The following Town Officials were in attendance:

Supervisor:  Douglas LaGrange
Councilperson:  Adam Greenberg, Daniel Leinung, William Hennessy
Highway Superintendent:  Kenneth Guyer
Engineer:  Garrett Frueh
Town Attorney:  Michael Naughton
Town Clerk:  Diane Deschenes
Absent:  Councilperson:  Patricia Snyder

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:
April 10, 2019  Regular Town Board Meeting
April 25, 2019  Special Town Board Meeting

Resolution 2019-104
Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve the minutes as presented by the Clerk for April 10, 2019.

Seconded by Councilperson Greenberg.  All present and voting, the motion carried (4 Ayes).

Resolution 2019-105
Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve the minutes as presented by the Clerk for April 25, 2019.

Seconded by Councilperson Greenberg.  All present and voting, the motion carried (3 Ayes-1 Abstention.)  Councilperson Hennessy abstained since he was absent.

Announcements:
- 5th Annual Kenneth’s Ride Saturday, June 1st, Berne Town Park
- Household Hazardous Waste Day Saturday, June 1st, Town Highway Garage
- American Legion Memorial Day Parade, May 25th, 10:00am, Voorheesville
- 2018 Annual Financial Report has been filed and is available on the website
- Bush and Lawn Debris runs until May 27, 2019

4A.  Discussion re: planning Board request for authorization to utilize a cluster design in relation to major subdivision sketch plat application #638 on Krumkill Road
Supervisor LaGrange said that we had a request from the Planning Board for authorization to utilize the cluster design in relation to a major subdivision sketch plat application #638 on Krumkill Road.  This is a request from the Planning Board because they would prefer a cluster development here rather than a standard development.

Mr. Easton with MJ Engineering is here tonight to represent the landowner, Deane DeVito of Prime Companies.  Some information was requested at the last minute.  Mr. Easton handed out a map.
Councilperson Greenberg asked if Mr. Easton expected any kind of decision tonight. Mr. Easton said that he was just presenting. Using our new projector, Councilperson Hennessy indicated that this is on the northeast quadrant of town on the way to Schoolhouse Road. Mr. Easton said that MJ Engineering did reach out to Mr. Cramer and asked what the next steps were. We see on the email chain that copies were required. Due to the late request he knew tonight that we weren’t going to receive any approval tonight. This is more informational. If you have any questions, he could address them and the Board can go from that point forward.

Basically this parcel of land is about 90 acres, and it is bounded in the Town of New Scotland. When we first came in about 6 or 8 months ago we came in with a conventional subdivision. The Town at that point was just going through the Comprehensive Plan and looking at ways to reduce impacts to environmental areas. As you look at the two plans, there is one that says conventional subdivision. Basically out of the 35 acres, we have housing all over the place conforming to Town code, in a sense 30,000 square foot lots with minimal 125 foot frontages with a well and septic fields. As they went through this with the Planning Board, they really liked the idea of cluster design because there are key elements that exist on site. There is a very large natural berm and they wanted to preserve the forest area and take into account some of these natural features that would be beneficial to cluster zoning, certainly the existing ponds and things like that. They went through iterations, and they kept the same number of lots as the traditional subdivision would allow for this parcel of land. They moved around the pieces of the puzzle and made the lots smaller. When they moved the pieces of the puzzle around what happened is that they ended up with a community septic system. That is one thing he will go into a little bit later on. The proposed project plans basically extend the existing water line, putting in a water meter pit with the Town of Bethlehem, and then extending it through to our project site to provide domestic water service. Sewer will be done by a community system on site for the site. Most of the lots range in size from about 20,000 square foot marks as you look at the cluster plan. Most of them have 80 to 90 feet of frontage. Again, this is pretty typical of a standard subdivision. It allows for sufficient side setbacks so the houses are not on top of each other. It provides plenty of space for whatever you want to do outside, but it does reduce the area of impact and keeps some of the natural features. Certainly they are looking at some larger areas of dedicated open space. The Town is not going to take those over. It will go into an HOA. Basically the homeowners pay into an HOA fee which the Town can then collect tax dollars on. It’s a very simple design. You can kind of see how we wrapped around the pond and kept a lot of the homes away from the road. Topographically, the earth berm that exists is approximately 25 feet taller than the existing grade of a house. When people are driving along this road it will be very difficult to see the homes because they will be tucked back in. Some of this they worked into the planning stage to really hide the development until you get in there and then you can see it. The roadways are proposed to be turned over to the Town. We will design those to Town standards, 80 feet of right-of-way with the typical swale in the pavement road sections. The alignment, the curves, and the grade of the roads will all be designed to Town standards. The water line again will go through the project site and feed it to the community system or the HOA system. They are looking at some of the puzzle around what happened to the water line. That would obviously have to be resolved that we have private infrastructure within the Town right-of-way to get to a septic field owned by the HOA. There are some things that need to be discussed and we need to think about how we are going handle it. If the Town is taking it over it is a simple process. It comes into a sewer district. The Town then assesses the homeowners the rates that they want for this property to maintain that facility. If it’s a private system, we have to talk about how we design a gravity sewer line system within the Town right-of-way allowing the HOA to maintain it within Town right-of-way jurisdiction. Those are two things you get to think about. He didn’t expect an answer but if the Board had any questions he was willing to answer anything.

Supervisor LaGrange said that Mr. Easton has a letter given to him, but for the record we still have an issue as far as water is concerned as it pertains to the boundary between New Scotland and Bethlehem. We did come up with a potential resolution to that which we offered up to a couple of the neighboring properties who are kind of involved in that. That would obviously have to be resolved as far as water goes. Councilperson Hennessy asked how far MJ Engineering went with Guilderland on sewer? Did they even talk to them about that? Mr. Easton said that to extend water and sewer, the Town of Guilderland required them to replace the water line on Fliegel Avenue that ties into Schoolhouse Road. It’s pretty far away. There is a new existing 6-inch water line on Fliegel and they required us to update that to a 12-inch line and then run it through the whole property, put in a new master water meter pit, and then connect to
The existing water master meter pit for Guilderland and Bethlehem currently resides on Schoolhouse Road and they want that updated. For sewer, they also said that you can tie it back into Gertrude Street where there is a pump station. The problem with that and with the water is that there are two factors in play. One is that they only own to this parcel line. They do not own or have control or access through there. The property owner knows this gentleman but to get access through this point, we would have to basically make a multiuse path or roadway for the Town of Guilderland to maintain. Beside that, they are wetlands. Guilderland also required, based upon their zoning code, 22 lots within their parcel of land. Based upon running a 12-inch water line along Fliegel Avenue, running a new multi-use path, and getting the permits from DEC to disturb the wetlands for a 22-lot subdivision, come through the Town of New Scotland, and run a new master meter pit all the way down Krumkill Road, it turned out to not be cost feasible to run water or sewer to the Town of Guilderland based on what they requested us to do and based upon the yield of homes we’re going to obtain. Supervisor LaGrange asked if sewer would go the same route. Mr. Easton said that they would go that way but the Town of Guilderland requires a 16-foot-wide multiuse path with utilities on either side of it. This goes downhill and there is a gorge in here with DEC wetlands. Besides the permitting process through DEC to get this access, just the cost of updating the water line along Fliegel, putting in the water line for our project site, installing a master meter pit, putting in a sewage pump station and pumping it over to Guilderland, they looked at the economics of that and it was not cost feasible. That is why they are only staying within the Town of New Scotland for their project site. What Guilderland wants for any development basically makes no future development possible on that parcel.

Supervisor LaGrange asked about his mention of a master meter. He asked if Mr. Easton understood that there will be a master meter wherever the boundary is decided upon. Mr. Easton replied that he did. Supervisor LaGrange added that there could potentially be a master meter going into that development. He doesn’t know if that will be the case, but it’s something to be cognizant of. He thinks we have identified a master meter that might be less expensive and a little more compact. Engineer Frueh agreed. Supervisor LaGrange said that he was just throwing it out there; that could happen. There would have to be a master meter at the interconnection with Bethlehem at the property line; that’s to be determined. Mr. Easton said that they fully anticipated that, and they have no problem with that.

Councilperson Greenberg asked if MJ Engineering is willing to go either way on whether the homeowners own it or the Town. He understands that they would need easements and such through Town property but are they willing to consider either idea? Mr. Easton replied from a time point of view and making sure the system is maintained properly he would prefer the Town to take ownership of it. It’s much cleaner but obviously if you say no, which is your right, he has to look at other options which is basically forming a transportation corporation for maintaining that septic system. We’re calling it a septic system but it will probably be a conventional system or a surface sand filter system that will be utilized at this location and it has a life expectancy of 30-plus years. It has very small pumps. It’s not a big cost. He thinks that as we dive into the design of it, eventually we can take a look at it. There is not much to it. It’s not much more than a standard house; it would just be bigger in size. That’s really what it is. Councilperson Greenberg said that 30 years doesn’t sound that long to him. He doesn’t know if Mr. Easton meant it to sound that way. Mr. Easton said that 30 years is a typical life expectancy of a septic field. That’s average. If you have much sand in your soil, the life expectancy will go longer. If you have heavy clay soil, your life expectancy will be shorter. The average life expectancy is 30 years so when you start looking at the tax rates and things like that, if you were to put on it that’s how we would start establishing a sewer district rate for replacement costs in the future.

Highway Superintendent Guyer asked if the proposed septic system is oversized. He knows that in the County, your septic system is kind of governed by how many bedrooms are in your house. He doesn’t know how many houses are in the project. If you had 20 houses and 4 bedrooms in each one, would you design this for more than 80 bedrooms or would there be in the deeds that nobody can change their house design? Mr. Easton said that he would certainly have over capacity within the system. He wouldn’t design it to say everything is a four-bedroom house, but he wouldn’t design everything as a six-bedroom house either. He thinks there is a compromise in there that we have a 10% to 15% margin of error on the high side when we design this thing and then as we move forward at least we’re comfortable there. Again, some people are going to have single families and kids go away to college. Obviously we have to go by bedrooms on the design. He thinks we need to come up with that but his thought process was that he would at least start off with the minimum, assuming four-bedroom houses and then adding at least a 10% to 15% margin of error on the higher side for this system.
Supervisor LaGrange said that he’s sure that they’ve done some preliminary calculations. How big of an area does that encompass and how far do you plan on coming out towards the road? What’s the size? Mr. Easton said that what’s actually depicted on the plans is actually the appropriate size for septic fields. There are four boxes on the plan. Two of those are appropriately sized for this subdivision. The other two boxes are for expansion. What happens is when the 30-year life cycle ends on one, you can then use the new one next to it and take the old system offline. In 30 years when the other system fails, you go back to the original area. The boxes that are shown are actually sized for four bedrooms. When he was laying out this subdivision he wanted to make sure that he had enough space for those things. Again, is it bigger than a bread basket? He wanted to make sure it fit. As you can see, there is more room than is even needed.

Supervisor LaGrange asked if there was a cul-de-sac in the one area? Mr. Easton said that the one turnaround is designed to NYS Fire Code. That turnaround radius is 92 or 96 feet as required. They envisioned this to be a private road as discussed with Ms. Stolzenburg. They want this to be a Town road which we’re given an 80-foot right-of-way to. This would be a temporary cul-de-sac per se but designed to fire code standards just in case the neighbor to our west decides to ever build. The subdivision can extend through his property and then that temporary fire truck turnaround would go away. Supervisor LaGrange said that the Highway Superintendent only cares about snowplow turnaround. Highway Superintendent Guyer said that he thinks he’s good with the cul-de-sac. Is there any way to get a hammerhead on the end of that little dog leg up on top. Mr. Easton said that they could but that’s going to be just a private driveway. That will not be a Town road even though it says on the plans that it’s a 60-foot wide right-of-way. Let’s say Guilderland changes their code in the next 20 years. Then the developer would go back in there and go for a subdivision in the back. That was part of the planning process. We did give Planning a concept of what could occur in the back area, but that area is just meant for a driveway. It’s not meant for the Town to plow and maintain. Councilperson Leinung asked if that is the driveway to reach lot 9. Mr. Easton said that it was correct. Highway Superintendent Guyer asked if that was just a single lot. Mr. Easton said that it was. Councilperson Hennessy said that regarding HOA lot #1 stormwater basin area, obviously we’re not going to include all of the berm for that, but how would someone get to that for access for maintenance. Mr. Easton said that they are not sure of the size of the stormwater area yet. His guess is actually the stormwater area, if we need one, because it’s really sandy soil. The existing pond down in the right-hand corner will be enlarged and expanded. There would be access from Krumkill Road. Even though he is calling the whole thing a stormwater lot, only a small portion of the area would actually be a stormwater lot while the rest of it would remain natural. Councilperson Hennessy asked where the protocol comes from for the 19,200 square foot lots. Was that something that the Planning Board requested? Was there a size that they requested? Was there a minimum cluster size? Mr. Easton replied that there wasn’t; the applicant wanted roughly a 20,000 square foot size. With an average lot size of 20,000 square feet with approximately 90 feet frontage he could eventually turn that to a home builder and put appropriate homes on there. The Planning Board did ask if we envisioned $700,000 homes in this site and he said no. The lot size doesn’t support homes that large. He envisioned more medium- to standard-sized homes for new construction. The price range he imagined would around $400,000 for a starting point.

Councilperson Leinung said that generally, coming from the Planning Board where he was prior to here, cluster developments are good. Anytime you can encapsulate space and increase green space and open space it’s preferable from his point of view. He will speak for himself about the community septic and that aspect and whether the Town will take that over. He thinks we have to look at that a little bit more for various reasons (continued maintenance, Town cost, and liability issues).

Supervisor LaGrange asked if everyone was good. There were no more questions. Supervisor LaGrange said that the Board can look it over a little further and ask any questions as they arise. We appreciate Mr. Easton’s presentation. He is a little concerned about the septic, but he does like the cluster. Mr. Easton said that this conversation will probably come up more and more with this Board as the design in our Comprehensive Plan is driven that way now. As the Town comes up with a strategy, whether it’s this project or in the future, it’s going to need to be discussed at some level. Supervisor LaGrange said that it’s always a bummer being the first. Mr. Easton thanked the Board for their time.

Councilperson Greenberg said that a couple years ago, this time in July, we passed a solar law. Since then, just recently, NYSERDA put out new guidelines on things they’d like to include in solar laws that
we did not have included in ours. He doesn’t want to say compliance because they are guidelines and not rules. One of the major ones had to do with trying to use capped transfer stations and old dumps to put solar on. They are not that useful for anything else. Attorney Naughton has done a great job in adding that to our solar law. That ability eliminates some of the setbacks. It streamlines the process partially by eliminating the need to go to the Planning Board for a special use permit. It also allows on these sites some storage capacity which we had not allowed in our original solar law basically because it wasn’t a technology that existed at the time or well-known at the time. Those are the major things. It’s really an update. We are not reinventing the wheel. These are the things NYSERDA has asked for. He thinks we are just trying to get in line and be forward thinking on what our possibilities are with our landfill. Supervisor LaGrange said that this could be a good opportunity for us. Councilperson Greenberg asked if Attorney Naughton had anything to add? Attorney Naughton said that that pretty much covered it. We are making a small amendment to the existing solar law, and it’s based on some of these recent developments and the State’s policy that solar collectors are especially well suited for closed landfills and other brown sites which we don’t really have here. Councilperson Greenberg said it should be noted that the Town has two sites. Attorney Naughton said that one of them is over 20 acres and that’s where the transfer station is. The other policy of the State is that they recognize that because these are landfills there are really no adverse environmental impacts associated with them. Just recently the State amended the SEQR law so that basically anything on a closed landfill site involving solar arrays is exempt from SEQR. What the State is trying to do is make sure that the development is occurring on these for solar arrays as opposed to existing forests and prime soil lands. Our existing solar law also recognizes that we don’t want people cutting down trees for solar farms. We don’t want them building these things on prime soils. This is a perfect site for that kind of thing and that’s what the State policy recognizes. This just allows us to do that kind of thing because these sites are kind of by nature isolated because they used to be landfills. These large buffers areas don’t pertain to that kind of thing. If the Town were to approve this local law after having a hearing, we could build that into the RFP process that Solomon our consultant is working on and it will streamline that process, as well. Anything we’d have to do with concerns about buffering on any side yard, front yard, or back yard for any of these sites we could take care of within the RFP and lease. The Town Board would have to approve that lease. We will be approving the RFP before that happens. Councilperson Greenberg added that the public would have a chance to have a referendum on that lease. They would have an ability to speak. Attorney Naughton added that if you want to move this process along you will need to set a hearing date and we will refer it to the County Planning Board and also our own Planning Board for comment. We may or may not, depending on the County’s meeting schedule, have a recommendation back from them. If you want to move this forward you could set the hearing prior to the next scheduled meeting. Supervisor LaGrange said that’s June 12th.

Resolution 2019-106
Councilperson Greenberg offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby set a public hearing for Proposed Local Law C of 2019 for June 12, 2019, at 6:45 PM and approves forwarding it to the Albany County Planning Board and the New Scotland Town Board.

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

6. Discussion/Action re: Lease Agreement between the Town, Village of Voorheesville, and County of Albany
Supervisor LaGrange said that this is potentially a lease agreement between the Town, Village of Voorheesville, and the County of Albany for leasing of the facility that used to be the Voorheesville Ambulance station. He and Attorney Naughton have been trying to meet with Attorney Reilly and the County. We were finally able to get together this afternoon with Thomas Marcelle from the County. He thinks we are getting close to having it wrapped up. There was some confusion in some instances. Anyway this is postponed for tonight. Hopefully we will have it ready for the next meeting.

7. Krumkill Road FHWA Project:
- Resolution amending Capital Project HKR resolution
Highway Superintendent Guyer said that there is a resolution amending our previous resolution to create the capital project for Krumkill Road, the difference being the dollar amounts. The rest of the project is the same. The original resolution had a ticket item of $360,000 on it. That dollar amount came from a preliminary estimate that was done by Stantec for the Capital District Transportation Committee to get us into this whole grant process to see if we were eligible for funding. That was probably about three years
ago. That’s what the original $360,000 was. The correct numbers are in the proposed resolution – 80% percent by the Federal government, 15% by the State in Marchiselli funding, and the remaining 5% from the Town, which is $18,519. That will be our portion of this project. Supervisor LaGrange said that he thinks that just adds $519. Highway Superintendent Guyer said that that’s correct. Councilperson Greenberg added that we are going from $360,000 to $370,385. Highway Superintendent Guyer said that our portion is going up $519.

Councilperson Hennessy asked Highway Superintendent Guyer to point this out on the map. It’s 200 feet west of the bridge. Highway Superintendent Guyer said that just before the bridge there will be 100 feet of drain tile work and then the whole project is resurfacing of the road. It starts at Font Grove and it’s about 8/10 of a mile from Font Grove Road to the bridge. Supervisor LaGrange added that there will be new drainage and the rest is cold in place. Highway Superintendent Guyer replied that it’s being reclaimed, chewed up, they add some kind of emulsion to it, and it will be laid back down. It’s what the State has been doing on Delaware Turnpike. They chew it up and lay it down. You run on it for a week or two and then it's topped over with a new top course. You recycle what’s there as a base course and then it has a new top on it. Councilperson Greenberg asked how much the top raises it? Highway Superintendent Guyer said that it’s probably a couple of inches higher than what it is now. Supervisor LaGrange said that on Delaware Avenue they did two top coats; they did two more layers after the original. Highway Superintendent Guyer said that they probably did a true and level which he believes is in our project. They reclaim it, true and level it, and then top it. It would have two smaller layers. Councilperson Greenberg said that the only reason he was asking is because the Town will then go through and even everyone’s driveway to the level it’s raised to. Highway Superintendent Guyer agreed saying that that’s all in the project. It’s all included: the shoulder work, driveway aprons, and all that. Supervisor LaGrange said that, from what he understands, the base layer grows a little bit. He believes it will grow a touch and then be topped. He thinks it’s going to be minimal. Councilperson Hennessy asked if the design plans are done. Highway Superintendent Guyer said that they are done and approved by the State and Federal governments. We will be opening bids next Thursday. Councilperson Greenberg asked if there is a start date in that packet. Highway Superintendent Guyer said that he didn’t believe so. Highway Superintendent Guyer thought that we had 6 or 7 bid packets out. Town Clerk Deschenes agreed.

Resolution 2019-107
Supervisor LaGrange offered the following resolution and moved its adoption:

**AMENDED Resolution establishing and funding Capital Project HKR**

**Whereas**, the Town of New Scotland is desirous to make corrective maintenance improvements to involve cold in-place recycling with a new wearing surface as a primary treatment. A short, 200 foot section of roadway west of Normanskill Bridge will require reconstruction due to subsurface drainage deficiencies that are causing settlement in this portion of roadway on Krumkill Road,

**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 (HKR) Krumkill Road is as follows:

Increase Revenues:

- (HKR) 4597 Federal Aid/Transportation $296,308.00
- (HKR) 3597 State Aid/Transportation $ 55,558.00
- (HKR) 5031 Interfund Transfer In $ 18,519.00

Increase Appropriations:

- (HKR) 5112.4 Permanent Improvements $370,385.00

**Now be it further resolved**, that the Highway Fund – Town Outside Village (DB) fund the Town’s local share of the project as follows:
Increase Revenues:

(DB) 0909 Fund Balance $ 18,519.00

Increase Appropriations:

(DB) 9901.9 Interfund Transfer Out $ 18,519.00

And be it further resolved, that General Fund Town Outside Village– (B) 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. All present and voting, the motion carried (4 Ayes).

Resolution authorizing implementation and funding of federal-aid project and appropriating funds therefore

Highway Superintendent Guyer said that this is a resolution authorizing the agreement. We have to pay this 100% in full and then we get reimbursed. It’s just authorizing the funds that we will pay.

Authorizing the implementation and funding in the first instance 100% of the federal aid and State “Marchiselli” Program aid eligible costs of a transportation federal-aid project and appropriating funds therefore.

Resolution 2019-108

Supervisor LaGrange offered the following resolution and moved its adoption:

WHEREAS, a Project for Krumkill Road Improvements, Town of New Scotland, Albany County, P.I.N. 1760.30 (the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs, such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Town of New Scotland desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering work.

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of New Scotland to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering work for the Project or portions thereof; and it is further

RESOLVED, that the sum of $28,800.00 (Twenty Eight thousand Eight Hundred dollars and no cents) is hereby appropriated from Highway DB and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the additional sum of $341,585.00 (Three hundred Forty-One thousand Five hundred Eighty-Five dollars and no cents) is hereby appropriated from Highway DB and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town Board of the Town of New Scotland shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Town Supervisor of the Town of New Scotland be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of New Scotland with the New York State Department of Transportation in connection with the advancement or approval of the Project and
providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

- Resolution authorizing Supplemental Agreement No. 1 to contract D035923 for the Krumkill Rd. FHWA Project amending previously adopted Schedule A and Schedule B

Highway Superintendent Guyer said that this is the supplemental agreement which amends the original schedule A, the reason being is that the NYS Marchiselli is included. Supervisor LaGrange asked if this is just updated from the original capital project. Attorney Naughton said that we might want to make a note that the total federal cost is $296,308. The total local cost is $18,519 and the total cost from all sources is $370,385. So you are approving this Supplemental Agreement No. 1 for the project. Highway Superintendent Guyer said that the State’s $55,558 is what it’s adding too. Supervisor LaGrange said that there was a little shift in ours, as well.

Resolution 2019-109

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve Supplemental Agreement No. 1 to contract D035923 between NYS DOT and the Town of New Scotland. Federal cost is $296,308, Marchiselli funds from NYS are $55,558, and local cost is $18,519 with a total cost from all sources of $370,385 for the Krumkill Road project.

It is further resolved, that the Supervisor is authorized to sign the agreement.

Seconded by Councilperson Greenberg.

Councilperson Hennessy said that he thinks this is a fine thing to do. The State’s share is only 15% and the local share is only 5% with Federal funding at 80%.

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

8. Highway/Parks:

- Discussion/Action re: hiring of Eric Vasquez as a permanent, full-time Parks laborer at $16.52 per hour (step 2 of the 2019 Salary/Pay Grade Schedule) effective May 13th

Highway Superintendent Guyer said that we collected our resumes and Mr. Duncan, Supervisor LaGrange, and Superintendent Guyer did interviews. We would like to hire Eric Vasquez as a permanent, full-time parks laborer. Mr. Vasquez has landscaping background and some time at SUNY Albany painting athletic fields. We had a good recommendation for Mr. Vasquez. We’re pretty excited to get the ball rolling. This has been a long process. He asked the Board if we could hire Mr. Vasquez at $16.52 which is step 2 of the 2019 salary chart and it’s what was budgeted for the position in 2019.

Resolution 2019-110

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby hire Eric Vasquez as a permanent, full-time Parks laborer at $16.52 per hour, this is step 2 of the 2019 pay grade schedule, effective May 13, 2019.

Seconded by Councilperson Greenberg.

Highway Superintendent Guyer added that Mr. Vasquez grew up in Coeymans Hollow but he lives in
Voorheesville so he is a Town resident.

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

Councilperson Hennessy asked if there is a temporary seasonal employee doing the mowing. Highway Superintendent Guyer responded that there is not. We used to have our mower, Mr. Duncan, is the full-time employee and Mr. Engl is seasonal. For years we’ve had a seasonal mower. He spoke with Mr. Duncan, and by hiring a second full-time employee we are eliminating the seasonal mowing position. Councilperson Greenberg asked how many hours a week did the seasonal mower work. Highway Superintendent Guyer said that if the weather cooperated usually three days. Councilperson Greenberg said that that gives us two extra days with a full-time employee. Highway Superintendent Guyer said that that’s correct and if the weather cooperated they weren’t there a full day. On average, probably 20 hours per week would be put into mowing. Supervisor LaGrange said that he was very impressed with Mr. Vasquez and I think he will be a good addition.

9. Fire & Ambulance:

- Resolution authorizing Supervisor to sign the 2019 Advanced Life Support contract with Albany County, not to exceed $281,398.58.

Supervisor LaGrange said that we have two contracts in front of us and he’d like to approve them both with stipulations. The ALS agreement is per our budget. This is Advanced Life Support with Albany County. All the language is the same. The only difference is the increase. With the EMT/D services with the Village, Town, and the County all the text was the same. He believes the cost outside the Village went down a little and inside the Village went up a little, but it was all within budget. Before he introduced them he wanted to say that we did have something come up this morning where there was some confusion or there needs to be some clarification on protocol in the Onesquethaw District with the EMS and ALS services from the County. We’ve spoke to the lawyer from the County this morning and he was going to get back to us. We think it’s just a little misunderstanding. He would like to see that clarified and fixed and also the Voorheesville Ambulance building lease completed before he signs these. Attorney Naughton suggested that we at least get the two contracts off the agenda knowing that he and Supervisor LaGrange have to be satisfied with the two other situations before he signs it. Councilperson Greenberg said that that could be 2020. Supervisor LaGrange agreed. If everyone is comfortable he will make that motion. Attorney Naughton said that the concept would be that you take each contract separately and then have a motion authorizing the Supervisor to sign; however transmittal of the contract would be conditioned on the Supervisor receiving confirmation that the Onesquethaw arrangement will remain status quo and satisfactory to the OVFD and further conditioned on the lease regarding the VAA building being approved and executed. Councilperson Greenberg said that we’ve already approved the lease. We are just waiting for Albany County. Attorney Naughton said that we approved the prior draft. It’s been revised so we will formally need to approve it. Councilperson Greenberg asked if that needs to be done before it can be signed. Attorney Naughton said that that’s right. Councilperson Greenberg said that in a way we don’t even have to vote on this yet, but he is willing to. Attorney Naughton said that it’s up to you. Councilperson Greenberg added that it’s going to come back to us for a vote on the lease before anything can be done with it anyhow. Supervisor LaGrange said that it would just be clutter off our agenda. If everyone wants to wait we can have it on a subsequent agenda with a lease or we could do it pending the passage of the lease. Councilperson Greenberg said that he’s okay with the condition.

Resolution 2019-111

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 an agreement with Albany County for Advanced Life Support services not to exceed $281,398.58 for the year 2019 and authorize the Supervisor to sign it pending the conditions outlined:

Clarification of protocol between the County and Onesquethaw Ambulance and also conditioned on the approval and signing of the lease for the former Voorheesville Ambulance Area Service building.

Seconded by Councilperson Hennessy.

Councilperson Greenberg said that he just wanted to comment here. He brought this up during budget season and he thinks we need to revisit this soon, probably this summer, as we are putting the budget together. The County has no issue raising our budgets 8% to 10%, which they did on this budget item for
the past couple of years, yet the town has a 2% tax cap that we are supposed to stay under. I think if we are going to be asked to stay under that cap the County should attempt to stay under that cap, too. If we have to raise that budget item 10%, and that’s a big budget item in our budget, that means we are taking away from other areas of the Town and the County is just eating that up. The County could, and I know other towns are trying to work with the County to convince them to do this, take this budget item and put it in their budget. They don’t have a 2% tax cap. He thinks that’s only fair, and he thinks we should push for that in the future. It’s a budget season item but he doesn’t want it to get lost this summer when we are putting the budget together. Supervisor LaGrange said that it wouldn’t. He knows the Supervisor from Bethlehem worked on this last year, and they’ve been in contact on it. He hasn’t spoken to Peter Barber in Guilderland yet. We will send out a letter with the budget request emphasizing that we are limited to a 2% increase and we expect the County’s contract to be limited to a 2% increase. Councilperson Greenberg added “or moved to the County budget.” Supervisor LaGrange said that that’s correct, thank you.

Councilperson Hennessy said that he echoed Councilperson Greenberg’s comment. He doesn’t understand the fairness of the whole situation. He thinks it’s justifiable that we all have to comply with the same types of rules and guidelines; that’s only fair. Supervisor LaGrange said that we expect that out of our fire districts and other areas, and he expects it out of our departments, so it should be fair.

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

- **Resolution authorizing Supervisor to sign the 2019 EMT-D contract with Albany County, not to exceed $78,815.76 for the Town portion**
  
  Supervisor LaGrange said that we have the same for the agreement for EMT-D services.

**Resolution 2019-112**

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 contract agreement between the County of Albany, the Town of New Scotland, and the Village of Voorheesville for EMT-D Service at a cost of $197,888.40 broken down as follows: former VAAS $129,206.32 with the Town’s share 61% or $78,815.86, the Village share 39% or $50,390.46, and the cost of the town-wide expense for ambulance service outside of that district $68,682.08.

It is further resolved that this is subject to the Supervisor signing after conditions with the agreement between the EMTs, paramedics, and Onesquethaw be clarified and continued as it’s been along with the signing and approval from everyone of the Voorheesville Area building lease.

Seconded by Councilperson Greenberg.

Mr. Boehlke said that one group is EMTs and the other is paramedics. Why isn’t that all one group? Supervisor LaGrange said that it is because there are two different standards. The EMTs are available for lesser issues and the paramedics come when it is cardiac arrest and things like that. Mr. Boehlke asked if the paramedics don’t fly on every call? Supervisor LaGrange said that they do. Depending on how the call goes out and/or the assessment when they get there they bring in the paramedics. Mr. Boehlke said it sounds like something that should be all in one group. Supervisor LaGrange said that maybe if Albany County takes over the whole situation and they tax, they might make that change. Mr. Boehlke said that they are getting an awful amount of money for paramedics alone. Supervisor LaGrange said that this is consistent with what it’s been year after year.

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

Councilperson Greenberg said that he thought this was mentioned, but he wanted to make sure the public knows that this was in the 2019 budget. We knew this was coming.

- **Onesquethaw Volunteer Fire Co. Membership request for Jennie Augar and Nancy Niblock as Auxiliary Members**

**Resolution 2019-113**

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 membership for Jennie Augar as an auxiliary member and Nancy Niplock also as an auxiliary member.

Seconded by Councilperson Leinung. All present and voting, the motion carried (4 Ayes).

10. Discussion/Action re: Community Planning and Environmental Associates Task Order for 2nd Phase of review of Town Zoning, Subdivision, and Land Use Laws

Councilperson Greenberg said as a reminder he and Councilperson Hennessy have been updating the Board on this for the last few months as we’ve been working with the Town Planner to incorporate the update to the Comprehensive Plan and its recommendations into our zoning code. Phase 1 is where Mrs. Stolzenburg, who is the Town Planner, completed her audit of the Town’s Zoning Law and has also compiled all the laws and amendments we’ve had since 1990 into one document. Phase 2 is what specific language should be changed in our Zoning Law to bring it up to date and to bring it in unison with the Town’s Comprehensive Plan. He and Councilperson Hennessy met with Ms. Stolzenburg and discussed the initial part of Phase 2 where we discussed going after what we call the “low-hanging fruit,” which is the easy stuff. These are definitions that didn’t exist in 1990 or whenever the Zoning Law was last updated. We now need definitions, things like the solar law. There was no solar back when the zoning law was written. So, the easy things that we need to do he thinks everyone would agree on. For that next phase, Ms. Stolzenburg has put in an up-to amount for $6,100 to complete that work.

Resolution 2019-114

Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize Ms. Stolzenburg, Town Planner, to draft a specific section to address the process, administration clarity definitions, and other similar changes as she recommended in her audit. She will then present it to the Town Board. Nothing is being passed until we see it. She is not authorized to make any changes. That will be voted on later. This will just allow her to do the work that we can then review. Supervisor LaGrange added that she was budgeted for $20,000 this year for these types of tasks. This is not unlike our engineering agreement for the General Engineer. Task orders come and are taken out of that. This is a similar situation. Councilperson Greenberg said that we have $17,500 of that left this year because $2,500 or so was put toward a grant application.

Seconded by Councilperson Hennessy.

Supervisor LaGrange said that this is an incredible undertaking. It’s great that we have somebody with Ms. Stolzenburg’s professionalism and abilities to do it.

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

Councilperson Hennessy said that, along the lines of that, we spoke about identifying the line items specific for small projects for Ms. Stolzenburg to work through. There will be periodic small projects that are not Planning Board jobs that are not zoning task orders or task orders for larger projects. This is just for smaller hourly projects similar to the Town Engineer doing the engineering budget. He posed the question to Attorney Naughton and we think it might be appropriate to have a separate line item just so there is no question about the whole building procedure. We had her look at the small cell law. He thinks we had her look at different grant opportunities, not just the one that we already approved. So, he wanted to talk about identifying a $2,000 up-to authorization. It’s within the budget we had for the Planner but he thinks we should have a separate authorization for it. He’s not sure we need to but he would like to pursue that. Is that something you were able to look up with Mrs. Kavanaugh? Supervisor LaGrange said no, and since it was brought up there’s been a lot of chaos. We didn’t get to that point. He doesn’t think it will be an issue. Supervisor LaGrange said that we have an up-to amount. Say someone presents this to Ms. Stolzenburg and then maybe run it by me to okay it. Would that be adequate? Attorney Naughton said that we have a master agreement that sets up procedures for task orders, and we have a general task order for doing some planning and a task order that relates to the scope of work she does with our Planning Department. Then we just have a task order for the specific items to increase her budget on this zoning codification and amendment process. What we want to do is ask her for a task order for other work, general planning work requested by the Town Board. Do you want the Planning Board to be able to make those requests? Councilperson Hennessy said that they already have that. Supervisor LaGrange said that the Planning Board is really outside this $20,000. The Planning Board has the opportunity
through the application fee for a review and through escrow to do any other work. They are pretty well set. Attorney Naughton said that if you have a task order for an amount up to $2,000 for general work as directed by the Town Board or representatives of the Town Board then it would be similar to what we already have for Stantec. It would just be a one-page task order and you could just work off that. That way you won’t have to worry about getting approval for each little thing. Councilperson Greenberg said that he thinks the idea is that sometimes we have time-sensitive issues, small-scale solar being a perfect example. We had to pass that within a six-month period and we didn’t have it written until about a month before. We didn’t have time to authorize her work, but it was useful to have her comments and she should be paid for that. Attorney Naughton said that it wouldn’t require formal Town Board approval of every little thing along the way, and he thinks that makes sense. Supervisor LaGrange asked if we have to get that in writing from her. Attorney Naughton replied that he thinks we can authorize a general task order for this work that we’re discussing for an amount up to $2,000 and ask Ms. Stolzenburg to follow up with submission of the formal one-page task order and authorize the Supervisor to sign it. He doesn’t think we need to wait for the piece of paper.

Resolution 2019-115
Councilperson Greenberg offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve up to $2,000 for general work for the Town Board by Town Planner Stolzenburg and authorizes the Supervisor to sign it.

Seconded by Councilperson Leinung.

Attorney Naughton said that we will have Ms. Stolzenburg follow up with a one-page task order.

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

11. Discussion/Action re: staffing in the Department of Public Works
Supervisor LaGrange advised that Mr. LaChappelle left town employment as of April 1st. He sent the Board a synopsis of where he thinks we are. It was an important position at the time. He thinks we should retain the position, but we don’t have a New Salem project or things like that he was helpful with. Now it’s more of a staffing issue. He thinks it’s more having someone there to file and do things and take some of this DPW stuff off Mrs. Boehlke. She tends to answer the phone when it rings in the afternoon. At the time Mr. LaChappelle and Mrs. Miller were not there in the afternoon. He just wants to keep this in front of the Board; there is no rush. He thinks his salary was around $36,000. If we hire Mrs. Miller full time starting in September and full time for next year without any increases anywhere it still gives us $19,000 for both years left over from that salary that we can use otherwise. We will also have to address a department head type of situation to be sure that things are run as they should be and the employees have someone to answer to. He just thinks it’s a great opportunity to retain a great employee and spread the work out and get on top of the applications and the stuff that tended to wander a little bit. There is nothing to do tonight. Does the Board need any more numbers from me? Councilperson Hennessy said that if he could send the Board the numbers with the $19,000 that would be great. Supervisor LaGrange said he’d do that and we can go from there.

11A. Resolution temporarily increasing Clerk to the Supervisor Lisa Boehlke hours to 40 hours per week, and no more, through July 10th at which time need will be reviewed.
Supervisor LaGrange wants to temporarily increase Mrs. Boehlke’s hours to 40 hours per week and not more. When he says that, he means no more extra compensation time because that would be time and a half. This would be through July 10th. At that time we might need to have it reviewed. This is to cover and allow Mrs. Boehlke to have enough time to cover all of the things that go through that office. Mrs. Miller is out on maternity leave as of May 6th, Mother, daughter, and father are doing well. This is similar to what we did with the Courts when we lost one of the Court clerks.

Resolution 2019-116
Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby temporarily increase Clerk to the Supervisor, Lisa Boehlke’s, hours to 40 hours per week, and no more, through July 10th.

Seconded by Councilperson Hennessy.
Councilperson Greenberg asked how many hours Mrs. Miller working per week and how much of an increase is this for Mrs. Boehlke? Supervisor LaGrange said that it will increase Mrs. Boehlke by 5 hours per week. Mrs. Miller was here about four hours per day. Councilperson Greenberg asked if this was enough? Supervisor LaGrange said that it’s not but he’s going to try and take as much from her as far as DPW stuff goes. We always try to split stuff up as best we can. She feels that now that she has the AUD completed she can handle it. Supervisor LaGrange already started going over the payroll. That’s another thing that Mrs. Miller did. Mrs. Boehlke feels that at this point we all can handle it. He has to trust her judgment. A lot of things will lag, but the important things will get finished. Mrs. Miller will be back in time, at least part time, for water billing. Councilperson Greenberg said that he knows that when we hired Mrs. Latham we discussed her ability to do other things and this may be one of them. Supervisor LaGrange said that Mrs. Latham is already taking DPW calls. Everyone does a good job when we get in a situation like this and really steps up. Hopefully it will go well. Mrs. Boehlke is pretty confident. There is a little bit of a lull right now in the sense that we are between the AUD and budget, and she’s already started to put together the budget a little bit. We’ve got the audits out of the way so she can stay above water.

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

12. Report and recommendation re: examination/audit of the 2018 Justice Court records
   Justice Johnson Attachment #6
   Justice Wukitsch Attachment #6a

Councilperson Leinung said that Councilperson Snyder, Mr. Purinton, and he went over to the Courts to review their 2018 years for both Justice Johnson and Justice Wukitsch. Mrs. Thompson walked them through everything. Everything seemed in really good order. She had all the books there, and the books matched the receipts. She went through her process and everything seemed in order. Unfortunately the other clerk was not available. She had already left at that point and apparently was not available to come back and help with the audit. There was a little bit of back and forth with Mrs. Thompson trying to recreate a few things from the other justice court clerk, but we were able to work through it. It took a little bit more time but not much. Besides the general fees and payments coming in, they have an online payment system now. She walked us through how that works and how the receipts check with that. We also review the bail accounting which is going to be a little different since cash bail is going away next year. The justices had some concern about that but that was outside this audit. Supervisor LaGrange asked why it is going away? Councilperson Leinung said that it’s a State law. There is not too much cash bail in our account but there is some. Again, they found no real accounting discrepancies. Mrs. Thompson has a pretty good handle on everything. We are going to have to go back at some point to do the closeout for when Mrs. Turner left. We have to close out the few months for 2019 and we will probably do that when the new clerk comes on. We will probably do a handoff type of thing to make sure the books are closed out for this new clerk. It was our recommendation that the 2018 audit looked good and all was in order.

Resolution 2019-117
Councilperson Leinung offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby accept the Town of New Scotland Audit and Finance Committee audit report for Justice Johnson’s court for the year 2018.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

Resolution 2019-118
Councilperson Leinung offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby accept the Town of New Scotland Audit and Finance Committee audit report for Justice Wukitsch’s court for the year 2018.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

Councilperson Leinung asked if we had heard anything about a new clerk being hired. Supervisor LaGrange said that he believes they were interviewing tomorrow. Justice Johnson called him on Monday. They were very positive about a couple of people they had already interviewed. They did feel pretty
confident that they will be able to hire somebody that will work out. Councilperson Greenberg said that as of the weekend they had five applicants. Councilperson Leinung said that he assumes they will hire someone soon. Supervisor LaGrange said that they will hire as soon as the person is available. He thinks they were trying to tie it up by the end of this week.

13. Discussion re: replacement options for Senior Outreach vehicle

Supervisor LaGrange said that we have the Nissan which we leased for a few years. We were offered a very good deal to buy it out. It had less than 40,000 miles on it after five years. It just seemed like the thing to do which we did. The Hyundai, which was a donated car, was going okay. Recently there were some brake issues. New Scotland Auto took a look at it. It’s quite rusted out. All the brake lines will need to be replaced. He said the undercarriage is getting pretty rusty. He wouldn’t recommend putting a lot of money into it at this point. It was kind of an extra vehicle when we got it. He spoke with Mrs. Engel, and a second vehicle has become necessary. Town Clerk Deschenes agreed, advising that just this past month every day has two people going out. It’s worked out because one goes out in the morning and the other in the afternoon so we’ve been able to handle it with one car. We have turned people down. Not just because of that but because of staffing issues right now. Supervisor LaGrange said that we would ask somebody like New Scotland Auto to keep an eye out for a vehicle. We already put something on Facebook and the website looking for a donation. Supervisor LaGrange said that he also talked to Mr. Crookes in Clarksburg. That hasn’t led to anything. It’s been about two months. Anyway we were thinking about what we could do and what we’d want to possibly replace it with. He did talk to a couple of the drivers. They said the Nissan has been the preferred transportation for people getting in and out comfortably. So they would go to something similar if it were them. We could lease something again and then look to purchase it. Then they would be offset in age and try to milk each one out for a while. Attorney Naughton and he were discussing this the other day. He suggested maybe pursuing an electric vehicle. We have the charging station. It might be something that would be grant supplemented. He put in a call to Chris Reohr with NYSERDA but hasn’t heard back. It’s something to explore. He’s looking for direction or thoughts and then we can start the process of maybe looking into these things. If the Board feels that we should entertain something like this, maybe get a new lease whether it’s electric or standard, we can start to see what our options are. Councilperson Hennessy said that he was only aware of this just before the last meeting that this was something we wanted to pursue. I wholeheartedly think we should be looking at some kind of electric vehicle with the charging station out there. It would make sense. He’s advocated that we have a vehicle that is not just dedicated solely to one department. He thinks we should have a vehicle that’s available for other departments. If we’re going to get a new vehicle he thinks we would have to be able to share it, and there should be some funding available to subsidize that cost if we’re going with an electric vehicle. Hopefully the Power Authority or NYSERDA has some kind of program available. He would request that the Supervisor pursue that direction and then find some of the options. Attorney Naughton asked if the Board wants to declare the Hyundai surplus in the meantime?

Resolution 2019-119

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 Senior Outreach Hyundai surplus.

Supervisor LaGrange asked Highway Superintendent Guyer if he could give him the information to put on Auctions International. Highway Superintendent Guyer agreed.

Seconded by Councilperson Greenberg.

Councilperson Hennessy asked if any of the new vehicles are on State contract or do they just deal mostly with highway equipment. Highway Superintendent Guyer said that the state contract has changed how it works. They’ve reworked the whole system. It’s now called an OGS Mini-Bid. You contact the State and tell them what you’re looking for and then submit that to the State. The State will then go out and acquire three bids for you. They come back to you with the three bids and you go from there. The whole system has changed how it works. Highway Superintendent Guyer said that he’s sure they have different types of vehicles that would be available. It’s relatively easy. Supervisor LaGrange said that he would start looking.

All present and voting, the motion carried (4 Ayes).
Councilperson Greenberg wanted to follow up on what the Clerk said. How many people are we turning down for rides? Town Clerk Deschenes said not a lot. She was thinking of one person in particular. We have had requests but we were just trying to answer the Senior Outreach phone. People call in all the time to cancel one trip and sign up for another. We haven’t been involved in setting up medical appointment drivers. Besides, the car is in use full time right now. Supervisor LaGrange added that the schedule was set up and it was taken into consideration that one person was going to end their treatment when all of a sudden that person needed more appointments. Councilperson Greenberg said that he just wanted to make sure we were not turning people down all the time. Town Clerk Deschenes said that she thought Mrs. Engel turned down a couple too and that was because we didn’t have the vehicles to transport everyone. We also suggested that they call Access so they have an alternative. Councilperson Greenberg asked the status of the second bus. Are they using that all the time? Maybe we could work a trade here. Town Clerk Deschenes said that she didn’t know how much it’s used to be honest. Councilperson Hennessy said that maybe we should talk to Mrs. Engel about that. Supervisor LaGrange said that he hasn’t seen them both go out very often together but he knew there was something coming up. He’d have to look. Councilperson Greenberg said that he thinks it might benefit the seniors to have a second car as opposed to a second bus, and he’s all for that. Councilperson Hennessy said that we had one car and one bus and then we had two buses and one car. Now we have two buses and two cars. Councilperson Greenberg said that now we have two buses and one car. We might be better off with these health issues to have two cars and one bus. Supervisor LaGrange said that there have been times when there is a little overflow for a trip but not enough to take two buses so they take one car. Councilperson Greenberg said that we might need two buses but he thinks it’s worth asking. Town Clerk Deschenes thought it was hard to say right now because they don’t do as many trips during the winter. Now that we’re into spring and summer they will start going out more and more.

14. **Liaison Reports:**

**Rise Engineering**

Supervisor LaGrange said that we just heard from Rise Engineering. They came out and wanted to do an overview of our buildings. This is for LED lighting. These lights at Town Hall were replaced about 6-7 years ago. He mistakenly thought we went to LED back then but it was a higher-efficiency florescent. He checked this out with the Highway garage. The garage also had these higher-efficiency lights put in back then. He wanted him to especially go to the Community Center. The Community Center has the old stuff. They might be T-12s. They are the older lights which are not as efficient. He doesn’t have anything to tell the Board tonight.

They did send a report today but I haven’t had a chance to look over it yet. I’ll check that out. It’s worth exploring. A quick review of what he said the highway garage had the most opportunity for return on investment but I also want to check with NYSERTA to see if there are any incentives out there other than what National Grid is offering. The highway garage had the most to gain, here was second, and the community center was third. I thought that was kind of odd so I want to talk to him. The calculation return is based on the usage. The highway garage has a lot of usage and a lot of lights. Here we have lights on seven to eight hours per day. The community center is a little more sporadic. Personally I’d like to see the community center done eventually because it has those old style lights. A lot of the ballasts went bad when we cleaned those lights when we did the renovation up there. There were probably 4-5 ballasts that were done so only two out of the four lights work.

**Stove**

The stove at the community center has officially died. We have a donation for that replacement for that. I believe the people who donated the money through the seniors want to go out and get it. We just want to get the standard range so everything fits when we get the cabinetry done. We also want a neutral color or stainless steel. Last I hear they intended to go shopping for it, spend their own money, and then donate it to the Community Center. In case they decide not to I don’t know if I should ask the Board for permission to buy a range and then we will have that paid back to the town with a donation. I’ve don’t know what I’m going to find out from them. They were going to talk about it and see if they would rather have me look for it or them. Would that be an unreasonable request to ask you to approve me if they don’t decide to purchase it and then those funds would be returned through a donation. Councilperson Leinung asked how often is the range used at the Community Center. Supervisor LaGrange said that’s already in place. They’ve had the money for a few years. Attorney Naughton said so it’s an up to authorization. Supervisor LaGrange agreed adding that he
has no idea what the up to amount would be. Councilperson Greenberg suggested coming back to this and he would check the Internet for an idea. Supervisor LaGrange thought $500-$600 would be plenty adding he hasn’t shopped for ranges recently. We will come back to this a little later.

Community Care Days
Town Clerk Deschesnes thought we should mention Community Care Days this weekend. Town Clerk Deschesnes said she was at the Voorheesville Fire House and it was very successful over there. They collected a lot of bikes, metal items, furniture, books, yard along with cans and bottles. Supervisor LaGrange said he was at Town Hall Saturday morning. Highway Superintendent Guyer and Supervisor LaGrange were out early working on a project. It went well. When he got back to Town Hall everyone was out. They were well manned for the day. Town Clerk Deschesnes thought there were about ten projects on the Board. Councilperson Henessy said there were almost twenty projects on Sunday. They probably had about 50 people here for the barbecue Sunday and about 30 workers. It was tough because it rained both days but it was good. Supervisor LaGrange said a lot got done and that’s certainly something to be proud of.

Community Choice Aggregation
Councilperson Greenberg said he and Supervisor LaGrange met with Supervisor VanLuven from Bethlehem and Supervisor Barber from Guilderland to discuss CCA and we did some interviews as Community Choice Aggregation. There are only three aggregators in our region. We discussed the pros and cons of each one if we decide to move forward with this. There are no real updates other than that at this point. We have to have further conversations with Bethlehem and Guilderland to see what direction if any we want to move in. Supervisor LaGrange said very different three aggregators too. Councilperson Greenberg said one thing I want to remind everybody June 13th is the second part of the Conservation Stories that we are hosting. We hosted the first part with Bethlehem and that was at Five Rivers in February. That was probably the most well attended meeting I’ve ever been too that had to do with the town since I’ve been on the Board. The second one is June 13th at Indian Ladder Farms. This one is more to do with the conservation of farms. There are about 8-10 speakers. The Commissioner of Agriculture from NYS will be there to do some introductions. I think it’s going to be a pretty big event. Historian Parmenter asked if that’s farms that are active or no longer in use. Councilperson Greenberg said there will be some farms that are active. People will speak on what they have done to keep their farms going. There will be people talking more about it from a sociological point of view. The Agricultural Commissioner will speak about it from a policy point of view. It’s going to be a mishmash. Lori TenEyck is speaking on Indian Ladders experience with their agricultural easement. Mark King, I think, will be there speaking from Mohawk Hudson’s point of view. There will be a tasting. Indian Ladder will be supplying some cider and beer.

Ethics Board
Councilperson Greenberg said we need to appoint someone to the Ethics Board. Attorney Naughton said we have a vacancy and the Board needs to fill it. We need to advertise that there is a vacancy and get candidates. Councilperson Greenberg said we should put it in the Enterprise and on our website. Supervisor LaGrange said we also have to check to see the political composition of the Board. You can’t have more than two of the same party. Attorney Naughton said under our Ethics Law you can only have a maximum of two people from any one party. It will narrow the field depending on our current make up is. Supervisor LaGrange said we will have to check current party affiliation. Attorney Naughton said you could say you want to receive resumes by June 11th. Then you’d know how many candidates you’d have by June 12th. Councilperson Greenberg said then we can decide at that meeting who is going to do the interviews. Supervisor LaGrange suggested two weeks in the Enterprise.

Tollgate Bridge Replacement
Councilperson Henessy said last Wednesday there was a meeting at Slingerland Fire Department regarding replacement of the bridge by Tollgate. Albany County is seeking to replace that bridge or rehab the bridge. They have options to do either one and they are seeking public comment and public involvement. This was a public meeting. Some people asked questions. There are issues. Slingerlands people had issues with drainage. There are issues with trucks and whether they can fit under the bridge or not. It’s going to be an interesting process. They are looking next to have a stakeholders meeting. Stakeholders meeting are common for such projects. They relate to the SEQRA process also. I wanted to request of the Board that someone from the town be on that. It’s not a resident type person. They can’t have all individual residents in these meeting. This is a more of a group. I wanted to request that the Board consider me appointing me as the town’s representative for the stakeholders meetings.
Councilperson Greenberg asked if a resolution was necessary. Attorney Naughton didn’t think so. Councilperson Greenberg was for it. Supervisor LaGrange thought it was a great idea. Councilperson Hennessy said it helps the town learn more about the process and we can try to inform the residents. They did put the whole process on the Albany County website. Maybe we can put a link to it.

Mrs. Boehlke attended that meeting. She thought it was amazing how people are watching this town. We think people from Bethlehem do not know who we are or what’s going on. On several occasions during that meeting people brought up the fact that if the bridge was widened one thing they didn’t want to do was raise the height of the bridge. They referenced the big box project that would have brought all these trucks. They forget that they are already going on Kenwood Avenue anyway. I guess I never realized how bad the bridge was. Tonight I was stuck in traffic. It is really horrific to see the damage. I was amazed how many people referenced us in terms of whether or not that would keep the traffic coming down there. If we think people aren’t watching us and how our town is going, they are. They have four plans to remove and replace it and two different ideas on how to replace it. There are actually four issues that they have to narrow down.

Councilperson Hennessy said they have to present all of that information in more detail and then the stakeholders can ask questions and offer input about their community.

**Ethics Board Resolution 2019-120**

Councilperson Greenberg offered the following resolution and moved its adoption:

**RESOLVED**, that the Town Board of the Town of New Scotland does hereby authorize advertising the vacancy on the Ethics Board in the Altamont Enterprise for two weeks and post it on the website with the deadline being June 11, 2019.

Seconded by Councilperson Leinung. All present and voting, the motion carried (4 Ayes).

15. **Departmental Monthly Reports:**
   - **Town Clerk, April 2019**
   - **Registrar, April 2019**
   - **Justice Johnson, March 2019**
   - **Code Enforcement, 2019**
   - **Senior Outreach**

16. **Pay the Bills Resolution 2019-121**

Supervisor LaGrange 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:

<table>
<thead>
<tr>
<th>Pay the Bills</th>
<th>May 8, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abstract #</td>
<td>Vouchers</td>
</tr>
<tr>
<td>20190535-20190607</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Prepays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abstract#</td>
</tr>
<tr>
<td>2143</td>
</tr>
<tr>
<td>2144</td>
</tr>
<tr>
<td>2145</td>
</tr>
<tr>
<td>2146</td>
</tr>
<tr>
<td>2147</td>
</tr>
<tr>
<td>2148</td>
</tr>
<tr>
<td>2149</td>
</tr>
<tr>
<td>2150</td>
</tr>
</tbody>
</table>
17. **Approve any Budget Modifications Resolution 2019-122**

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>FROM</th>
<th>CODE</th>
<th>TO</th>
<th>CODE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contingency</td>
<td>B1990.4</td>
<td>Zoning/Contr.</td>
<td>B8010.4</td>
<td>$3.66</td>
</tr>
<tr>
<td>To move appropriation from Contingency to Zoning/contractual for amount over budget to date.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Atty Fees/contr.</td>
<td>DB1420.4</td>
<td>BAN/Interest</td>
<td>DB9730.7</td>
<td>$121.11</td>
</tr>
<tr>
<td>To move appropriation of money from Attorney fee/contractual to BAN /interest for amount over budget.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service Charges</td>
<td>SKW2122</td>
<td>Sewer Equipment</td>
<td>SWK8197.2</td>
<td>$500.00</td>
</tr>
<tr>
<td>To increase both revenue/service charges and expenditure/sewer equipment for $42.79 over budget for portion of purchase of snow blower and additional for amounts through year end.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metered Water Rents</td>
<td>WFW2140</td>
<td>Attorney fee/contr.</td>
<td>WF1420.4</td>
<td>$337.71</td>
</tr>
<tr>
<td>To increase both revenue/Metered Water Rents and Expenditures/Atty fee/contr. for amount over budget.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Atty fees/contr.</td>
<td>WH1420.4</td>
<td>Interfund Loan Int.</td>
<td>WH9795.7</td>
<td>$100.00</td>
</tr>
<tr>
<td>To move appropriation Atty Fee/contr. to Interfund Loan int. for amount over budget ($7.25) and possible additional amounts through year end.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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 (4 Ayes).

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

Sharon Boehlke wanted to keep the Board informed about elections days and primary. She spoke to the Board of Elections this week and there are lots of vacancies at polling sites in our town. In this district last year we worked both the primary and the general short one person. The primary is not bad but the being short that one person for general election is difficult. We are short one this year that I know of. They are short in district 2, 3, and I think 6. It’s really hard to get people now; everyone’s spouses work. What the Board of Elections said is they are looking for people who will actually work. I would like the Board to keep their ears open. I guess we can’t put an ad in the paper.

Town Clerk Deschenes said she was only aware of two people that we were short. The Board of Election...
doesn’t contact her because there are individuals assigned from both parties who get notified. Mrs. Boehlke said she called because she really needed to know. This is a busy district and it’s a steady stream. The four of us have worked together so long so we just do what we have to do. When you get someone new they have to get use to the routine. It’s difficult. We are short right now. I think it’s a serious concern that maybe the Board of Elections should be looking at. I asked if they could bring someone from elsewhere and they said they had to live in the town. There must be spare people in the city. Mrs. Boehlke asked Attorney Naughton asked if you have to live in the town but he didn’t’ know. Town Clerk Deschenes said there are people who live in our town who work elsewhere so she didn’t think that was correct. Town Clerk Deschenes added that she’s aware that they’ve been shorthanded for years in Albany at various polling sites. This just started happening in New Scotland a few years back. We might be short one person here or there but that didn’t even seem to faze Board of Elections. They felt that you could get by. Town Clerk Deschenes said I hear what you’re saying. There are some elections that are busier than others where you need the help. Councilperson Greenberg asked if that all goes through Board of Elections. Town Clerk Deschenes said, yes. Councilperson Greenberg said so we have nothing to do with it other than getting the word out. Town Clerk Deschenes said we recommend people call Board of Elections if they are interested in working. Part of the problem this year is the dates have changed. Normally people plan ahead and they know when the primary is. This year it’s in June so that effected things.

Mrs. Boehlke said Board of Elections asked her if she would be interested in working early election. Mrs. Boehlke said she hasn’t heard back from them. Mrs. Boehlke added my only concern here is us.

Councilperson Leinung asked the Clerk if she knew if they released the polling sites for early voting. Town Clerk Deschenes hasn’t heard anything yet but as soon as she does she will let him know.

Krumkill Road Bid Opening
Highway Superintendent Guyer advised we open bids next Thursday and request a special meeting the following week to accept the bids if that enough time for Stantec to review them. Supervisor LaGrange suggested May 22nd. Highway Superintendent Guyer asked if he could request that hinging on Mr. Johns being able to review these quick enough. Supervisor LaGrange was open to it. Highway Superintendent Guyer said it would be just to accept a contractor. Town Clerk Deschenes said we might also be able to approve the appointment of a Court Clerk if something happens there. Supervisor LaGrange said we have to approve the salary. We have it budgeted. Councilperson Greenberg said we’ve voted on it in the past. Highway Superintendent Guyer said I think you have to vote to approve the person. Supervisor LaGrange said it’s their appointment. Town Clerk Deschenes said that right but you still do a resolution.

Resolution 2019-123
Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby approve a special meeting on May 23, 2019 at 6:30 PM to approve the contractor for Krumkill Road and possibly a court clerk appointment.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

Community Center Stove
Resolution 2019-124
Supervisor LaGrange offered the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of New Scotland does hereby authorize Supervisor LaGrange to purchase a stove for the Community Center for up to $600 conditioned on funds being available to reimburse.

Seconded by Councilperson Greenberg. All present and voting, the motion carried (4 Ayes).

19. Adjourn
Supervisor LaGrange made a motion to adjourn and seconded by Councilperson Leinung. The meeting adjourned at 9:05PM.