The following Town Officials were in attendance:

- Supervisor: Douglas LaGrange
- Councilperson: Adam Greenberg
- Daniel Leinung
- William Hennessy
- Patricia Snyder
- Highway Superintendent: Kenneth Guyer
- Engineer: Garrett Frueh
- 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:
   - March 13, 2019 Public Hearing, Proposed Local Law B of 2019
   - March 13, 2019 Regular Town Board Meeting

Resolution 2019-085
   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.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes -1 Abstention). Councilperson Leinung abstained since he was absent from the meetings.

Announcements:
- 5th Annual Kenneth’s Ride Saturday, June 1st Berne Town Park
  Claire Ansbro-Ingells, Dawn Gibson, and Erica Toth are members of Kenneth’s Army. Ms. Ansbro-Ingells and Ms. Gibson are officers in the corporation and they are the event coordinators. Ms. Ansbro-Ingells asked if everyone knew where they were on September 11th and then she asked if they recalled where they were on June 16, 2015, or December 18, 2014. Ms. Ansbro-Ingells asked why those dates were just as important to us as September 11th. June 16, 2015, was the first annual Kenneth’s Ride done in memory of Kenneth White who was murdered in the hilltowns. He was brutally murdered and buried alive by his cousin at the age of five. December 18, 2014, was the day he was murdered and again buried alive. A lot of people don’t realize he was buried alive. He was severely beaten with a baseball bat and a few other objects. She took his body alive, threw it over a bank, buried him in the snow, leaving him there alive, and then called in an Amber Alert. Do you remember those dates now? We do. So are we here begging you for money tonight? No. It would be nice if you want to come and join us but that’s not what we’re here for. Does anybody know where Kenneth’s sisters are? They are alive, well, and in the process of being adopted. They live in Altamont and they are doing very well. The sad part is that they are very broken little girls. She took them out to lunch about a year ago. Kenneth’s twin sister looked at me and asked, “Do you know how my brother died?” I told her I did and she proceeded to tell me every single detail. The pulling of his hair, kicking of his stomach, to the baseball bat across his head. Every single detail. How did she know that? She witnessed it from the bathroom door where they thought she wouldn’t see anything. They are lucky to be alive. They could have been next.

Why was Kenneth’s Army formed? We were formed out of anger and frustration so we started to take this horrible situation and do something good with it. Anger isn’t going to get us anywhere. Now, we are rejoicing Kenneth and we are now here for the 5th annual Kenneth’s Ride. She has been doing this for five
consecutive years. We do not ride motorcycles. We’ve never been on a motorcycle and we don’t belong to any motorcycle club. This is our fifth year. This year we are really going to celebrate Kenneth and we’re going to do it up big. We’re having a pig roast. Last year we had Mr. Tim Drawbridge from WTEN news. We had “Cream the Weatherman” and this year we’re taking it a step further. We’re going to have “Dunk the Weatherman.” We’re putting him in a dunk tank. He actually volunteered. So why are we here? How many of you have ever been on the ride? How many of you ride a motorcycle? How many of you drive a car? Any reason you don’t want to join us? I know everyone is busy, but so are we. We have jobs, families, and responsibilities and we spend the year putting this together. That’s a lot of hard work.

Ms. Gibson advised that they have a Facebook page, Kenneth’s Army Champions for Children. There is more information there about the preregistration which you can do anytime from now until May 18th. With the preregistration you will receive a free t-shirt, $5 worth of raffle tickets, a ticket for a door prize, and you will receive an extra goodie that will only be in the preregistration bags; it will not be available to the public. It’s $20 for the pre-registration. It’s $25 the day of the event. You are guaranteed certain items with the preregistration. Part of the reason we have come to you is not only because you’re our neighbors but we are going to be hitting Route 85A and Route 85. She had a copy of the route. If anyone is doing any work that weekend, our bikes are coming through. If anyone has any question we are here to answer anything. This is the only fundraiser, and the proceeds will go to a child that would have been in Kenny’s grade, an underprivileged child that the school says needs help. For back to school by the end of August we have all their school supplies, all of their clothing for four seasons, and whatever we can do to help that child be more successful in school. We also do a Thanksgiving Day dinner. Whenever everyone else is thinking of Christmas and Easter, we do Thanksgiving. We talk to the school and they tell us what family needs help. We get everything from napkins, tablecloth, silverware and plates to the rolls, turkey, and pies. We also help out Sheriff Apple for his Christmas fund. We do a donation to him every year because we know a lot of our hilltown friends and family rely on that for Christmas. Ms. Ansbro-Ingalls said that they also volunteer their time for that. They also do a scholarship for a graduating high school student from Berne-Knox-Westerlo. It’s a $1000 scholarship and hopefully someday we can end this epidemic of child abuse. We also support Kenny’s sisters. We give them money for whatever they need: school clothes, medications, or doctors’ visits which they have often. They do one fundraiser a year. For $20 you get your bang for your buck when you get a shirt, dinner, raffle tickets, and the whole nine yards. One of the things we are known for is our raffle baskets. People go nuts over them. The cheapest one is valued at $250. We have a basket of cheer that is over $500. We have a restaurant basket this year that’s over $300. All kinds of things. They are not $2 items; they are hundreds of dollars. Please help us. These are our children. They don’t have to be blood but every child that gets hit is ours. How much more are we going to put up with? How much more are we going to stand for until we say not one more child. Thank you for your time.

Supervisor LaGrange said that we appreciate what they have been doing. Ms. Ansbro-Ingalls said that if the Board members would like to come up that day they would love to have them come up as one of our dignitaries. Supervisor LaGrange asked if we could put this on the website. Town Clerk Deschenes replied absolutely.

- **Community Cares Days weekend of May 4th and 5th**
- **Household Hazardous Waste Day, Saturday, June 1st Town Highway Garage**
- **Voorheesville Fire Department Brooks Barbeque, Thursday, April 11th.**
- **Onesquethaw Vol. Fire Company Brooks Barbeque, Wednesday, April 17th**
- **Onesquethaw Vol. Fire Company Open House, April 27th**
- **New Salem Fire Department Fish Fry Friday, April 12th**

5. **Discussion/Action re: Proposed Local Law B of 2019 amending cell tower law**

Attorney Naughton left the room at 7:15 PM due to a conflict.

Supervisor LaGrange said we had a couple of meetings on this. We had a public hearing at our last meeting. We closed the public hearing and we had to wait for County approval, and he believes we got that. Attorney Peck said that we did, and it was deferred to local. Supervisor LaGrange said that we also have to take care of SEQR. Attorney Peck said that that’s correct. We would need to vote on SEQR before voting on the law. Supervisor LaGrange asked Attorney Peck to guide us through that. Attorney Peck said that this is a type-1 action. She then read and reviewed the SEQR with the Board. Attorney Peck said that based on going through those factors it’s her recommendation to the Board that they determine that the action of the
proposed law would not have a significant impact on the environment and that a negative declaration be filed.

Resolution 2019-086
Councilperson Snyder offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby file a negative declaration. Seconded by Councilperson Hennessy. All present and voting, the motion carried (5 Ayes).

Resolution 2019-087
Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby pass proposed Local Law B of 2019 amending the cell tower law in consideration of the 5G telecommunication. Seconded by Councilperson Greenberg.

Supervisor LaGrange thanked Councilperson Hennessy for quite a bit of work along with Attorney Peck for her work. We appreciate their efforts here. We were under time constraints and we’ve made it comfortably. Thank you. Councilperson Leinung wanted to say thanks again, too. He missed the last meeting but read the minutes. He wanted to thank Councilperson Hennessy for really pushing this and Attorney Peck for all her hard work on it. He asked around. A couple of other elected officials in other towns hadn’t even heard that this was a thing. He’s glad we were able to get this done in that condensed timeframe. Thank you for putting all the work in for this. It’s something we probably won’t need immediately, but it’s better to be prepared. We always want to make sure we have control over things going up in our town.

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

Attorney Naughton returned to the meeting at 7:20 PM.

6. Resolution authorizing the Supervisor to execute a Settlement and Release Agreement between the Town and Time Warner Cable regarding underpayment of franchise fees.
Supervisor LaGrange said that we’ve done this in the past and then asked Attorney Naughton if he checked this over. Attorney Naughton said that he did. Michael Haden from Computel also looked it over. Supervisor LaGrange said Computel is a company we hired to audit the different utilities. He looked this over and checked on some questions we had about the fourth quarter, and he was satisfied. Councilperson Greenberg said that this goes back a couple of years. We hired Computel to audit different utilities within our town. Some of it’s been paid in the past. He thinks this is the last payment we are supposed to get. It took a year or two for the legal language. He thinks we recouped about $30,000. Attorney Naughton said that this is kind of an inclusive release, but he doesn’t really see any issue that we have. It’s their standard form. There is always something that could come up that we would have a claim against them for, but they have a very broad release that they require in connection with this and we’ve accepted it for the last three years.

Resolution 2019-088
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 Settlement and Release Agreement between the Town and Time Warner Cable Northeast, LLC, locally known as Charter Communication. Charter agrees to submit payment to the Town in the amount of $6,250.76 to forever settle past claims on franchise fees due the Town for the audit period and authorize the Supervisor to sign it.

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

7. Discussion/Action re: CDTA ACCESS program Agreement for Transportation Services
Supervisor LaGrange said that this is through the Senior Outreach Program for additional trips and so forth for medical needs. Congregate meals are also considered in this for some of the social outings. The congregate meals fit their definition and that’s the level they go for. Supervisor LaGrange asked if Attorney Naughton checked this out. Attorney Naughton replied that this is another recurring agreement. We did this
last year and we negotiated. It reflects our negotiations from last year. We made sure it conformed to what our program is so he would recommend that we sign it.

Resolution 2019-089
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 this annual agreement for transportation services with Access Transit Services, Inc., and the Town of New Scotland and authorize the supervisor to sign it.

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

8. Discussion/Action re: results of Feura Bush Water District master meter cell read review by Stantec Engineering
Supervisor LaGrange said that this is part of the bond we decided to go out for a year and a half ago when we were addressing 800 feet of new line on Unionville-Feura Bush Road that had a lot of issues. It was a major leak at one time. The Board decided at the time that we should look into more advanced and some notification period for the pumps to let us know if they ran an extraordinary time; that would indicate a leak. Supervisor LaGrange asked Mr. Frueh to give us a quick review. We brought in these different prices and types of warning systems. Mr. Frueh said that we obtained three quotes. One was for the Mission system that is used in most of the water districts that we have. We were hoping they would come in at a competitive price. Unfortunately, it came in at $12,600 for the master meter monitoring. We also had the Ayyeka Wavelet system from TI Sales which is a similar system to the Telog system. Those are two data acquisition systems where the Mission system also allows control at some point, but for the master meter there are not really any controls at that station. It pretty much came down between the TI Sales and EJ Prescott. EJ Prescott operates off a battery that would read two times a day, and it would last for approximately five years where the TI Sales would require an external power supply. It’s recommended by us that the Town consider the EJ Prescott Telog system which would make it so that Mr. Hensel and Mr. Green would be able to obtain master meter readings from their computer and not have to drive to the site. Supervisor Lagrange added that it’s not a great place to be walking. Supervisor LaGrange said that for the remote read it’s $2,701 with a $240 annual fee and then the Master Meter service quote is $3,181.20. Mr. Frueh said that all they are recommending at this time is the remote read quote. The Town may wish to service the master meter at this time. EJ Prescott supplied a quote to service it, as well. It’s five years old. Supervisor LaGrange asked when they usually look into servicing it. Mr. Frueh said it depends whether you have issues with it reading or based on flow tests if you got poor results or you’re seeing discrepancies. Then you might look into servicing it but typically 0-9 years. It has about a 10% discrepancy once you get past the nine-year stage. You might start looking at it after 10 years. Supervisor LaGrange said that he did ask Mr. Hensel about this because he’s worked with these so much. He was disappointed because he prefers the Mission system but it’s crazy not to go with the Prescott system. Supervisor LaGrange said that he just wanted to get his comments on the two because, practically speaking, they are using it daily. Councilperson Greenberg asked if we budgeted for this. Supervisor LaGrange said that it’s not in our budget but it was part of the bond we went out to get. Councilperson Greenberg asked if he remembered the amount. Supervisor LaGrange said that we had $150,000 and he thinks we spent $118,000 on the pipe so this is well under what we allowed ourselves. We thought we’d be in the $30,000 range for what we might need a year or so ago when we were talking about it. As it turns out this seems to be a pleasant surprise.

Engineer Frueh said that another component of this as well for the Mission is for the booster station control and monitoring of the tank level. That’s the $20,500 that was the portion from Mission control for that so if there were adequate funds and the town wanted to incorporate some controls for the booster station that’s also a consideration in conjunction with the Telog system. Councilperson Greenberg asked if he would recommend it at this point. Engineer Frueh said that he wasn’t sure where the budget stood and whether the Town wanted to take on the $20,500. Councilperson Snyder asked if that was his reference in the last paragraph of the February 26, 2019, letter. Engineer Frueh replied that it was. Highway Superintendent Guyer asked what we gain with the additional. Engineer Frueh said that that would bring the booster station and the tank into the Mission system where Mr. Hensel could control that booster station remotely and monitor tank levels and the booster pumps from here. Supervisor LaGrange said that that would pretty much bring us up to where we are in the other areas. Engineer Frueh agreed, adding like Clarksonville, Northeast, and New Salem. Councilperson Greenberg asked if we could add it at any point. Engineer Frueh replied that you could. Attorney Naughton said that the Telog system and the Mission system are compatible. Engineer Frueh said that the Telog system can get exported into the Mission system. Highway
Superintendent Guyer asked if Telog is the battery powered one. Engineer Frueh replied that it was. Highway Superintendent Guyer asked if the battery life is okay to use here in the northeast with subzero temperatures. Engineer Frueh didn’t see an issue. He added that you can program it to read as frequently as you want. That battery life is based on two readings, but you might even go to one reading a day. Councilperson Snyder asked if Engineer Frueh had good experience with it. Has anyone else used it that he worka with? Engineer Frueh said that he has not used the Telog system. He has also not used the Ayyeka Wavelet system. The Telog system is also the supplier of that master meter so that’s another plus to go with Prescott over TI Sales. Councilperson Hennessy said that he believes Prescott is an extremely large supplier. Didn’t they buy out a large valve company in Syracuse a while back? He’s not sure but he believes they are a very large company. He’s fine with Mr. Frueh’s recommendation to do the Telog system. Councilperson Greenberg said and not the booster at this point. Councilperson Hennessy replied no.

**Resolution 2019-090**

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 quote from EJ Prescott Telog system for the remote read quote of $2,701 with a $240 annual free and authorize the supervisor to sign the purchase order.

Councilperson Leinung asked if we are doing the master meter service. Supervisor LaGrange said that we were not yet.

Seconded by Councilperson Greenberg.

Supervisor LaGrange said that what he’d like to do is see where we are because he’s not positive about how much we used on the pipe. He believes it was around $118,000. With this we still have $25,000-$30,000 potentially that we could invest in another warning system for the booster system and the tank but he has to get those figures. We can discuss it more and decide if we might want to incorporate that because then when we go out to bond it will be the total amount that the Board previously decided to bond if necessary. It’s an up-to amount. We don’t have to do it, but do we want to? Maybe we can look into that in the future.

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

9. **Highway/Parks:**

- **Discussion/Action - advertising for Dog Control Officer**
  
  Highway Superintendent Guyer said that Mr. Duncan resigned as Dog Control Officer. He gave his notice. Highway Superintendent Guyer spoke with Mr. Schenmeyer who will cover full time until we come up with somebody. We need to advertise and find somebody. Supervisor LaGrange asked if any of our staff expressed an interest.

**Resolution 2019-091**

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve advertising for a Dog Control Officer.

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

- **Discussion/Action – Advertise for Highway Employee**

  Highway Superintendent Guyer said that he is also looking for permission to advertise for a Highway employee. We have a highway employee who has resigned and his last day is April 12, 2019. The advertisement wouldn’t go in the Altamont Enterprise, the website, or Facebook until after April 12, 2019.

**Resolution 2019-092**

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize the Highway Superintendent to advertise for a highway employee.
Seconded by Councilperson Snyder. All present and voting, the motion carried (5 Ayes).

- **2019 Expenditure of Highway Monies Agreement**
  
  Highway Superintendent Guyer presented his 2019 road list. It’s pretty much the same as he does every year. The dollar amount at the top is a combination of our budgeted tax dollars and our CHIPS money. Councilperson Snyder asked if Highway Superintendent Guyer had an idea of the rough breakout. Highway Superintendent Guyer said that it was $200,000 tax dollars and $184,000 in CHIPS. Supervisor LaGrange asked if we’ve already been notified of how much that’s going to be this year. Highway Superintendent Guyer said that he didn’t know if we have officially been notified yet. Supervisor LaGrange said that the chatter during the budget was that it would remain at the level of last year. Highway Superintendent Guyer said that CHIPS fluctuates $2-3; it’s very minimal. As we gain roads we gain length, so it would go up for that. If we have a dirt road that we pave, that would alter our CHIPS. If we had a single-lane road and it went to a two-lane road that would affect it. We do a list every year for the State making any corrections or additions. Supervisor LaGrange said that Youmans Road is oil and stone and he thinks you have to clean it up a little. There has been discussion that someone might do a development and we’d pave it. That length of paved road might be a mile or so would that go into our CHIPS calculation. Highway Superintendent Guyer said that on his list he would have to change the surface treatment but he doesn’t believe the oil and stone versus the asphalt would make a difference. Highway Superintendent Guyer added that I think they are talking about a gravel road to a paved surface. Highway Superintendent Guyer said that something like Miller Road could change. That would be a major change where that would influence our CHIPS dollars, but it stays the same almost year after year with these little additions. This year CHIPS is of course on track. We are not receiving, which we’ve received in the past, extreme winter recovery. That program has been cut for the year. There is a program called Pave NY that will be funded. It’s around one hundred million statewide in the Pave NY fund. There is also the Bridge NY Fund but, our only town-owned bridge is brand new on Wolf Hill Road. That shouldn’t affect us.

  We will be hopefully doing some bridge work. We are going to start on Plank Road. Plank Road is one of the single-lane bridges. It’s on a Town road but they are owned by Albany County. It is in need of a bridge deck. The state has flagged them on this deck in the past and we’ve assisted them by putting steel plates down. We are going to help the County this year put a new deck on that. We will start with the Plank Road bridge and if that works out well Onesquethaw Creek and Rowe Road have the exact same bridge on them. They are all the same age. We will start with the one and see how it goes. That’s a county-funded job and we would just have shared service work together if need be. Supervisor LaGrange said that we’re responsible for the top. Highway Superintendent Guyer said that we are responsible to cover the wood. The structure is the county’s, the wood, and the structural decking. On top of that you put a course of asphalt. These bridges are 100 feet long. We own the asphalt on top and that’s it. The whole rest of the bridge is the County’s. Anyway we will hopefully get to Plank Road this year and work on that.

  If you add them up he’d like to spend more than what’s on that list. He’s not going to get to some of these. If you look at Youmans Road, that’s in limbo. Something has to be done but probably not a full-blown job. He put it in there as redoing it, but we’re waiting on proposed development. We’re trying to figure out what’s going on down there. Councilperson Snyder said that she was going to ask why that one was included, given the fluctuation. Highway Superintendent Guyer said that he has to do something to the road this summer even if it’s just an extensive patch job. Something has to be done for the residents on the road. He put it in as being paved to see what’s going on there. Councilperson Snyder asked if it’s an extensive job? Highway Superintendent Guyer replied that it isn’t because of what’s coming. Councilperson Snyder said that she figured that because of the amount, it’s not extensive. Highway Superintendent Guyer said that something will have to be done there but not a full-blown rehab job because of what’s potentially coming at the end of the road.

  Councilperson Snyder said that she saw that LaGrange Lane was on there. Supervisor LaGrange said that he believes it’s the second most-used road in the town next to Krumkill. Highway Superintendent Guyer said that he doesn’t know if it’s the second or the most. It’s LaGrange and Krumkill; and he’s not sure which is which. Supervisor LaGrange said that we are hoping to “T” the Route 32 end of LaGrange Lane because it’s been very hazardous. The State was supposed to do it years ago. They made it to about Tarrytown Corners with the improvements years ago. Highway Superintendent Guyer said that he didn’t think anything was done from about Meads Corners down. Supervisor LaGrange said that they’re supposed to “T” that end of LaGrange because it’s always been an issue. Highway Superintendent Guyer and Engineer Frueh have been working on that, and DOT has been very cooperative along with National Grid. Highway Superintendent Guyer said that he planned to give an update on some of the things we are doing. He and
Engineer Frueh are working on realigning the end of LaGrange Lane where it meets Route 32. It’s an old “Y” intersection. We are looking to “T” that up and have two lanes heading out, a lane heading north and one south and then one lane in. Engineer Frueh did some drawing and took measurements. We went out there and did traffic counts for DOT. We have satisfied DOT and they’ve given us a green light on the project. We are currently in the works with National Grid about relocating a pole that’s in the center that has to be moved. We are waiting to hear back from National Grid on what that will cost us. We are doing our best. Even though this is not a DOT project, it’s an intersection with a DOT road. We’re hoping to work with National Grid to get the pole moved and paid for. That’s where we are with the realignment project.

Resolution 2019-093
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 2019 Expenditure of Highway Monies Agreement and authorize everyone to sign it.

Highway Superintendent Guyer added that the dollar amount is budgeted money and CHIPS money. There is no winter recovery but there is Pave NY money coming but it’s not in here. It will go to fund balance or however that works. He’s not looking to utilize that for paving this year. Supervisor LaGrange asked how much it was last year. Highway Superintendent Guyer thought it was about $40,000.

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

- **Discussion/Action:** utilize CHIPS money for purchase of asphalt roller
  
  Highway Superintendent Guyer said that this will be our fourth year with our own in-house paving program. We have our large roller and we are still learning. Every intersection is different and every driveway is different. We did the parking lot and that was totally different for us. We are still learning as we go. We’ve been borrowing one of Bethlehem’s old little rollers. We have a large roller but you can’t get the creases out and you can’t make the sharp corners around things. So we’ve been borrowing an old one. It’s an old single drum that’s one-wheel drive. We are looking to add to our program a small ton or ton and a half asphalt roller. They are vibratory so they have a higher compaction rate than one ton. They are dual-drum drive. We paved Collabeeck Road last year and it’s steep. The one-wheel roller has trouble climbing that. Derbyshire is another one. We have a lot of these little steep roads. Anyway, he is looking for permission to utilize some of our CHIPS money which can be used for equipment going toward this permanent improvement to purchase a small roller. He and Mr. VanPraag put together an RFP. We went out to six vendors. Some of them don’t sell what we’re looking for. We got three RFP’s back, and we are looking at around $14,000 for a brand new ton and a half dual-drum vibratory gas motor roller. Supervisor LaGrange asked if that is fixed articulated? Highway Superintendent Guyer said that they are articulated. The old rollers that we borrowed were the front-drum steers. Everything nowadays is articulating and it helps with the finished product. Supervisor LaGrange said that he noticed on a parking lot that he helped somebody with they had a fixed wheel and then they had the articulated one. The fixed one tended to leave ridges. Superintendent Guyer said that it will push and leave a ridge and that’s why everything nowadays, articulates. It bends and that’s how they steer. Supervisor LaGrange asked if they are looking at a new one? Highway Superintendent Guyer said that they are. He added that they would of course follow the procurement policy and go through all the steps. Supervisor LaGrange asked if they get filled with water. Highway Superintendent Guyer said that they do. We knew what we wanted and what we needed so in our RFP we had the size, dual-drum drive, vibratory, pressurized water system, permanent roll over protection system. Our big roller has a vandalism-proof dashboard cover. At the end of the day you flip it down and lock it so all the important gauges are secured. We asked for that in the RFP and we have three of them back. Attorney Naughton asked if they are looking to get approval of the budgeting of the money for this but not the approval of the actual purchase contract? Highway Superintendent Guyer said that that was correct. Supervisor LaGrange said that we used some CHIPS money last year. Was that for a trailer? Attorney Naughton thought that we did for a bobcat or a trailer. Highway Superintendent Guyer said that it wasn’t CHIPS money for the trailer. We utilized money out of paving the 5112 to purchase the trailer because we had additional money, like Pave NY, coming in. That’s how we purchased the trailer last year. It wasn’t exactly CHIPS money which could be a way this year if we go for this. We do have the Pave NY money coming in that’s not accounted for in that paving list. That could be an option. Supervisor LaGrange said that that money could definitely be used for equipment for paving. Highway Superintendent Guyer said that CHIPS money could but he doesn’t believe Pave NY can. We could utilize CHIPS money to buy this and we could replenish with the Pave NY money back to the budget. That’s how we did the trailer.
Councilperson Snyder asked if the $14,000 would be carved out of it? Highway Superintendent Guyer that it would. The $384,000 is the whole amount as it sits. He believes that it was $47,000 last year for Pavement NY. There will be a significant chunk of money coming back to that budget that’s not accounted for. Councilperson Snyder said that she didn’t add up his projects. Highway Superintendent Guyer said that there is about $413,000, but Youmans Road is up in the air. Every year his list is always more than what is on there. We kind of save the last one. If you pull out last year’s list, something on the end of the list will probably be on the beginning of this year’s list.

Councilperson Hennessy said that something we’ve talked about in the past is that we’ve kept the Town’s contribution relatively consistent for as long as he’s been here from $175,000 to $200,000 a year, more or less. Do we add money to pave more roads if we have excess CHIPS money or do we reduce the taxpayer contribution to the roads? We’ve talked about that in the past but we’ve never really pursued it that hard. That’s just an option we have to consider. This is DB money. So it isn’t anything that can be used for other things like parks or other elements. It has to be on the B side. It’s not like we can look at it that way. In theory he’s fine with it. He’d like to hear what others have to say.

Councilperson Greenberg said that he brings up once again the shared services end of this. Highway Superintendent Guyer said that he knew that was coming. The Village would be the only one. Bethlehem has two or three new ones that they use, and they have a couple of older ones kicking around. Councilperson Greenberg asked how often he would see themselves using this? Highway Superintendent Guyer replied that we would utilize it on almost every road project at the intersections and the driveways. Councilperson Greenberg asked if that means daily in the summer or does that just mean at one point in the project? Highway Superintendent Guyer said that every day that they pave it would get used. He then asked how many days a year do we pave? Councilperson Greenberg replied yes. Highway Superintendent Guyer replied 30. Councilperson Greenberg asked if Voorheesville has one? Highway Superintendent Guyer said that they have an old antique single drum that you steer. Councilperson Greenberg asked if they want to split a new one? Highway Superintendent Guyer said that they don’t have any use for it. They don’t pave anything; he’s not even sure why they own it. Supervisor LaGrange asked if they hire out for paving of their roads? Highway Superintendent Guyer replied that they do. What little paving they do is all hired. Councilperson Greenberg said that he ran into Supervisor Barber of Guilderland a couple of weeks ago, and he said we should be checking with him on shared services. Do we ever do that? Highway Superintendent Guyer said that we work back and forth with Guilderland. We utilize their sign shop quite often. They were here two or three weeks ago for a week with their bucket truck cutting trees for us. Councilperson Greenberg said that he specifically mentioned to me a leak detection system. They have a good leak detector. He’s offered to have the Town use it and we’ve never taken him up on that. That’s something to keep in mind. Highway Superintendent Guyer said that we might be able to utilize that. Supervisor LaGrange agreed. Councilperson Greenberg said he thinks he’d just like to see us looking around a little bit and see if anyone else is interested, especially if it’s an item that we’re going to use 30 days a year. Highway Superintendent Guyer said that he understands that and he would love to share everything. The downfall is that two years ago Guilderland purchased a paver and they started in-house paving like we have and everybody paves the dry days during the summer. So you’re going to run into where this thing is not going to be there when you need it. Supervisor LaGrange said that to address Councilperson Greenberg’s point, we might be able to recoup some of the cost because we’re in 2019 of the shared services program with the County. Even if the Village just uses it a marginal amount, and it sounds like they do, we might be able to see some money come back from that. Is this something that could be used in the woods at Hilton Park? Highway Superintendent Guyer added that it could be used for compaction of stone and stuff like that. Supervisor LaGrange agreed. We could utilize it there once we have a bed of stone. We utilize our big asphalt roller in the spring. We go around and do all of our dirt roads. They are scarified with a grater and then new fresh stone is laid, rolled, and compacted. We utilize our large asphalt roller for that. It would be the same thing on a smaller scale. Councilperson Greenberg said that he’s basically fine with it. He sees the need but if we could get this on a shared services contract of some kind we may be able to save 50% of the cost. Highway Superintendent Guyer said that he could check with Mr. Hotaling tomorrow. Supervisor LaGrange said that we’ve done a couple of things with him where we both have an agreement or we bought something and planned to share it with them. If we can get a letter even for the use they have that would be great. Highway Superintendent Guyer said that that is similar to what Bethlehem did with the vac truck. We sent a letter of participation. Supervisor LaGrange suggested that we look into that. He then asked what does Berne do? Do they have full-blown paving? Highway Superintendent Guyer said that they mostly moto pave up there. It’s old fashioned; it’s still used. There is a purpose for it but we’re trying to get away from it where we are. It’s a different application. Years ago it was the thing to do because it was cheaper. Nowadays, because we can do this on our own and cut out the middleman on the paving, it’s more cost-effective.
effective for us to pave in-house. Councilperson Greenberg said that at this point Highway Superintendent Guyer just wants to go out and get bids. Highway Superintendent Guyer said that he put an RFP out and he has bids. He has three of them back. Supervisor LaGrange asked if he wanted the Board to authorize the CHIPS money for it tonight? Highway Superintendent Guyer said that that was correct. If the Board says yes he can do this, he can follow the procurement and go ahead without authorization and this can be purchased because it’s under the threshold. Councilperson Greenberg asked about the timeframe for getting it. Highway Superintendent Guyer said he thought it was three to four weeks out. Councilperson Greenberg asked when they start paving? Highway Superintendent Guyer said that they still have a bunch of things to do first. Spring clean-up starts on Monday. That takes four guys every day. We’re ditching and we’re putting in pipes. Councilperson Greenberg asked if they might start paving sometime in May or June? Highway Superintendent Guyer said that they should be rolling by June and hopefully the middle or end of May. Councilperson Greenberg said that at three to four weeks out, if we’re going to get one it needs to be tonight. Highway Superintendent Guyer said that he didn’t have to order it tonight. We did put an RFP together and we did put it out. He has three back, and it’s below the threshold for the procurement where he can follow that and order this on his own with permission to utilize that money. Councilperson Snyder asked if he expects to get any more responses. Highway Superintendent Guyer said that he originally called for six but a few of them don’t make that small a machine. Some of these people that we called originally can’t help us. Councilperson Snyder said that she understands that but three of them are able to? Councilperson Snyder asked if, given its apparent dexterity, he would ever be repairing anything on the Rail Trail or anything like that? Highway Superintendent Guyer said nothing on the Rail Trail. We don’t have ownership in that. Councilperson Snyder said that she just didn’t know if he would ever be called into action and this way maybe we could go to the County and see if they’d be interested in any kind of shared service with it. Highway Superintendent Guyer said that they have their own. They have two or three of these machines this size. Councilperson Snyder said that it was just a thought. Highway Superintendent Guyer said that if we were going to do this, he thinks the Village would be our best bet.

Resolution 2019-094
Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby allow the Highway Superintendent to put up to $15,000 of the CHIPS money towards the purchase of the asphalt roller with the caveat that we explore shared services and an opportunity that we might be able to take advantage of there. Councilperson Greenberg wanted to strengthen the caveat and condition it on a shared services agreement with the Village. Highway Superintendent Guyer said that that’s fine. Do you mean shared purchase or shared cost? Councilperson Greenberg said that it would not necessarily be shared equipment. Highway Superintendent Guyer suggested that if they back us we can then apply for it. If they can give us a letter of need we can turn that in and try to recoup on the County program. Attorney Naughton suggested starting the resolution over.

Resolution 2019-094 Amended
Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize the Highway Superintendent to utilize CHIPS money toward the purchase of an asphalt roller with the condition that we have an agreement with the Village of Voorheesville or another municipality for shared services and that authorization would be up to the sum of $15,000.

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

- Discussion/Action – Highway Garage furnace RFPs

Highway Superintendent said this has gone on for over a year now. We started out with 10 suppliers and we were down to three that showed an interest. When it came to the RFP only two of them returned it. We checked with them a week before the deadline and the one that didn’t return still didn’t get it in. So we have two. We’ve certainly done our due diligence on trying to get three RFPs. What he handed the Board earlier was the RFP that went out, the body of it, and then these are the attachments that came back. Attorney Naughton said that attachment 5a is what came back for the proposal. Highway Superintendent Guyer said that the two proposals fall on the cutoff for the dollar amount using an RFP. One is below it so we’d be able to use the RFPs and one is above. Highway Superintendent Guyer asked Attorney Naughton if they all have to come back below. Councilperson Greenberg said that there is no rush so we could check into it. Highway Superintendent Guyer said that at this point we are toward the end of the heating season so we’ve
got time if we need to check into that. Attorney Naughton said that he sent an email before on this that we wanted to go the RFP route because of the thresholds in our procurement policy. So he doesn’t have the answer to that question about what comes back. The two proposals are within $1,000. One is a little more specific about the warrantee being provided. Highway Superintendent Guyer said that on the other one he contacted the supplier and they came back with the same as the other one. There is a one-year warrantee on parts and then a 10-year prorated warrantee on the equipment. They are both the same. Attorney Naughton said that we have a standard form of agreement that the Board should have if we want to do this. It’s all set to go but if you want him to look into this he can. We’ve gotten through the heating system. Highway Superintendent Guyer said that we could push this off another month. Supervisor LaGrange asked if either of these have any period of time that the quote is good? Attorney Naughton said that there is nothing on there. Highway Superintendent Guyer said that he would have to check with Mr. VanPraag. Attorney Naughton added that they are looking to get it done within six to eight weeks or 12 weeks depending on the contract. Attorney Naughton said that he could look into that. Highway Superintendent Guyer said that he would check with Mr. VanPraag to see if the quote was good for 90 days or 60 days. Attorney Naughton said that we can table this and pick it up next month. Councilperson Greenberg asked if in the meantime Highway Superintendent Guyer could still get more bids or was there a cutoff? Highway Superintendent Guyer said that there was and it was Monday, March 8th. Attorney Naughton asked if everyone else came in within that time. Highway Superintendent Guyer replied that they did. Attorney Naughton said that he would look at that too, but he didn’t think we were supposed to take anything after that.

- **95 Ford Dump Truck (VIN ending in 64931) as surplus**
  
  Highway Superintendent Guyer said that our 1995 Ford was an old plow truck that was then turned into a ditching truck. It’s at the end of its life. It’s to the point where it’s nickel and diming us, but when you talk about big trucks it’s not nickels and dimes. It’s starting to kill us. We have a new truck coming later in the fall. We have a plow truck that we will be dropping back to a ditching truck. We will be good for the summer without this. Attorney Naughton asked if he was looking for authorization to sell it as surplus. Highway Superintendent Guyer said that he needed the Board to declare it surplus, and then we will put it on the online auction. We never fetch a lot but we fetch more by doing that. We used to put everything on the front lawn and take sealed bids but you’d only get the same 100 people driving by every day to and from work.

**Resolution 2019-095**

Supervisor LaGrange offered the following resolution and moved its adoption:

**RESOLVED, that the Town Board of the Town of New Scotland does hereby declare the 1995 Ford Dump Truck (VIN ending in 64931) as surplus.**

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

Highway Superintendent Guyer said that we discussed the LaGrange re-alignment. We are also working with Jeff Johns on our Krumkill project. We received final permission from the Federal Government on Krumkill. We are good to proceed and go out to bid on our Krumkill project. Hopefully by the end of the week we will have our packet together. It will have to be advertised in our paper and then it will go in bidnet.com. We will get rolling soon.

The last thing he and Mr. Frueh are working on is the oil separator. It’s still rolling. We have to hook up our old well. We took water samples two weeks ago and they are at Bender Laboratory. He spoke to them today and we have all the results back except one. We are waiting on that. It wasn’t required by DEC for our SPEEDS permit but we wanted to make sure the well was going to pass before we even started. We’re waiting on that, and we will go from there. We have a draft RFP, and that went to Mr. Frueh. Once we get that back from Stantee, then it will go to Attorney Naughton for his review. Councilperson Hennessy asked that Highway Superintendent Guyer send it to the Board also when it’s completed. Councilperson Hennessy said that we they might be able to help get bidders.

Councilperson Hennessy wanted to add one thing. Monday is Spring clean-up day. Highway Superintendent Guyer agreed adding that we always put it in the paper, our website, and Facebook page as well.

Highway Superintendent Guyer said that the Parks interview took place with Supervisor LaGrange and Mr. Duncan. We had nine applicants and we narrowed it down to three. We interviewed and it’s moving
forward. Supervisor LaGrange said that they were happy with the three. We had a couple of questions to ask to narrow things down and now we have to make a decision. Councilperson Greenberg asked if any might be interested in the Highway Department position. Keep in mind that you might have two possibilities. Highway Superintendent Guyer said that that’s correct adding that he didn’t know how to approach that. When we advertised for the Parks job there was no highway position available. Councilperson Greenberg said that that’s why he didn’t know if you wanted to drop a letter to whoever doesn’t get hired that there is another job opening. Highway Superintendent Guyer said that they’ve already talked about that. Councilperson Hennessy said that he prefers to see the Parks position filled first. Supervisor LaGrange said that that’s the intent for sure.

9X Fire and Ambulance:

• Onesquethaw Volunteer Fire Co. Membership request for Michaela Kawczak as an Auxiliary Member and Jillian Anderson of McGarr Ln., Voorheesville, as an Out of District Member

Resolution 2019-096

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve Michaela Kawczak as Auxiliary member and Jillian Anderson as an Out of District member in the Onesquethaw Volunteer Fire Co.

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

10. Discussion re: solar energy programs offered by Four Corners Energy OR Solomon Energy

Supervisor LaGrange said that this stems from something the Town started some six years ago and then it dropped. It was the pursuit of a potential solar energy program here at the Town. In receiving bids for the barn, we were looking at options for solar on the roof of the barn. As an engineer, he has some people that he knows who are in the business. Mr. Michael Hamor is with us this evening. He is involved in solar energy programs and has been very active in recent years locally. We talked about possible programs and to and behold NYS is trying to increase the use of municipal properties, specifically landfills, for solar use because landfills are generally thought to be unusable in the future. We’ve been talking with Mr. Hamor and he is joining us this evening to talk a little bit more.

Mr. Hamor said that Four Corners Energy is local. We’ve been in this area since 2008. There are three of us. There is his father, John Hamor, himself, and Andrea McMaster. He comes from both the Public Service Commission and NYSERDA. His father and Ms. McMaster come from NYPA. In 2008 they started Four Corners and he joined them in 2010. When they first started their intent was mainly to work in the deregulated market and help clients obtain cheaper utility rates. They still do that. It’s one of their biggest businesses; however, because of their background why would they just do this one thing when they know how to do everything else, too. They’ll do energy efficiency work (lighting, boilers, street lighting, electric carports are bigger now, and storage). One of the big clients right now that they’re working for is the Albany Diocese. They work with all the parishes, churches, high schools, elementary schools, and Catholic Charities now too which is associated. It goes from building to building, school to school, or facility to facility. Whatever they need. For example, this past winter Bishop McGinn’s boiler stopped working. They actually got a group in there to put in a boiler and they got the whole thing financed. Councilperson Greenberg asked if he heard about our highway garage dilemma? Mr. Hamor replied if he meant the furnace? Highway Superintendent Guyer said that we have a hot air furnace. It’s been a year and we’ve contacted 10 companies; two have called us back. It’s like pulling teeth. He doesn’t know why we can’t get anyone to come in and replace this furnace. Mr. Hamor asked if it was mostly over this past winter or the past couple of years? Highway Superintendent Guyer said that it’s been about a year since we started this process. Mr. Hamor said that it’s a pain in the winter only because they are all working. Highway Superintendent Guyer said that it’s been a whole year. Mr. Hamor asked if we had talked to Campito by any chance? Councilperson Greenberg said that this could be a separate discussion. Mr. Hamor said he could talk to Highway Superintendent Guyer later.

Mr. Hamor said that in roughly 2013-2014 solar started to take off in New York State and that is when he met Solomon Energy. They had Jeff Conrad who grew up in this area. He lived in NY City at the time. He is now actually heading to the California branch in San Diego. They have an office in Connecticut so he does a lot of stuff locally in terms of being the legs on the ground. He’s been working with them for five years and he’s pretty good at representing them. In 2013-2014 we actually engaged the Town of Guilderland for solar. Policies changed and the group that won the RFP went bankrupt. We actually
shopped it out and found another group to buy the project. They are finally now up and running for their solar project as of about three months ago. So, a little while ago he spoke to Councilperson Hennessy and he mentioned the barn and things like that in terms of finding a way to save money or put solar on the barn. What’s very new in the past 6-8 months is that, as opposed to buying solar power and looking for a cheaper utility rate, all you would do is enter into a land lease deal. So that solar developer would be responsible for finding acres and dealing with all that other stuff. You would just be responsible for providing the land. That is the type of project they are looking to do today. They can look at finding cheaper solar power in the future if you want. That’s a completely different kind of contract. Today would really just be a land use deal.

The way Solomon structures their contract, which would be a Solomon contract and not a Four Corners contract, they would be looking for the Town to sign which allows Solomon to do all the research and put the RFP together along with an analysis and report on behalf of the Town. They would do so under the assumption in the contract that you’re not going to take all of this free information they are doing and do something without them. Their commission structure is actually built in to our fee process. There would never be a check from New Scotland written to Four Corners or Solomon. Again, within this contract too if the Town ever decided not to do anything that’s also 100% fine. No costs.

Attorney Naughton said that in terms of the background that Councilperson Hennessy started with when we were looking at this in 2014–2015, we were looking at a net metering type of program where we would actually be building a solar farm, and the energy that we use in Town would be kind of deducted from that. So it’s not a project sitting on the roof of the Town Hall or the Community Center, but all of our bills would go and apply to that net metering. This is not that at all. It’s a completely different program. You may remember the Solomon name. We hired Solomon as a consultant for $3,000 back then to help us analyze the three proposals we had. One of the main reasons we never did it was because as the process was taking longer the incentives from the State were declining. It became a situation where it wasn’t all that attractive.

Can you talk about what the policy is now with respect to landfills and why that is more attractive generally?

Mr. Hamor said that there are a couple of reasons. One of the biggest reasons is that one plot of land is essentially defined as one system; however, in landfills they make that differently. What is defined is multiple solar farms on one plot of land. What that means is you can maximize incentives from NYSERDA. Currently the best incentives are in a 750KW system. What we do as opposed to building a 5KW system or a 5 Megawatt system is building six 750KW systems. Even if it equaled the same amount of power the developer would be getting more money from that and that would be reflected in the revenue they would be able to supply the Town.

Councilperson Hennessy asked if he could go over that a little bit more regarding why the landfills are more attractive than other spaces. He believes it’s a 30% tax credit on landfill use. Mr. Hamor said that the Federal tax credit is for all solar. The better incentive is in terms of what he was just talking about. You can define multiple solar farms on the land as opposed to one defined as one big plot of land. In this case, as of today, what makes the most sense is that whatever you build you just have a bunch of 750KW systems. You get more money from NYSERDA with that definition. Councilperson Snyder commented asked if anyone questioned that? Mr. Hamor replied no because what happens is that it also allows them to get off takers. That solar group is going to have to find people who want that solar power. It doesn’t really change much as opposed to who they get; it just helps in those scenarios because it incentivizes a lot of smaller groups too. So, it’s called Community Solar and the way it’s set up is up to 40% of the energy load can be an anchor tenant. What an anchor tenant would be is one big client like a couple of Price Choppers or single manufacturer. Something like that would use the bulk of the power and the rest of it has to be small commercial or residential. We are talking like pizza places or people’s homes. So by putting those systems in that 750KW as opposed to a 500 megawatt system or bigger, you actually can incentivize the group of people that are essentially small big customers, where they are not a manufacturer but there is a big office building. That big office building in a bigger system wouldn’t make sense as an anchor tenant but does make sense as an anchor tenant in a 750KW system. Councilperson Snyder asked if they are dedicated to certain customers? Mr. Hamor agreed.

Councilperson Leinung asked about the idea of being on a landfill specifically. He knows a landfill is technically a brownfield but it’s a similar type of idea. Nothing else is going to be built on this landfill so it has no other use except possibly solar going on it. Mr. Hamor said that’s why they try to incentivize. They are doing the same thing in the Town of Guilderland for their landfill. When they did their solar project they were an off taker which is exactly what New Scotland looked at four years ago. They went forward with
that and they actually built their farm outside of Amsterdam as opposed to using the landfill or other sites there. Now, they can actually utilize the landfill. They own a piece of land in the Industrial Park in Guilderland. We’re going to look at those in terms of finding revenue for them. Councilperson Snyder asked if he was talking about property in the Town of New Scotland and not outside? Mr. Hamor replied that that was correct. What they would do is focus on the landfill; however, they will look at other properties that the Town owns and see if any of them makes sense in terms of whatever combination the developers think would be a good idea for the Town.

Councilperson Leinung said that he’s trying to think back to our solar law from a few years ago. He remembered that it’s more about cutting down trees and that kind of stuff. He didn’t think there was anything about landfills. Attorney Naughton said that that’s correct. Councilperson Greenberg said that there are set-backs. Councilperson Snyder added that it was about farmland and prime soil. Councilperson Leinung said that a landfill is not about prime soil. Councilperson Snyder said that she thought that what he was thinking about. Attorney Naughton added that we’ve provided Solomon with a copy of our Solar Law. Supervisor LaGrange added that they acknowledged that in their correspondence. Mr. Hamor said that essentially the Town will still obviously make all the decisions and he and Solomon will just be doing all the homework. At the end of the day we could put something together and the Town could like it or not like it. Councilperson Greenberg said that he thinks of this much like hiring a real estate agent. They are going around and doing the work and we can decide if we will take the price or not. The only thing we are really committed to in this contract is that they have a one-year window where they have exclusive rights to do this as you would do with a real estate agent. Councilperson Greenberg said that it’s paid the same way in a sense. You don’t pay a real estate agent unless there is a sale. We lease the land and then you don’t do it by percentage but by megawatt. Attorney Naughton said that the exclusive is on these two parcels. The former landfill sites and if they see other sites that would make sense they can be added by addendum. Right now it’s limited to those two landfill sites. The other thing that has happened is that when they first started talking to Councilperson Greenberg and Councilperson Hennessy about it, it was a Solar PV project but they’ve added this that it would also cover an energy storage facility which is kind of a hot item right now.

Councilperson Greenberg added that for giant batteries that are tractor trailer size. Attorney Naughton said sometimes you will do these solar projects in conjunction with that and it’s just a very hot thing going on right now. They are doing a lot of that work at his office. He said say that neither Solomon nor Four Corners are clients of his firm. So, this covers PV Solar projects plus energy storage. Mr. Hamor said that they would explore both and at the end of the day they might come back and say that storage doesn’t make sense and this is the way to go. Attorney Naughton said, going back to Councilperson Greenberg’s analogy, we would be a landlord so it’s a potential income stream for the town. Supervisor LaGrange said that the income stream is that you get paid per KW hour. Mr. Hamor replied per watt. Supervisor LaGrange asked how that impacts what we would have done if we just went out and did it ourselves. Mr. Hamor said incredibly minimally. The reason it is set up the way it is us because Councilperson Hennessy mentioned the 30% Federal Tax credit that gets taken off of the project cost. If they had met their cost within that project cost, right off the bats 30% of their costs are gone. On top of that there is accelerated appreciation which the developers will go for. That actually takes away another 10% to 20% of their cost. Right off the bat there is roughly 50% of their cost. The other half of it is that they are pretty much engaged as opposed to a sales or account manager at every developer group. They do all the leg work that every group would have to do individually. That reduces their cost. Supervisor LaGrange asked if they do the leg work for site plan and things like that too. Mr. Hamor said that that goes through them. Solomon gets an engineer out there. Supervisor LaGrange asked how many acres 750KW would take normally? Mr. Hamor said that four to six acres is a megawatt so 750KW would be three to four acres.

Highway Superintendent Guyer asked if the Town would basically be leasing the land to the company? Mr. Hamor said the Town would be leasing the land to whoever wins the RFP if the Town decides to go forward with anyone. Supervisor LaGrange asked if that is generally a 20-year or 30-year lease? Mr. Hamor replied that it is a 20-year lease. Highway Superintendent Guyer asked who maintains these things if they are placed on the landfill? Mr. Hamor said that that’s all on the company. If something happens and hail destroys a panel or one gets disconnected and they are not generating power, they’re not generating money. Highway Superintendent Guyer said that on our capped landfill one of our stipulations is that we mow this landfill two times a year. It’s in our DEC agreement. Mr. Hamor said that they could throw that into the RFP. Councilperson Hennessy asked if they would mow the grass. Mr. Hamor said that if the Town wanted them to they would. Highway Superintendent Guyer said that he’s just picturing these things inside of some kind of fenced area. If there is grass in that area do we have go inside and mow or maintain around these.
things? Mr. Hamor said that that would be part of the process. Depending on the size of the system, we could be looking at a $5- to $10-million dollar project for them. He doesn’t think they would care about mowing that much. Councilperson Greenberg said that they would probably want to. He can’t imagine that they would want anyone around their equipment. Highway Superintendent Guyer agreed.

Councilperson Snyder asked if this would still go through a site plan for the Planning Board? Attorney Naughton said that there will even be a SEQR element of this so there would have to be some kind of approval process. While going out for an RFP is not a SEQR action, he’s had some research done. He doesn’t have all the information yet so he can’t answer how that SEQR process for the Town making a decision to award the agreement and how that would work out with a kind of planning process with the Planning Board but it will work out. Councilperson Snyder said that that’s what’s concerning me. As we get further into it say something gets developed. How or who will process it? Will it be the Planning Board? She just sat through one very elongated application for a solar farm and there was a lot of effort that went into it so she’s questioning whether that amount of oversight happens in a situation such as the one he is describing? Attorney Naughton said that the Town in effect would be a co-applicant because we are the owner of the land and so we will have to figure out how that decision tree works. It’s not unique. It’s been done. Councilperson Greenberg said that it’s like moving the barn. We have to go through every permitting process like anyone else would have to. We don’t treat ourselves differently. Councilperson Snyder said that that’s what she was asking. Will it be a site plan process? Councilperson Greenberg said that it would. Councilperson Hennessy said that it won’t be as difficult because we are talking about landfill sites that are basically set away from the road where as the project you’re referring to is closer to the road in visibility. Our landfill is not the most visible thing. Councilperson Snyder said that she’s not suggesting that it could be a problem. She’s just trying to understand the process since it seems a little overlapping with the Town. Mr. Hamor said that they would be working directly with the Town and whoever we need to address the planning and everything that will be involved.

Councilperson Leinung said that it’s kind of a leasing aspect here. Something that is interesting from his point of view is the community solar-type arrangement. Obviously that would basically be like the Town is a client also. He doesn’t know how that would work. We’d be leasing it and also buying energy through community solar. If we move forward with this, that’s another thing he’d like to at least try to consider. Mr. Hamor said that that works out pretty easily. It ends up being a completely separate contract. One thing we are actually exploring is reducing the amount of revenue the municipality would receive to provide extra incentives to town or municipal residents. For example (making up numbers), if the Town is going to make $50,000 a year you instead agree to make $30,000 but anyone in New Scotland that signs up to buy solar gets a 20% discount. There are ways to structure it like that if you want to involve the community. Councilperson Leinung said that he just wanted to raise that as a possibility. He’s not sure we actually need to make that determination later but he wanted to throw that out there. Attorney Naughton added that the Town itself could be a customer. Councilperson Leinung agreed. Mr. Hamor said that in that regard to the Town would be looked at as a net metered customer. What’s great about those is that with the contracts they negotiate there are always 60- to 90-day termination clauses and no cost to terminate. It’s very easy to get out of it if you end up not liking it.

Attorney Naughton said that if the Board wants to go forward with this tonight we have a contract. You might want to just check to see the feeling of the Board on that if they want to process tonight. He’s reviewed the contract and he’s made comments and input. He would recommend it in terms of what’s covered in here. He can’t give any real advice as to whether the fee is fair or reasonable, but he doesn’t see anything wrong with it. They laid out the timing of it, and the compensation is on page 4. If people want to discuss contract terms that would be something we would do in Executive Session. If everything looks okay and the feeling of the Board is that you want to proceed, we can do that now. He thinks we have some other Executive Session items on personnel at the end of the meeting anyway.

Mr. Hamor said one quick thing on the fee. The fee is written as a “not to exceed.” Once you put the RFP together we will have the actual fee. Generally, it is generally less. We word it this way on purpose in case there is extra cost being accrued by the developers. That usually decreases our fee a certain amount and we’re trying to make the project work for you. It’s just a “not to exceed.” When you get the RFP you will see the real fee. If you want to debate at that point you could.

Councilperson Greenberg said that he’s ready to move forward but he’s okay with discussing it in Executive Session and possibly taking action after. He’s reviewed the contract and it looks good to him. He knows they have made a number of changes from the original contract that was submitted. They’ve done their
work. Supervisor LaGrange said that Councilperson Greenberg and Councilperson Hennessy have done the homework on this. This is like anything else; it’s the recommendation of the Board. Councilperson Greenberg said that, just to be clear, we are not committed to anything other than putting an RFP together. There is no money involved. We can back out at any point if we don’t like what comes back. Councilperson Snyder said that that was confusing her because you were talking about a fee but we’re not paying anything. Is that correct? Mr. Hamor said that any fee they would potentially get would come from a solar developer if you chose to go forward with a solar developer. If you decide to do nothing, there is no fee. You will never have to write a check to us. Supervisor LaGrange said that he personally is ready to go ahead with this now. Councilperson Hennessy said that he’s fine with it. He’s reviewed it. Councilperson Leinung said that this is great; he’s really excited for this. Councilperson Snyder said that she didn’t have any issue with this. It sounds like they don’t have any monetary commitment at this point. We’re just exploring the options.

Resolution 2019-097
Councilperson Hennessy offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby accept the April 9, 2019, agreement between the Town of New Scotland and Solomon Energy Services and authorizes the Supervisor to sign it.

Seconded by Councilperson Greenberg.

Sharon Boehlke asked in terms of selling it to someone like Stonewell how does that differ from the solar project that is going from across her house? Councilperson Greenberg said that that’s on private property. Mrs. Boehlke asked if they were going to be buying? Councilperson Greenberg said he is just filling Attorney Naughton in since he doesn’t know that project. Attorney Naughton stated that if it’s a US Solar project it’s just a private developer that will pay rent to the owner of that land. Then US Solar will go and use the markets to enter into contracts to create an income stream for themselves. It’s just a basic private solar project. Mrs. Boehlke asked if that is the same way they will be working to buy for customers? Attorney Naughton said that it’s very similar to what we are doing. Mrs. Boehlke said that it sounds to her like this is more commercial that he’s looking for. Mr. Hamor said it’s mostly residential people that would buy the power. It’s a community solar project so this is all for a developer to do. It has no impact on the Town. At least 60% has to be residential.

Councilperson Hennessy said that what’s interesting here is that it blends well with some of the ways a municipality has to do things. When we buy things we have to get prices and put out RFPs. We talked about two of them tonight and we have to take the low bid or we have to take the best proposal. So this is actually very similar. We are putting out an RFP to get the best proposal so the Town gets the best deal. So, it’s similar in that regard. It sounds like it’s very similar to the project on New Scotland South Rd. It sounds like privately they are renting their land to US Solar to generate power. Attorney Naughton said that we won’t be the developer of this. Someone else will be the developer. We will just be the landlords; the owner of the property and the Town will get the income stream from rents. Supervisor LaGrange said that with his family Bethlehem Central School system put out an RFP to bring in a solar company to source their energy kind of like we were going to do down on the flats. It fell through. It was a specific situation where the US Solar was more generally marketed. Mrs. Boehlke said that she just thought that that project seemed to take a long time and there was a lot of discussion, some not so good and some good. Mr. Hamor asked if she knew when that project started. Mrs. Boehlke said actually they were over there yesterday. Supervisor LaGrange asked if Mr. Hamor meant the application. Mr. Hamor said that the reason he asked that was because in 2013-2014 when the Town was looking at solar it looked great, and then utilities and lobbyists fought back and the solar industry in NY looked terrible for about three years. There are a lot of projects people sit on so if something seems like it took a while that might have been the reason. It was just NY policy changes as opposed to anything on site. Attorney Naughton said that it’s been in the application process for maybe nine months to a year here in Town. Supervisor LaGrange added that it was along a county road. Attorney Naughton added that it’s also the first project.

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

11. Report and recommendation re: examination/audit of the 2017 and 2018 Supervisor/Chief Financial Officer records
Councilperson Leinung said that he and Councilperson Snyder along with the Supervisor office went
through an audit of the Supervisor’s records for 2017 and 2018 with Mr. Purinton. We went through the records themselves and they seemed fine. We did our check. We pulled some vouchers to make sure they lined up with the entries and everything looked okay. We also discussed other types of issues. We discussed general issues with vouchers and processes. I think we had a really good discussion and have a better understanding of how money is handled in the Town offices. Mr. Purinton had some suggestions and we had some suggestions that we talked to Supervisor LaGrange about. Generally everything is working pretty well but there were some suggestions that we are moving forward on and formalizing certain procedures and streamlining those. We did the checklist and everything came out fine. Councilperson Snyder said that she thinks they hit the high points. She thinks the recordkeeping per se for 2017-2018 for the Supervisor’s office was very good and we had no issues there. It led us into discussions for other issues related to that which she thinks she and Councilperson Leinung will continue to work on with the Internal Control Officer, the Town Board, and some of the Town financial staff to get some improved processes in place and get some clarification if we want to change some of the processes going forward. She thinks that overall it was a very healthy discussion, and we have a good roadmap to continue down for future audit or some processes we would like to see instituted going forward.

Resolution 2019-098
Councilperson Snyder offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby accept the audit results for the Supervisor’s records for record years 2017 and 2018.

Seconded by Councilperson Leinung. All present and voting, the motion carried (5 Ayes).

State and Municipal Facilities Program Grant Capital Project Resolution
Supervisor LaGrange said he passed this resolution out tonight. It’s a standard thing that we do. It’s basically a rubber stamp of what this Board has already decided to do. He and Mrs. Boehlke realized when we received the bill for the floor at the Community Center that we hadn’t officially created the capital project. As you know we have a $75,000 grant. This is from three to four years ago from Patricia Fahy’s office. Part of the money is designed for improvements at the Community Center.

Resolution 2019-099
Supervisor LaGrange offered the following resolution and moved its adoption:

Whereas, the Town of New Scotland is desirous to make improvements to the Community Center, Swift Road Park, and Rail Trail Parking Area,

Whereas, the Town desires to establish a capital projects fund for the purpose of accounting for the project,

Now, therefore, be it resolved, that the budget for the capital project (H11) State and Municipal Facilities Program Grant Capital Project,

Increase Revenues:

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<th>Description</th>
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<tr>
<td>(H11) 3097 State Aid, Capital Projects</td>
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<tr>
<td>5031 Interfund Transfers (A)</td>
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<tr>
<td>(A) 0909 Fund Balance</td>
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Increase Appropriations:

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<tr>
<td>7180.22 Special Recreation Facilities /Swift Road Park Pavilion</td>
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<tr>
<td>7197.2 Recreation Equipment and Capital Outlay/ Rail Trail Parking</td>
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<tr>
<td>(A) 9901.9 Transfer to Other Funds/H11</td>
<td>20,000.00</td>
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</table>

And be it further resolved that General Fund – (A) be authorized to loan to the capital project sufficient cash
monies for adequate cash flow at an interest rate of 0.00% per annum.

Seconded by Councilperson Greenberg.

Councilperson Hennessy asked if this has any bearing on the layout of the project initially when it was five $15,000 projects and now it’s three. You have the Community Center, Swift Road, and Rail Trail parking. Supervisor LaGrange said that he passed that out a couple of months ago. It’s still $75,000. We don’t have to but we showed some in-kind service for the total of these so that doesn’t change. We are still at the $75,000 grant and we are still planning on staying under the available grant money for the projects. Councilperson Hennessy said there was no problem; he just didn’t want the fact that we are not using the same layout as the original grant application become a problem. Supervisor LaGrange said it did not. Actually we went through Mr. Purinton on some of this and this is the way it needs to be set up. That’s why it says $75,000 coming from the State at the top. Councilperson Greenberg added that we also spoke to someone, maybe in Mrs. Fahy’s office, about combining some of it. The paperwork for that had already been done. We should also mention that the reason that we loan from A to B in terms of the funding is because we have to pay for it up front. Then the grants come in and we get paid back. Supervisor LaGrange said that’s correct adding that it has to be A because all of these are A-fund projects.

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

12. Liaison Reports:
Community Center
Supervisor LaGrange said that if you haven’t been up to the Community Center they did a wonderful job with the floor and there was some other sprucing up done. Everyone has been pleased with the results.

Alan Kowlowitz thanked the Board of all of the improvements at the Community Center. The last few years there has been an amazing change up there, particularly the floor. It was a great improvement and he thanked the Board personally for the sweat equity that was put into it.

Councilperson Snyder stopped up there and said that it looks nice. Supervisor LaGrange said that we are hoping to be able to do something around the parking lot. He and Highway Superintendent Guyer have been talking about that. The big thing was getting that culvert fixed last year and getting things settled out, and hopefully we can get some work done and see what our opportunities are up there. A couple of bushes might be able to be removed.

Proposed Historic Preservation Law
Mr. Kowlowitz said he presented the proposed Historic Preservation Law to the Village Trustees. They were very positive as was the Town. They were under the impression that the Town had already passed it which was not the case. Mayor Conway said that he would coordinate with Supervisor LaGrange. He’s not sure he’s done that but he’s hoping there will be some communication between the Town and the Village or at least the attorneys for both so this can start moving. Supervisor LaGrange said that he hadn’t heard from him yet.

Planning Board
Councilperson Snyder said that there was a Planning Board meeting on April 2nd and there will be another one on April 17th because of some public hearings that just didn’t have enough notice. So, there will be two Planning Board meetings this month. One of the items that was on the Planning Board meeting agenda was the Krumkill Road project that’s been out there for probably about nine months. That will be coming to the Town Board maybe next month. The Planning Board is referring it to us the Board review and to consider a conservation subdivision for that. We should be seeing it here at the Town Board level fairly soon. We will also need to discuss the extension of a water district and sewer. Supervisor LaGrange said that it will probably be the creation of and we are still waiting on some legal issues between Bethlehem and New Scotland on the property line. He asked Attorney Naughton if we have heard anything recently on that. Attorney Naughton replied that he had not. Supervisor LaGrange added that the creation of the water district is up to this Board if we want to do that. Councilperson Snyder said that she was just letting the Board know. Supervisor LaGrange said that we’ve made the applicant aware of that too. It’s the determination of this Board if they want to go through with a water district. Engineer Frueh said that they are also proposing a community-shared septic at this time.
Zoning Code
Our planner, Nan Stolzenburg, is editing our zoning code and commenting on the possible revisions to the code. He has a draft working copy that just came through now. Over the next month we will be able to finalize that with her and get copies to the Board for review. Supervisor LaGrange said that if we can have a Hamlet Zoning Plan, a Comprehensive Plan Update, and a Zoning Code rehab in two years’ time that will be an incredible accomplishment.

13. Departmental Monthly Reports:
- Town Clerk, March 2019
- Registrar, March 2019
- Justice Johnson, 2018 Annual and March 2019
- Justice Wukitsch, March 2019
- Building Dept., Feb 2019
- Code Enforcement, Feb 2019

14. Pay the Bills
Resolution 2019-100
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:

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Prepays

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

15. Approve any Budget Modifications
Resolution 2019-101
Supervisor LaGrange 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:

<table>
<thead>
<tr>
<th>Where</th>
<th>Amount</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td></td>
<td>$34,229.51</td>
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<td></td>
<td>$12,487.26</td>
</tr>
<tr>
<td></td>
<td>$1,472.40</td>
</tr>
</tbody>
</table>
FROM CODE TO CODE AMOUNT
Contingency A1990.4 Bldg./Comm. Ctr./equip. A1622.2 $1,000.00
To move appropriation from Contingency to Buildings/Comm. Center/equipment for down payment for new sign at community center.

Contingency B1990.4 Workers’ Comp. Ins. B9040.8 $35.47
To appropriate money from fund balance to Workers’ Comp. Ins. for amount over budget.

Service Charges SKW2122 Sewer Treatment and Disposal/contr. SKW8130.4 $919.63
To increase both revenue/service charges and expenditure/sewer treatment and disposal/contractual for training not budgeted.

Fund Balance WC0909 Attorney fee WC1420.4 $40.78
To appropriate money from fund balance to attorney fee for amount over budget.

Fund Balance WCC0909 Workers’ Comp. Insurance WCC9040.8 $.63
To appropriate money from fund balance to Workers’ Comp. Ins. for amount over budget.

Metered Water Rents WF2140 Workers’ Comp. Insurance WF9040.8 $3.03
To increase both revenue/metered water rents and expenditure/workers’ comp. insurance for amount over budget.

Metered Water Rents WFW2140 BAN Interest WF9730.7 $639.71
To increase both revenue/Metered Water Rents and Expenditures/BAN Interest for amount over budget.

Fund Balance WG0909 Workers’ Comp. Insurance WG9040.8 $.51
To appropriate money from fund balance to Workers’ Comp. Ins. for amount over budget.

Metered Water Rents WKW2140 Workers’ Comp. Insurance WKW9040.8 $.39
To increase both revenue/metered water rents and expenditure/workers’ comp. insurance for amount over budget.

Fund Balance WN0909 Trans./Distrib./contr. WN8340.4 $820.72
To appropriate money from fund balance to Transmission/Distribution/contractual for amount over budget – installation of chlorine pump.

Fund Balance WN0909 Workers’ Comp. Ins. WN9040.8 $2.48
To appropriate money from fund balance to Workers’ Comp. Ins. for amount over budget.

Fund Balance WNS0909 Workers’ Comp. Ins. WNS9040.8 $2.23
To appropriate money from fund balance to Workers’ Comp. Ins. for amount over budget.

Fund Balance WS0909 Workers’ Comp. Ins. WS9040.8 $1.02
To appropriate money from fund balance to Workers’ Comp. Ins. for amount over budget.

The Town Board hereby resolves, pursuant to authority in Town Law, section 112, to amend the Town's 2019 budget as stated above.

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

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

**Executive Session**

**Resolution 2019-102**

Supervisor LaGrange offered the following resolution and moved its adoption:
RESOLVED, that the Town Board of the Town of New Scotland does hereby approve an Executive Session to discuss a personnel issue.

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

Executive Session began at 9:00 PM.

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

Executive Session adjourned at 9:35 PM.

No action was taken during Executive Session.

17. Adjourn
Supervisor LaGrange made a motion to adjourn the meeting, seconded by Councilperson Greenberg. The meeting adjourned at 9:36 PM.

Diane R. Deschenes, Town Clerk