far as the way their model works we want a stable local resource. We want it to be stable and local here. The perception has been that VAA is losing ground and losing people. The County doesn’t work for us, and the bottom line is that we’re facing the very same attitude that they don’t work for us or respect us. Although they work with us, there is a grudge and because of that the membership is not willing to work with them. If E5 wasn’t an alternative they would have been here two months ago saying that they can’t do this anymore.

Supervisor Dolin thanked the gentlemen for coming. Councilperson LaGrange corrected one point. We
did have a couple of meeting to see how things were going. Captain Donovan said that the membership either wasn’t part of it or wasn’t informed.

13. Fire/Ambulance
- Resolution approving appointment of Kimberly Teagle as a regular member of the Onesquethaw Volunteer Fire Company, Inc.
- Resolution approving appointment of Ryan Lundgren as a regular member (out of district – lives in Voorheesville) of the Onesquethaw Volunteer Fire Company, Inc.
- Resolution approving appointment of Melanie Jones as a regular member of the Onesquethaw Volunteer Fire Company, Inc.

RESOLUTION 2015-160
Councilperson LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland does hereby accept regular member Kimberly Teagle, Ryan Lundgren as an out-of-district regular member, and Melanie Jones as a regular member into the Onesquethaw Volunteer Fire Company, Inc.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (4 Ayes).

18. Discussion re: status of Voorheesville Area Ambulance Service contract
Public Commissioner Miller wanted to be heard about the VAA and he’d like some clarification. It sounds like they are going to give the town a budget in addition to whatever they are going to bring in. Commissioner Miller said that his understanding was that they were going to use their funds to get it going and then they were going to run off of monies that they recouped. Supervisor Dolin said he didn’t know. They’ve made no request for money yet, and we are more than halfway through the year. Commissioner Miller added that they’ve already signed a contract and made a payment, so what is their intent on what they are doing, and how is that going to affect everyone else. By coming in and saying they’ve signed a contract and made a payment, technically they could probably start. The other question is what happens to Onesquethaw.

Councilperson LaGrange said that he met with them twice. He asked them to be honest with themselves and honest with him. They showed Councilperson LaGrange a schedule showing the calls they’ve met, and the ones that were taken over. It was good for the first half of this year. They went to their EMTs and they encouraged them to realize that they were coming to an end if they didn’t step up. They gave Councilperson LaGrange a list of those who are EMTs now who are renewing and people who have signed up to become EMTs. At this point Councilperson LaGrange was satisfied in the second meeting last week that they will be able to continue as they are through 2016. No one has a crystal ball.

Public Commissioner Miller said that as they are right now they staff a driver, but the EMT during the daytime comes from the County. Councilperson LaGrange said that is how it is most of the time. Commissioner Miller said that if you are going to budget you are still going to have to pay both sides of the coin. Supervisor Dolin said that we’re going to have to retain the sheriff at some level. The sheriff will still be needed. Onesquethaw isn’t prepared to do it during the day. Councilperson LaGrange said that we are actually back the way we were before the sheriff took on for free the days at Voorheesville. In a sense we’re going back to where we were in this scenario that was presented tonight. Councilperson LaGrange said that his question is where we go from here once they’ve depleted some of their reserves getting this started up. Commissioner Miller said they are paying him $22 per hour. The town is going to be reimbursing them for $22 per hour. Councilperson LaGrange asked if they are the lowest bidder. Commissioner Miller said it’s not really a bid thing because if they’re in business it’s just like the fire department. If a call comes into 911 they do the closest call concept because that’s the way it’s set up. Commissioner Miller added that if you’re going to think about it you have to have all of the facts. Supervisor Dolin said that before going to the next level it needs to be thought out.

14. Discussion/Action re: substituting of insurance bond certificate for cash escrow for the New Scotland Cemetery cell tower
Attorney Naughton said that the town cell law provides that the form of undertaking can be substituted, and it’s up to the Planning Board with the advice and consent of the Planning Board Attorney who reviews the form of bond offered. The Planning Board has approved the substitution, and Attorney Baker has reviewed the form of the bond and found it acceptable. From the Town Board’s point of view, we can just
agree to accept it in lieu of the cash deposit if that’s something the Board wants to do. Attorney Naughton said that he would like to see the resolution first so we could put this on next week’s agenda. This item was tabled.

16. Discussion/Action re: renewal contract with Cornerstone for telephone service

Town Clerk Deschenes said that the town has used Cornerstone, who is a reseller for telephone service, since 2003. Our last contract with them was in 2011 and it expired. They called us and asked if we would consider a renewal. They will honor the same rates that we were at in 2011, and they are offering a small loyalty credit of around $250. Town Clerk Deschenes checked with Time Warner to see if they could offer something better but they couldn’t. They run about $29.95 per line which would amount to about $569 per month. Our highest bill with Cornerstone was $544. We have been with them, and they’ve been fine. Town Clerk Deschenes said she tried to get an amount from Verizon. They’ve tried to get our business in the past but they’ve never been able to beat the rates. She tried to get a rate out of them but was unsuccessful. When she asked them to call her they said they couldn’t. If we don’t sign a contract with Cornerstone we would just go month to month and the rates could go up. Town Clerk Deschenes said she was comfortable asking the town to sign it, and she gave Attorney Naughton the contract to review.

RESOLUTION 2015-161

Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland enter into a three-year contract with Cornerstone Telephone Company to supply landline telephone services. The rates will be a continuation of the existing rate; and

It is further resolved that the Supervisor is authorized to sign such a contract with Cornerstone Telephone.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (4 Ayes).

17. Discussion/Action re: proposed water connection fee schedule for New Salem Water District and preliminary regulations

Supervisor Dolin said that this is a unique situation with a brand new water district. Supervisor Dolin advised that we actually order the meters which have sending units for data transmission, and because of the high pressure in the line each house has to have a pressure-reducing valve. We are going to supply and install them for each customer in New Salem. Supervisor Dolin proposed a fee for the standard ¾ service of $180. That would include the installation, meter, radio send unit, and the pressure-reduction valve (PRV). This is actually less then what we are paying for these, but Supervisor Dolin is trying to use some money from the EFC loan to subsidize this purchase. We think there is enough money to do that. A 1-inch line will cost $290. The customer is going to have to rearrange their line internally so that this will all fit. The pressure-reduction valve adds size to the meter. Supervisor Dolin advised that half of the houses already have meters. We are going to have to take those out and put these in.

RESOLUTION 2015-162

Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland set connection fees for the New Salem Water District as follows:

Application Fee: None

Water Meter with Radio Sending unit Pressure-Reduction Valve:

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<th>Line Size</th>
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<tr>
<td>¾-inch</td>
<td>$180.00</td>
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<tr>
<td>1-inch</td>
<td>$290.00</td>
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</table>

Installation of Water Meter with Radio Sending Unit and Pressure-Reducing Valve

By Town of New Scotland Personnel: None

Councilperson LaGrange seconded the motion.
Councilperson LaGrange said that we originally said it would be less than $200, and that’s why we were talking about supplementing it with the bond. So we are supplementing about $70. Supervisor Dolin said that it was roughly that amount. Councilperson LaGrange said that when people make an application for a hook-up they would pay this fee. Councilperson LaGrange asked if we have had any applications yet. Supervisor Dolin said that we’ve had some that we’ve accepted informally. Since we didn’t have a fee schedule, we told them we’d get back to them. Councilperson Hennessy asked what the PRV is for the system. Engineer Dempf said that that was in the main. That’s for balancing the pressure after it comes down the hill. There is a certain level where everyone needs a PRV. In case there is a fluctuation, we wanted everybody to have one.

All present and voting, the motion carried (4 Ayes).

RESOLUTION 2015-163

Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland does hereby adopt preliminary rules and regulations for the New Salem Water District as outlined in Attachment 6A:

Councilperson LaGrange seconded the motion. All present and voting, the motion carried (4 Ayes).

19. Discussion/Action concerning renewal of membership in Albany County Stormwater Coalition

Supervisor Dolin advised that the dues are $7,130 which is the same as last year for the Stormwater Coalition. This is something we have to do. Guilderland dropped out for 6-7 months but then came back. The Village of Voorheesville dropped out, and they are now going through an audit by the Federal EPA.

RESOLUTION 2015-164

Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that Town of New Scotland does hereby renew its membership in the Albany County Stormwater Coalition and the annual dues are $7,130.00; and

It is further resolved that the Supervisor is authorized to sign a statement of intent confirming this decision.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (4 Ayes).

Supervisor Dolin advised that he needs one other resolution in connection with the Stormwater Coalition. They have found that there are some grants out there that they want to apply for that NYSDEC is offering. The coalition needs the approval of all of the members to submit the application.

RESOLUTION 2015-165

Supervisor Dolin offered the following resolution and moved its adoption:

RESOLVED, that the Town of New Scotland does hereby authorize the application to apply for a grant with the NYSDEC to support the comprehensive systems and program mapping that the coalition currently uses; and

It is further resolved that the Supervisor be authorized to sign the letter of intent and supply it to the coalition in support of the application.

Councilperson Snyder seconded the motion. All present and voting, the motion carried (4 Ayes).

20. Departmental Monthly Reports:

- Town Clerk, June 2015
- Registrar, June 2015
- Justice Wukitsch May, 2015
- Justice Adkins June, 2015
21. Invitation to the Public to Discuss Non-Agenda Items

22. Pay the Bills  
RESOLUTION 2015-166
Supervisor Dolin offered the following resolution 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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<th>Pay the Bills</th>
<th>Abstract #</th>
<th>Vouchers</th>
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<td></td>
<td>20150751-20150895</td>
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See attached abstracts for additional details.

Councilperson LaGrange seconded the motion. All present and voting, the motion carried (4 Ayes).

19. Liaison Reports 
New Scotland Hamlet Study
Councilperson Hennessy advised that the New Scotland Hamlet Study Advisory Committee meeting is scheduled for July 30 at Town Hall. The Study Advisory Committee is also going to have a meeting on September 10 to plan for a public workshop. The public workshop will be September 24. We will either have it here or at the school; that hasn’t been finalized yet.

Point of Dispensing Program (POD)
Commissioner Miller advised that today we finalized the POD, and the paperwork has been submitted. The Board will be notified regarding training since they have been listed as participants in the POD along with the Village Trustees. Commissioner Miller said that this program started 6-7 years ago. St. Matthew’s will be our dispensing place if a mass inoculation were to take place. It starts out with Police, Fire, EMS, and government people getting inoculated first. It would happen at St. Matthew’s, and there is a diagram of the set-up. The Health Department would bring out the medication, and there is a security plan set up along with a traffic flow plan. The new priest is aware of the program.

Councilperson Snyder advised that we had a test of the process recently at Cornell Cooperative Extension. It went fairly well, and we had good feedback. We all learned a lot.

23. Approve any Budget Modifications  
RESOLUTION 2015-167
Supervisor Dolin offered the following resolution 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 |
| Fund Balance | DB0909 | Attorney Fees/Cont. | DB1420.4 | $1,708.93 |
| To appropriate money from Fund Balance to Attorney fees for amount over budget for installment bond. |
| Fund Balance | SS0909 | Attorney Fees/Contr. | SS1420.4 | $32.93 |
| To appropriate money from Fund Balance to Attorney fees for amount over budget for BAN renewal. |
### Town of New Scotland
#### Regular Town Board Meeting
**July 15, 2015**

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The Town Board hereby resolves, pursuant to authority in Town Law, section 112, to amend the Town's 2015 budget as stated above.

Councilperson LaGrange seconded the motion. All present and voting, the motion carried (4 Ayes).

**24. Adjourn**

Supervisor Dolin made a motion to adjourn and seconded by Councilperson LaGrange. The meeting adjourned at 10:00 PM.

__________________________________________
Diane R. Deschenes, Town Clerk