

Town of New Scotland
Regular Town Board Meeting
06/10/2020

The following Town Officials were in attendance:

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

1. Call to Order

Supervisor LaGrange called the meeting to order at 6:00 PM. This was legally noticed. I have proof from Diane in my hands. I also want to say that we are meeting through Zoom pursuant to the Governor's Executive Order 202.1 which was recently extended and that includes not having public meetings for municipalities like ours. A roll call attendance was taken.

Supervisor LaGrange realized he never hit record so he turned it on and repeated the above information.

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

Supervisor LaGrange noted that no one has joined us at the moment.

4. Approval of the Minutes of the Following:

- **May 8, 2020 Special Town Board Meeting**
- **May 11, 2020 Bid Opening**
- **May 13, 2020 Public Hearing, Proposed Local Law A of 2020**
- **May 13, 2020 Regular Town Board Meeting**
- **May 22, 2020 Special Town Board Meeting**

Resolution 2020-155

Supervisor LaGrange offered the following 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 May 8, 2020, Special Town Board Meeting; May 11, 2020, Bid Opening; May 13, 2020, Regular Town Board meeting; and the May 22, 2020, special Town Board Meeting.

Councilperson Greenberg seconded the motion.

A roll call vote was taken:	Supervisor LaGrange	<u>Aye</u>
	Councilperson Greenberg	<u>Aye</u>
	Councilperson Hennessy	<u>Aye</u>
	Councilperson Leinung	<u>Aye</u>
	Councilperson Burke	<u>Aye</u>

The motion carried.

Resolution 2020-156

Supervisor LaGrange offered the following 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 the May 13, 2020, Public Hearing.

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Councilperson Greenberg seconded the motion.

A roll call vote was taken: Supervisor LaGrange Aye
Councilperson Greenberg Aye
Councilperson Hennessy Aye
Councilperson Leinung Aye
Councilperson Burke Abstained

Councilperson Burke abstained because she was absent from the meeting.

The motion carried.

Announcements:

• **Reminder: Have you completed your 2020 US Census questionnaire? Be sure and be counted!**

Councilperson Leinung said New Scotland is at 69.4% right now. We are creeping towards 70%. In 2010 we were about 72% so we're getting there. Right now I think we are at the stage where you are not going to get anything in the mail. A census worker is going to hand deliver and leave a census form at your house. I think that's probably happening now and it's going to happen for the next few weeks and then if you still don't respond they come back and start knocking on your door to fill out the questionnaire in person which we are trying to avoid as much as possible for multiple reasons. Please fill it out. We are in okay shape but every single person that we don't get doing a self-response risks not being counted later on with the census papers coming around.

• **The Transfer Station will be closed Saturday July 4th**

Supervisor LaGrange advised that the Transfer Station will be closed on Saturday July 4th. Supervisor LaGrange added we've been open for close to a month now. Highway Superintendent Guyer said we're been open about six weeks. Supervisor LaGrange said this is just a normal holiday situation. Councilperson Greenberg asked if there is any reason to move that a day and have it open on Friday or something like that? Highway Superintendent Guyer said no, it's always worked out.

5. Notice received re: Voorheesville Catering, LLC, filing for liquor license. Applicant is seeking a waiver of the 30-day advance notice period.

Supervisor LaGrange advised that we received the Voorheesville Catering, LLC, filing for a liquor license for Colonie Country Club. The applicant is also seeking a waiver of the 30-day advance notice period. Diane and I both checked on this. I checked with the County Club and she checked with their lawyers. This is something we have 30 days to comment on. It's basically if we have a problem with it we would voice our concerns. They're asking to waive the 30-day period because once the COVID restrictions are lifted they want to get started; they want to get things back to normal. Unless anybody has any issue with that I will move that we do waive that 30-day notice period. Councilperson Leinung asked if this is an annual thing or is this any type of new expansion or anything? They are just renewing. Supervisor LaGrange said this is their liquor license for their catering service, members' bar, and things like that. Councilperson Hennessy said he thinks it might be a change of service. It might be different from the last one. I don't know if you know that or not, Doug. Supervisor LaGrange said there is a possibility. They are kind of in-between situations and they are kind of trying to cover both ends in case something was to change. Councilperson Leinung said it looks like it's a new LLC basically. Supervisor LaGrange agreed. Councilperson Leinung added that there is probably no change in actual use, whichever LLC is technically using the application. Supervisor LaGrange said that's correct.

Resolution 2020-157

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby waive the 30-day advance notice period for Voorheesville Catering, LLC, filing for liquor license.

Councilperson Burke seconded the motion.

A roll call vote was taken: Supervisor LaGrange Aye
Councilperson Greenberg Aye

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Councilperson Hennessy Aye
Councilperson Leinung Aye
Councilperson Burke Aye

The motion carried.

6. Discussion/Action re: Facility Use Agreement with Board of Elections

- **Town Hall- Primary Elections June 23, 2020**
- **Community Center- Primary Elections June 23, 2020**

Supervisor LaGrange said that we have the facility use agreement with the Board of Elections. Supervisor LaGrange asked Attorney Naughton to talk on this since he did a lot of work on it. Attorney Naughton said he suggested that we add an asterisk at the end of the contract that they proposed which would just indicate that the county will be responsible for compliance with any COVID-related regulations while at the facility. I passed that email around so everyone would see what that looks like. Otherwise it's a clunky contract but it's for the elections. There is one for Town Hall and one for the Community Center. Basically we have to provide facilities for these elections. I tried to check in with some of our neighbors to see if there is anything special they are doing but I didn't hear back from anybody, Bethlehem or Guilderland.

Supervisor LaGrange said he believes he sent everyone the letter that he received about what the poll watchers and workers are supposed to be doing as far as setting up, cleaning, and so forth. Everyone got that, right? It looked rather aggressive in keeping things up. Then again, my intent is to have areas that aren't necessary inaccessible. That will cut down on exposure.

Resolution 2020-158

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby approve the Facility Use Agreement between the County of Albany and the Town of New Scotland for the use of Town Hall for the primary election on June 23, 2020, and authorizes the Supervisor to sign that.

Councilperson Hennessy seconded the motion.

A roll call vote was taken: Supervisor LaGrange Aye
Councilperson Greenberg Aye
Councilperson Hennessy Aye
Councilperson Leinung Aye
Councilperson Burke Aye

The motion carried.

Resolution 2020-159

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby approve the Facility Use Agreement between the County of Albany and the Town of New Scotland for the Wyman Osterhout Community Center for the primary elections on June 23, 2020, and authorizes the Supervisor to sign that.

Councilperson Burke seconded the motion.

A roll call vote was taken: Supervisor LaGrange Aye
Councilperson Greenberg Aye
Councilperson Hennessy Aye
Councilperson Leinung Aye
Councilperson Burke Aye

The motion carried.

7. Discussion/Action re: setting Public Hearing for Proposed Local Law B of 2020, codifying Ethics Law

Supervisor LaGrange said for clarification on the original agenda item #7 was going to be for the

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closing of Town Hall on June 23rd. We already did that on Friday at our Zoom meeting. That's when we were updated on COVID. Instead we plugged in an Ethics law codification.

Attorney Naughton said that under the NY Municipal Law there is a provision to enact a code of ethics for the Code of Conduct of Employees and Officers. The Town did that. I think it was in 2010. It was enacted and adopted in June of that year. Even in that first year of adoption there were I think three different amendments that were made to it. So, in total we've had seven amendments that make the document kind of a clunky thing to navigate. Sarah has done a great job putting together one codification, putting all those amendments into one document. We've been using that internally for some time now. I noticed on the website that we still have all of the actual laws which we have to do. If we just do this codification law where we adopt the law that Sarah put together where all those amendments have been incorporated now in one place it will be easier for municipal officers, employees, and the public to see all in one document what is the current law. So, I put together Local Law B of 2020 which basically says the history about these amendments and the need for codification. It would require a resolution to approve Local Law B eventually. Even though it's the current law, the codification process requires that we have a public hearing. I'm recommending that the Town Board set a public hearing maybe just 15 minutes before the regular meeting in July and we notice that. Unless there are some comments, the Town Board would then be in a position to go ahead and adopt the codified law. This is similar to the process we did for the zoning law but it's so much simpler and we won't need to do any SEQR with respect to this. Supervisor LaGrange thanked Michael adding that there are no changes. These are all the things that have been done and they've just been brought together.

Supervisor LaGrange asked if anyone remembers if the meetings in person postponed until July 12th or something like that? Attorney Naughton said July 7th. Supervisor LaGrange said that that's the day before our next meeting. So, I suppose we could set it for 6:45 on July 8th and then if we needed to we could change it if we decide to meet earlier through Zoom on July 8th if something were to preclude us from meeting together on July 8th. Is that everybody's preference? Councilperson Greenberg said that that was fine with him and didn't think we needed 15 minutes. He thinks we need five minutes. I can't imagine anyone is going to comment on this. No one commented on the codification of the zoning law. This is a simpler process. Supervisor LaGrange said "good point."

Supervisor LaGrange offered the following 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 B of 2020, which is the codification of the Town's Ethics Law, for 6:55 PM on July 8, 2020.

Councilperson Greenberg seconded the motion.

Attorney Naughton said that these executive orders sometimes come out at the last minute extending these provisions for Zoom-type meetings. It's perfectly reasonable that that can happen again and that it will be extended for July, and we might prefer to have another Zoom-style meeting. With a notice provision of 10 days for a public hearing it could get kind of complicated if we're going to change that at all. Supervisor LaGrange said maybe we should figure on a Zoom meeting. Councilperson Greenberg asked if we could do a Zoom meeting regardless? Attorney Naughton said that you might want to consider doing a Zoom meeting two days before this thing expires. Councilperson Greenberg said on Monday night or something? Attorney Naughton said he didn't know if that works for everyone. I would just hate to lose track of the fact that we have a notice out there about this local law, the Governor goes and changes it, and we decide it's going to be a Zoom meeting. Supervisor LaGrange asked if he was thinking about having the public hearing on the 6th of July then for five minutes? Attorney Naughton replied yes and then if you want to have the regular meeting, just shift it to that. Lots of things have changed. It would be one easy way to do it.

Councilperson Burke asked if she was right in that we could start up regular meetings again under the Executive order but we're allowed to continue the Zoom meetings? Attorney Naughton said that is correct. Councilperson Burke said she'd be comfortable starting regular meetings and just doing social distancing. We can spread out on that dais and spread out the chairs. I think it give us more access to the public. Supervisor LaGrange said personally he thinks it gives us more access to the public if they

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take advantage of Zoom rather than to have to come and limit the amount of people that come in. Councilperson Burke said there is no reason we couldn't do both. Have the Zoom available during a regular meeting. There are some people that are just not comfortable with Zoom as much as we've gotten very comfortable. Supervisor LaGrange commented, "maybe you have." Councilperson Hennessy said that he tends to think we're going to end up doing both, having Zoom capability for people. Correct me if I'm wrong and it's just a general observation but I think we've had less participation on the Zoom overall than the normal meetings. I'm fine with starting meetings too as long as appropriate precautions are taken and we give it a hard look as to how we want to do it. It's going to be a challenge. I'm almost of the thought process here to schedule that meeting solely on Zoom because, like Michael said, if the Governor decides on the 7th that he's going to extend the executive order how do we notice anything? Councilperson Greenberg said he agrees with Doug; it's one more month and we should do it that way. Councilperson Leinung said he thinks it probably would be fine. It's just the timeline of this. It sounds like we can continue to do Zoom maybe at least for the July meeting and then after that we will switch back to regular meetings; especially with the notice and everything it would be a little complicated I think to have to move the day or whatever. It might just be easier to do one more regular Town Board Zoom meeting on that Wednesday and just leave it at that. Supervisor LaGrange said that that would be his inclination. Just trying to notice it and everything it will be a nightmare if we assume one and the Executive Order was extended, and then what do we do, postpone our meeting because it wasn't noticed properly? I personally would lean in that direction. Councilperson Burke said that if you notice for both would you really have to re-notice? Supervisor LaGrange responded, "How do you tell people which one we're doing in the end?" Councilperson Burke said that her suggestion is that we be at Town Hall but we have Zoom available so people can watch us remotely or go to Town Hall. Supervisor LaGrange said he didn't know. He gets what she's saying but he'd prefer to go with less complicated and will leave it up to everybody. Councilperson Greenberg said that he is with Doug. Councilperson Burke said that it sounds like the majority feels the same way, so that's fine. Supervisor LaGrange asked Bill if he had a preference. Councilperson Hennessy said he was fine. He doesn't want to postpone it too far; I'd like to get back to reality as soon as we can. Supervisor LaGrange said he would, too. Councilperson Hennessy added that it's an interesting option to maybe have the Board. I like the live action of the Board instead of the computer screen but having the public available only on Zoom versus in Town Hall is an option. I think it's just good to have some consideration going forward on it. Councilperson Leinung said the technical aspect of that though we'd have to figure out. Maybe we could just turn Doug's iPad around and they can see us or something. The technical aspect of us being there and then putting it on Zoom so everyone can still hear us too. Supervisor LaGrange said that that would be a bit of a challenge, that's for sure. Councilperson Leinung said that the technological aspect of it is his only concern. If we know at this end it doesn't work, that could kind of be a problem.

Supervisor LaGrange said he was going to withdraw his motion.

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby set the July 8th regular Board meeting via Zoom again. Can we do the two together? Attorney Naughton said it ends on July 6th so you could have the Zoom meeting on July 6th. Councilperson Leinung said that we don't even know if we have an option for a Zoom meeting on July 8th. Attorney Naughton responded that that was right. Councilperson Leinung said that that could be a problem then. Supervisor LaGrange added that there are so many problems with this that are not taken into consideration. Councilperson Greenberg asked if his motion for July 6th? Supervisor LaGrange said that his motion would be for July 8th to do a Zoom meeting and do a public hearing before that. Councilperson Leinung added that Mike just said that the Executive Order expires July 7th so we might not be able to do a Zoom meeting on July 8th unless it's extended past July 7th. Supervisor LaGrange said there are going to be a lot of frustrated Town Boards on July 8th because so many meet the same day we do. Councilperson Leinung said it might end up being extended; we just don't know yet. Maybe what Mike is saying does make sense, doing the public hearing on the Monday just to make sure we don't mess with that and then setting the date for our regular meeting. Maybe we don't need to make that determination yet whether it's going to be Zoom or live. Supervisor LaGrange said what if we were to set up our meeting for Zoom on July 8th with the public hearing ahead of it? Then if something changes on the 6th it's a whole lot easier to let people know through many ways that we're going to have Town Hall open and a meeting there. It's just harder to go in reverse. That's all he's thinking. Councilperson Greenberg said he was for having

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both things on July 6th and just being sure we can do it moving this stuff forward and keeping Town running. Councilperson Leinung said he thinks it makes sense doing it on July 6th that Monday for both. Supervisor LaGrange asked if everyone is able to do that? Everyone was in agreement.

Resolution 2020-160

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby change the regular Town Board meeting in July from July 8th to July 6th through Zoom at 6:00 PM.

Councilperson Greenberg seconded the motion.

A roll call vote was taken: Supervisor LaGrange Aye
 Councilperson Greenberg Aye
 Councilperson Hennessy Aye
 Councilperson Leinung Aye
 Councilperson Burke Nay

The motion carried. Councilperson Burke voted no because she felt it should be a person-to-person meeting but she understands she is in the minority.

Resolution 2020-161

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby set a public hearing for Local Law B of the year 2020, a law codifying the Town Ethics Law on July 6, 2020, at 5:55 PM via Zoom.

Councilperson Greenberg seconded the motion.

A roll call vote was taken: Supervisor LaGrange Aye
 Councilperson Greenberg Aye
 Councilperson Hennessy Aye
 Councilperson Leinung Aye
 Councilperson Burke Nay

The motion carried.

Attorney Naughton wanted to ask one other thing. July 4th is a Saturday. There's no holiday on July 6th. Supervisor LaGrange said July 3rd is the celebrated day.

8. Highway/Parks:

• **Permission to declare 2004 Ford Econoline van as surplus**

Highway Superintendent Guyer apologized because his agenda folder is on his desk at work. The only thing he had on the agenda was to declare the old park van surplus. He didn't know the VIN number off the top of his head; he left the folder on his desk. It is the only van that is on our parks inventory. Supervisor LaGrange said it's a 2004 Ford Econoline van. Highway Superintendent Guyer said that that's it then. Supervisor LaGrange said he thinks it's past due.

Resolution 2020-162

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby permit the declaration of the 2004 Ford Econoline van as surplus as requested by the Highway Superintendent.

Councilperson Greenberg seconded the motion.

A roll call vote was taken: Supervisor LaGrange Aye
 Councilperson Greenberg Aye
 Councilperson Hennessy Aye

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Councilperson Leinung Aye
Councilperson Burke Aye

The motion carried.

Recreation Phase 4

Highway Superintendent Guyer had one more question for the Board that he was thinking about this afternoon. Is the Board okay with the reopening of our seasonal baseball? The kids and the adults want to get going as soon as possible when we enter Phase 4 and the Governor gives the okay for recreation and these teams. His question to the Board is if the Board is okay with that as long as we receive each league's/team's plan on how they are going to deal with COVID social distancing. Most of the teams have gotten back to us already with filled out templates. You can tell the templates came from their larger organizations. They got a blank template like we did from the State on our reopening plan that they filled in. So we do have our paperwork from probably half our teams already. His question would be, as long as we have the paperwork for these teams when Phase 4 comes into play and the Governor says yes recreation can open up, is the Board okay with us letting these teams come back?

Councilperson Leinung said that he thinks that would be the first week in July if everything goes according to plan, right? Highway Superintendent said that if everything goes according to plan he believes it would be July 1st if they stick to the calendar. Councilperson Leinung said generally he's fine as long as they each have a COVID plan and social distance. I'm not sure what that means, like don't use the dugout? I'm not sure what that means about bathroom facilities. That could be an issue. That might be something we have to determine, whether we have the bathrooms open or if they are going to stay closed. I'm generally okay with it but I think those we need to consider. I kind of defer to Ken on that aspect of whether the bathrooms should be open or not. Highway Superintendent Guyer said we can check to see what the State is doing. We've been calling our contact at Thacher Park to see what the State does as far as stuff like that. We have an email chain as well of the majority of all the parks in the capital district. Questions like that pop up on email and go back and forth. We can see what all our neighbors are doing and what the State is doing on that.

Councilperson Hennessy said that inasmuch as you're proposing this is, it safe to say you recommend going ahead and doing it? Do you feel that it's okay from your perspective? Highway Superintendent Guyer said if it falls in line with what the Governor is saying. A few weeks ago it was tennis and we put the tennis nets up. So tennis is going on. There are people in the park. There are no sports teams and they are not congregating on fields. I would say it's okay if we have our paperwork in place and it falls in line with the Governor's phases and it's approved by the State.

Supervisor LaGrange said that he's ready to do anything we can according to the recommendations of the State to get things back to a semblance of normal. Councilperson Hennessy said he's okay with it. He's more inclined to say yes because of the outdoor activity versus the indoor activity. A lot of the businesses out there have plans allowing 50% usage and occupancy of their building so they're allowing indoor activity as long as people are following appropriate protocol plans. He's more inclined to be positive on it for outdoor activity because of the inherent nature of the environment. Outdoors is more amenable to a cleaner environment for the activity. Councilperson Greenberg said that he was just going to say that he's fine if it's recommended by the State because we're basically following the State recommendations on everything else, but he would say he also doesn't think there is a hurry to do this unless Ken tells us otherwise. If we're meeting every Friday we can kind of wait and see what direction things seem to be going in. Highway Superintendent Guyer said that that's fine. He was just thinking as far as the monthly board meeting goes, this may happen before that. Councilperson Greenberg said that he understands. Highway Superintendent Guyer said we can certainly talk at our Friday meetings. Councilperson Greenberg said that he just wanted to remind everybody that if we're going to meet every Friday we can always do this as the time gets a little bit closer. Councilperson Leinung asked Ken how much lead time he needs. He assumes the leagues want to know now. How much lead time do they need, a week or two? Probably more than a week, maybe two weeks. Highway Superintendent Guyer said that he doubts it. They are chomping at the bit so I'm sure as soon as we give the green flag they'd run right down the next day and play. Councilperson Leinung said generally he thinks he's fine with it. We don't have to do this now, but as long as we keep it on our radar for the next week or two. He thinks it would be a good decision to make in a week or two. Councilperson Burke said that she'd prefer to wait just to know that we have a

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plan for the bathrooms particularly with children who aren't going to take the same kinds of precautions as adults. She just wants to see what other entities are doing and make sure we've thought that through. Highway Superintendent Guyer agreed. Councilperson Leinung added that it would be good if we could see what others are doing with that. Highway Superintendent Guyer responded absolutely. Councilperson Greenberg added that maybe one of the things Ken could say to them is that we are holding off on the decision until we get all of the paperwork back from all of the groups so we can see what their policies are in terms of the COVID situation. Highway Superintendent Guyer said that that's fine. Councilperson Leinung said that he has a feeling some of the groups may decide not to use it at all. I'd be shocked if everyone that put in an application actually followed through with the season. Who knows, maybe we will have some very hard-core people that really want to play which he understands completely. Councilperson Hennessy said, in line with what Bridgit was saying, we might need to look at the soap dispensers or the cleaning fluid dispensers and make sure they're appropriate. I know Swift has been old for a while. I don't know how new the stuff is there at Swift. We might need to upgrade some stuff there. Highway Superintendent Guyer responded okay. Supervisor LaGrange added that that's a good point.

Supervisor LaGrange asked Ken if he was all set. Highway Superintendent Guyer said he was all set, thank you.

9. Discussion/Action re: Barton & Loguidice Engineering Task Order to prepare grant application for Northeast Water District interconnection to the Kensington Woods Water District.

Councilperson Hennessy said that this proposal actually has been thought of as far back as possibly 2012 that he's read in some reports for a potential connection of the water source at the Kensington Woods development for Northeast. In light of the tank failure that we had last year and the repair and the water quality difference between Northeast and Kensington, and in light of a lack of fire protection at Northeast, we've been investigating the option to connect the Kensington Woods well source and tank to service Northeast. Barton & Loguidice did a feasibility study for it to lay that out. That's been provided to the Board. We have looked at this proposal and Barton & Loguidice has suggested there is a significant grant opportunity here that we're not necessarily aware of. The grant would provide 60% funding for the project. We just learned today that even the repair cost can be eligible for reimbursement under the same grant. So that was encouraging. He was a supporter of this because of the success we had with the Hilton Road application in having shovel-ready plans for that. He believes that's a positive for state funding now. I believe Barton & Loguidice even reinforced that today in the Zoom call that he, Mr. LaGrange, and Mr. Naughton. We've worked on this proposal. This is about the third or fourth iteration, and the proposal is only to provide a preliminary engineering level of effort which would include the application for the grant and it would include a revised report that would be earmarked and dedicated to the grant application program and a preliminary level of design. Also we just learned today that a map and plan is included in the application and the report and in the report for facilities improvements it is suggested that we only need the map and the plan component and the report if needed would be adequate for that element of the water improvement. That is the introduction of this in a nutshell. I think Doug can address a couple of dollar values if he wants to. In a nutshell that's it generally. I can get into more specifics, obviously.

Supervisor LaGrange said that he hoped everybody got a chance to read our email. They were a little late to kind of explain a couple of things. As we were discussing it, the feasibility study showed that it would be somewhere around \$215,000 to replace the tank and all the other things we need to do to do that and we'd still end up with the same fire protection and the same issues with clarity of the water. So as I was looking over things, the bond expired in 2019 for the \$70,000 loan we had for upgrading the pump station itself and taking care of the mineral issue. Then the main bond for the whole project, the original project from back in 2003, was \$628,000 and at a fairly high interest rate. It was 4.7% to 5% interest compared to what we can get now. That was for \$628,000. If we were to be able to get this loan and you took the \$442,000 for interconnect, and that includes engineer and construction, those were the numbers that Barton & Loguidice came up with in their feasibility study, that would include coming down Hilton, going under Smith Road by where the existing pump station is, going under the Rail Trail and connecting up, and looping into Kensington from the other side. We could also add in, as Bill mentioned a minute ago, the \$21,000 that we put toward the tank repair itself. So when you split that \$463,000 total, if we were to get the grant at 60%-40% the grant would cover \$277,800 and the Northeast district's portion would be \$185,200. In a sense they would still have a bond to pay on but the old one at that point would be dropping off and we probably wouldn't start the new one until

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2022. They would probably be, depending on the length of the bond and the interest and so on and so forth, they'd be at a third or less of what their payments are now. I think that shows there is a good opportunity. Granted if we don't get the bond we're out \$22,000 but we really aren't because we want to do this someday somehow and, as I said in my email and Bill mentioned on our call, we can just put it on the shelf and have it to fall back on in the future if the grant doesn't go through. To me I think it's a positive and calculated risk to expend the money now and get this preliminary design phase done and get the grant applied for. The numbers work for the district and that's all I'm concerned about.

Councilperson Hennessy said part of even the Hilton Barn renovation project even requires the water service so there is even a little bit of money in the Hilton Barn renovation project that can help subsidize part of this. If we didn't get a grant we could still consider the project because we'll have to do something for the Hilton Barn anyway. There may be other ways to skin that cat but just doing this project or a portion of it, if that was the case, we'd still utilize the same engineering effort that this proposal will provide for. Supervisor LaGrange said to Bill, you can correct me if I'm wrong, he thinks that if we just did the Hilton Road segment and we'd get it to the barn we'd get the clear water to the Northeast district and we wouldn't have the specter of the tank failing again. We just wouldn't have the loop and be able to do the fire protection. Am I saying that correctly? Councilperson Hennessy reply yes, if we ran it all the way to Maple, yes. That would be the connection from Northeast. We'd have to take it all the way Maple.

Councilperson Hennessy said the public involvement will be on the project also. There is a SEQRA component that was included for the work and obviously the public has involvement in passing SEQRA. There is a Town Board resolution involved so obviously the public will have options there and we would like to include obviously Appleblossom and the Northeast residents as necessary in the whole process. That's what the proposals are for. I didn't know if you had some other questions you wanted to ask.

Councilperson Burke said that she doesn't have any questions but she's in full support of it. She thinks that the age of some of the water instruments, the well, and the fact that things may go wrong in that reserve tank in the future, this has been considered for quite a long time it makes sense to move forward and to at least have the information to try for the grant. I think it's true that it's not a complete loss of money even if we don't get the grant this cycle.

Supervisor LaGrange asked for comments from anyone else. Attorney Naughton said he just wanted to add that on the call today we got assurances from Barton & Loguidice that they have reviewed all of the hydrological studies that have been done so far with respect to the well and the tank. They assured us that there is sufficient water at the Kensington facility to service Kensington and Northeast and that the tank and pressure, etc., are sufficient to supply water to Northeast and provide fire protection. They agreed as part of this to provide us with a separate letter report confirming for us that they looked at this and had looked at it again in light of the proposal. So we will have those assurances that we aren't doing this for naught, and that there is sufficient water there if we're able to do all of this work. The other thing that they mentioned, so it should be a surprise to the Board, is that the way that these grants and applications work will require the Board to pass a resolution approving the full amount of the bond if we get to that point but that wouldn't mean we'd have to bond off the whole thing; it's just part of the process. He just didn't want the Board to be surprised if that comes in later when we get to that point. I was very impressed with how much detail the folks at Barton & Loguidice knew about our system and how this whole program works and the timelines for the ECF. It was reassuring that they really have been through this a number of times and they knew the whole process. It looks like they have a little expertise in this. That was good.

Supervisor LaGrange said he just wanted to interject quickly that we did just have Mark Dempf and Sean Mulkerrin join us.

Resolution 2020-163

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby approve the preliminary design phase with Barton & Loguidice for the Kensington Woods Northeast interconnection grant application at an amount of \$22,100 and authorizes the Supervisor to sign that.

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Councilperson Hennessy seconded the motion.

Councilperson Leinung said, "I think this is a great idea. With all of these water districts so close together I think it makes a lot of sense plus to help with possible water quality in Northeast. I think it's something we should definitely look into. As everyone said even if the grant doesn't materialize at least we'll have this in our back pocket to either decide to do on our own or if another grant becomes available later on. I think this would be money very well spent. I feel like it's kind of inevitable and it probably will happen at some point one way or another."

Supervisor LaGrange asked if anyone had anything else. Adam, are you good? Councilperson Greenberg said, "I'm good. We've been talking about it for months so we all knew this was coming when the tank failed and we met with some of the neighbors at that point, some of the residents of that district. This is a good plan."

A roll call vote was taken: Supervisor LaGrange Aye
Councilperson Greenberg Aye
Councilperson Hennessy Aye
Councilperson Leinung Aye
Councilperson Burke Aye

The motion carried.

10. Liaison Reports:

OVFD Auxiliary Membership

Supervisor LaGrange asked if the Board would indulge it, Diane gave him a late request, not her fault; it was late coming from Onesquethaw, but they have two auxiliary memberships they would like us to approve. Would you guys entertain that tonight? There was no objection.

Resolution 2020-164

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby authorize the membership of Elise Marie Voorhaar of 12 Hart Terrace, Clarksville, NY, and Hannah Marie Voorhaar of 12 Hart Terrace, Clarksville, NY, as auxiliary members of the OVFC.

Councilperson Greenberg seconded the motion.

A roll call vote was taken: Supervisor LaGrange Aye
Councilperson Greenberg Aye
Councilperson Hennessy Aye
Councilperson Leinung Aye
Councilperson Burke Aye

Supervisor LaGrange said this is a mother and daughter. That's why it's the same address and name.

The motion carried.

Water Committee

Councilperson Hennessy said he'd like to bring up some stuff regarding the Water Committee. We had a Water Committee meeting May 18th. In an effort to formalize this a little more and notify that we have an appropriate chairman of the board appointed. I wanted to put that on record. I want to pass a resolution that the Town Board appoints the committee we've been essentially been using for many years. Some positions have moved. Mr. Dempf has moved from Stantec and Mr. Frueh has joined the committee. He was initially there as a consultant but he can also be there as a resident of Feura Bush. So, I wanted to offer a resolution to have the Board consider the appointments to the water committee. Is that appropriate, Michael and Doug? Does that make sense to you? Attorney Naughton and Supervisor LaGrange agreed.

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Resolution 2020-165

Councilperson Hennessy offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby appoint the following individuals to the Water Committee:

R. Mark Dempf, Chairman
Garrett Frueh, member from Feura Bush Water District
Tim Willis, member from New Salem Water District
Karl Dedrick, member from Youmans Road
Jo Ann Davies, member from Clarksville Water District

Supervisor LaGrange seconded the motion.

Councilperson Greenberg said that he just wanted to check with Michael for one second. Does this need to be in town law somewhere forming this committee and making official appointments to it? Attorney Naughton said that he hasn't researched whether we officially created this water committee, and that would be something that Diane could research for us, but he knows it's been in existence for a very long time so I'd be surprised if it were not. I think it's just a matter of making appointments. If Diane does the research and finds that there was never a formal committee ever created, I don't even think that would make that much difference because you're creating this committee and you're saying who the appointments are. Councilperson Hennessy said that the committee was created in the 1980s or 1990s. It started with I think Bob Cook on Font Grove Road and I think Mr. Dempf has been involved almost since the inception. So it is an official committee in the town but in his eight years we've never made any town board resolution of committee members. I just thought it would be better to clean it up. Mark, do you have any history you'd like to add to any of that?

Mr. Dempf said if you look back through the history the original Chairman probably was Robert Cook. Kevin Phelan took over after him. It was sanctioned by the Town Board. I can't say exactly when but we came up with a mission statement. I think Jo Ann has been involved since the 1990s anyway when we were looking at bringing on the Lower Flat Rock Road people and Morningstar. Typically the committee at that point in time ended up being governed by people who were interested in water coming to their area, trying to understand what was going on with water in the town, and what we could and couldn't do. Sometimes we'd call ourselves the non-water committee because typically the finances that governed the things that the water committee looked at just couldn't support a small amount of people who would have to eventually pay for the services that they were receiving. There is or was a formal approval by the Town Board of a flow chart of how things should go whether you were either a developer or homeowner and how you went through the process of trying to obtain water. There are a lot of different things that we have done or tried to do but the history goes back at least to the 1980s as Bill said. Bob Cook was involved in the Font Grove area. Kevin Phelan was involved in the Clarksville area. Both people were instrumental in extending various things that went on through the town. What the water committee has tried to do over the past 20 years since I was on the Town Board was try to make sure that we consistently applied a schedule of views and values of the Town Board to make sure that we could serve as many people as possible. We were never a real Planning Board; we're advisory. We review applications. We tell the applicants what they're up against and then we make a recommendation to the Town Board obviously for the extension of a district or the creation of a district which is a Town Board action. There is a lot of history to it. I think probably the normal yearly appointment stopped 8 to 10 years ago maybe and we all continued to meet. Most recently the heaviest effort was to see the New Salem District through the throes of garnering public approval in the area. Garrett has been involved in a lot of that work and understands what the reason for the committee was back then. We're advisory. We are local people trying to do local things. In the New Salem case the committee actually was able to go door to door and make sure everyone understood what was going on in New Salem and why the Town Board was trying to create and do what they were doing with the New Salem water district. Long winded but, Garrett, do you have anything to add? Garret replied, "I think you covered it, Mark."

Councilperson Greenberg said he wanted to be clear. He's all for the water committee. I just didn't know if we were putting the cart before the horse here. I know that when Dan just set up the Historical Architectural Commission they have by-laws on how they elect a chairman, on how many people sit on

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it, and on how the appointments are made. He just didn't know if we needed that. That's the only reason he was checking with Michael. If we need it, I think we should create it. If we don't need it, I'm fine with moving ahead now. It was just a legal question really that I had. Mr. Dempf said, "I can't answer that question. I just know if someone volunteered for assistance to people who were so desperate, that's all."

Supervisor LaGrange said that Diane could look that up and we can find out for sure. Not to mention the fact that the Town Board has created a chart where developers and homeowners go to the water committee. We've designated them as a committee for people to go to whether it be developers or whatever to start their process of getting water. At the very least we've already established that but we can check for the specifics, Adam, to be sure. Pending that we can certainly still entertain these members for tonight. I also want to say too that it's been really good because oftentimes you'll have people that are trying to get water to their area, like a Jo Ann and like a Tim Willis. I just mentioned those two now because they stay with their expertise. I think that's great. Another acknowledgement too is both Garrett and Mark though they assume the engineer role with questions and comments and think as they go. They have always participated as just residents and not as the town-designated engineer or anything like that. It's been a really good group all the way though and again it's worked out well so I want to just acknowledge those people too.

Councilperson Hennessy said that Diane had sent him the original law that formed this. That was in the 1980s and he'll try to resurrect that. Diane can probably get it faster than he can. Doug did say one of the big things that the committee did over the years was prepare and work on this flow chart which really cleaned up the questions to applicants and to Planning Board members, Town Board members, and anybody in the town as to what's next in the process and where do we go next when we put an application in. Why is this application coming to me? It doesn't come to me; it comes to that guy. That was an important thing that was developed within the past five years; 2014 is when the official chart was done. Supervisor LaGrange said that if we can continue with the resolution with those things in mind and we will confirm that but we have a motion for those as members and I seconded that. Is there any more discussion?

Councilperson Hennessy said his only point is that he has to look up to see if there are a number of members that are desired or required. One of the things that we would like is to try and have a representative of each water district on the committee if possible. I'm mentioning that to the other Board members and if they know people in an area that would be interested please let us know which is funny because I'm in Heldervale and there is no one from Heldervale on it but as the liaison I guess I'm representable. Supervisor LaGrange said even if the original forming of the group was a certain number we can always expand that if it would allow us to have better representation from districts. That's something we can attend to later, too. Are there any other questions from Board members on the committee or the committee members that are proposed? There were no comments or questions.

A roll call vote was taken: Supervisor LaGrange Aye
Councilperson Greenberg Aye
Councilperson Hennessy Aye
Councilperson Leinung Aye
Councilperson Burke Aye

The motion carried.

11. Departmental Monthly Reports:

- **Town Clerk, May 2020**
- **Registrar, May 2020**
- **Building Dept.**
- **Code Enforcement**

12. Pay the Bills

Resolution 2020-166

Supervisor LaGrange offered the following and moved its adoption:

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Resolved that the Town Board of the Town of New Scotland does hereby approve paying the following:

Pay the Bills June 10, 2020		
Abstract #	Vouchers	Amount
	20200465-20200525	\$109,518.73
Prepays		
Abstract#	Prepays	Amount
05/14/2020	20200437-20200457	\$4,239.69
05/29/2020	20200458-20200464	\$42,087.78

Councilperson Greenberg seconded the motion.

A roll call vote was taken: Supervisor LaGrange Aye
 Councilperson Greenberg Aye
 Councilperson Hennessy Aye
 Councilperson Leinung Aye
 Councilperson Burke Aye

The motion carried.

13. Approve any Budget Modifications

There are no budget modifications.

14. Possible motion for Executive Session to discuss a personnel matter

Supervisor LaGrange said he believed the personnel matter that we had discussed in Executive Session before we've moved on from so there is no need for that. Was there any other request for Executive Session, whether contractual or personnel? Attorney Naughton said there is a contractual matter that we need to discuss at some point but he's not recommending we do it tonight. Supervisor LaGrange said he believes you sent an email out about that recently. Attorney Naughton agreed. Supervisor LaGrange said the Board will review that, will catch up, and then we can discuss that at another meeting.

Special COVID meeting

Councilperson Burke asked where we stand on Friday? Supervisor LaGrange said that at this point he doesn't see a need but if something changes dramatically we might want to meet. What's everyone's feeling? Councilperson Burke said she would prefer we don't because there is a webinar on investment and natural climate solutions for towns that she's interested in attending. That's just a conflict. Supervisor LaGrange said the last report from the Sheriff with positives and quarantines showed that we have none in the Town of New Scotland of either at this point except for the one that's still hospitalized. I don't see necessarily a need. The only question we have is if the Board is still inclined to and we don't have any major change between now and Monday. We were going to get our things together. I'm still waiting on the hand sanitizer for the public but we could put out some of the ones we have to get by. The doorbell is here and signage is here. I think we could do a measured opening to the public implementing all of those rules we set down in the plan. Unless something changes between now and then or unless anyone on the Board has any strenuous objections to it, that's been our target date. I would still shoot for that I guess. Councilperson Hennessy said that he's fine with not having a Friday meeting. Councilperson Greenberg said that he's fine not having one this Friday but maybe we should schedule next Friday. We could check in on how everybody is doing at Town Hall. Supervisor LaGrange said he agreed. Supervisor LaGrange said we will cancel that and Diane can notify the paper, and then we will set up a Zoom meeting for next Friday that will go through either way because there will be some observations made and things like that on how the first week goes.

Resolution 2020-167

Supervisor LaGrange offered the following and moved its adoption:

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Resolved that the Town Board of the Town of New Scotland does cancel the Zoom meeting for Friday June 12, 2020, at 1:00 PM.

Councilperson Burke seconded the motion.

A roll call vote was taken: Supervisor LaGrange Aye
 Councilperson Greenberg Aye
 Councilperson Hennessy Aye
 Councilperson Leinung Aye
 Councilperson Burke Aye

The motion carried.

Supervisor LaGrange said we will resume with our Friday meeting after that. I'll send out an invitation tomorrow.

15. Adjourn

Councilperson Hennessy made a motion to adjourn, seconded by Councilperson Leinung. The meeting adjourned at 2:18 PM.

Diane R. Deschenes, Town Clerk