

Town of New Scotland
Special Town Board Meeting
06/26/2020

The following Town Officials were in attendance:

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

1. Supervisor LaGrange called the special meeting to order at 1:03 PM. This is our weekly update during this COVID pandemic issue. We are meeting according to the Governor's Executive Order 202.1 which includes not having public meetings and relying on these virtual meetings. This was noticed in the newspaper and I have proof of the publication from Diane this morning. A roll call attendance was taken per the Executive Order.

COVID-19 Update

Supervisor LaGrange said that as of yesterday, and I believe yesterday's email was from the day before, the total number of cases county-wide, either contact cases or actual cases of COVID, is down from 162 this time last week to 145 this week. There are no confirmed positive cases in New Scotland at the moment. As I mentioned last week, we had seven in one home and nine total that did drop off the contacts quarantine list. Now we have two new ones. One is due to come off the list today and then we have two others in the same home that are under quarantine until July 2nd. So, that's all we have right now. It's a lot of positive news on the COVID front especially here in town. Councilperson Burke asked if we know if that one individual is still in the hospital? Supervisor LaGrange said that he hasn't seen that person show up in two weeks so apparently not but, again, remember last week I think I mentioned that they changed the format again. The old format had all the hospitalizations but I don't see that in the new format; all the addresses are still up on it. I would assume if he or she was still having issues and in the hospital they'd still be shown as a case. Again, like most of this stuff has been for the last three and a half months, it's kind of tough to decipher at times but at this point as of last week I haven't seen him or her on the list.

Supervisor LaGrange said here at Town Hall we are getting through our second week. Things are still going well. It's the second week of still being in a restricted opening. You know all the parameters from last week that we discussed before setting up the policy. Things have been going well. Tuesday of course was the primary which was held in two of our facilities, here at Town Hall and also at the community center. When we got in on Wednesday morning we closed the meeting room off and hit all the pertinent areas before folks came in. As I watched things over the day through the cameras the barriers we put up were respected as far as I saw. We took those down and we got everything back to normal and again sanitized and so forth. Then yesterday after they came for the voting machines, or I guess that was the day before yesterday, I took the electrostatic sprayer and gave it a first run. It worked incredibly well. I'm very pleased with it. I used it in our meeting room here first on all the surfaces. I really liked the way it handled. It actually wraps around things like they said in the video. I guess that's the electrostatic part of it. You spray something and it actually coats all around and under the item. I didn't take the video's word for it. I actually checked with my finger and sure enough it did a very thorough job so I was excited for that. You leave it for a couple of hours to let it dry and when I came back everything was dry, clean, and looked good. I then took it up to the Community Center and I did the same type of thing up there. I went through and went over everything that was used or potentially used and then I used it in the hallways and on the doorknobs. I used it in the bathrooms and so on. It just was very efficient and extremely easy to use and did a good job. That's where we stood with that. Otherwise employees and visitors have been very accommodating with logging in. Employees are taking their temperature before they come in in the morning. They assert that with a check off. Diane and Patty and others when they happen to not be here are all doing a very good job of meeting someone at the door. If the person wants to come in for whatever reason they take their temperature and the public is very good about that. Once in a while just out of habit I think we get a little, I wouldn't say careless but forgetful, so we're reminding people that they keep in mind that this is for everybody's benefit and everybody's protection. They are quick to reprogram and get back into the swing of things. It's just occasionally. If two people are meeting in the hall say somebody from the building department

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is with a resident and they are meeting in the hall and one of us tries to go around them, I've suggested that even if it's for one question take them to your office, sit down, and answer the question so you're not making it harder for people to navigate around the halls and stuff. I think I sent something out on Monday for that and everybody's been quite good about it. Councilperson Leinung said that his wife had to go do some business at Town Hall this week and she said it worked perfectly. She rang the doorbell and someone came out and checked her temperature. She came in. She felt very safe with the whole interaction at Town Hall. Supervisor LaGrange joked that he sent a spy. Councilperson Leinung laughed and said she had to go anyway and then she reported back. Supervisor LaGrange said I'm glad we got that one right so it legitimizes my comments. Supervisor LaGrange said everyone has been doing great. I said it last week and I'll say it again especially a shout out to Diane and Patty for being diligent with this. It's really been good that way. Supervisor LaGrange said that that's all I have on that type stuff. Does anybody have any questions or anything concerning our keeping things clean and protocol and stuff?

Councilperson Hennessy said that he would just like Kenny to talk a little bit about the parks because it sounds like he's making great progress with park opening and games if Ken is comfortable talking about that. Highway Superintendent Guyer asked what do you have for questions? Our idea is to stick with state guidelines. As of now, baseball and basketball are still on course for the 6th I believe. So we are recommending to the Board that we do go ahead. We are waiting on one league to get back to us with their COVID-19 plan. The first one I sent to you. The second one that came in, I don't know if Teresa sent it out to you or not. I can check on Monday. Supervisor LaGrange said he didn't think so. Highway Superintendent Guyer said that if she didn't we will get it to you on Monday. It actually covers two leagues. The same person runs both leagues. Keep in mind we are only dealing with four leagues and three people at this point. We're dealing with senior men's baseball. We're dealing with the Voorheesville Baseball club, the kids, and we're dealing with two softball leagues. Like I said, those two leagues are run by the same person. So, three people and four leagues. Kiwanis, their season has come and gone and they didn't do anything. They just cancelled the whole season. New Scotland Soccer Club cancelled their whole season as well as Voorheesville Lacrosse. So, we're only dealing with the baseball and softball leagues here. We think we would recommend no dugouts on our end, just closing them off. In the first two plans that came in they said if they use the dugouts they'll wear masks and this and that. We know they are small. I think it would just be easier if we just tell the leagues no dugouts. Bring chairs and have the kids sit in their chairs behind the dugouts, however they want to run it. Other than that Bridgit had mentioned last week some hand sanitizing stations. We are trying to find dispensers. We're having a hard time coming up with the dispensers and the refills for them. Supervisor LaGrange asked if he tried to order any or are they on backorder? I just received my shipment and we should have been in concert here. I got my shipment of 12 dispensers, four for Town Hall and four for the community center. They haven't been able to send me the product yet. Highway Superintendent said that that's where they're at. Supervisor LaGrange said the Home Depot representative is the one that I deal with. She has found another type that will work in these same applicators if you want me to try and get something from her. Do you have any of the machines themselves? Highway Superintendent Guyer said no. We were going to order the machines from Grainger and then we couldn't come up with refills so we held off for now. We didn't want to be in the boat of, okay we have these machines, now we're locked into buying these refills and not being able to find them. We were waiting and hoping to try and find machines and refills as a set so we did not order any. Supervisor LaGrange asked if they are a heavier duty one from Grainger or the usual plastic ones? Highway Superintendent Guyer said they are the plastic wall mount. In the bathrooms we have soap and water and there are sinks. We were going to put one on the outside of each building, Feura Bush, and Swift Road. We were going to put posts in the ground and we were going to hang one at each playground and we were going to put one at the back of each backstop of the Little League, the hardball field, and the softball field so we were looking for seven of them. Supervisor LaGrange said that he didn't know if you can stop in today or whenever you can and I'll show you what we have for the inside of the buildings, and if that would work for what you're looking then I'll talk to the representative and see if we can get another seven with the product. Stop in when you can. Highway Superintendent Guyer replied okay.

Highway Superintendent Guyer said we're working on that. We would recommend, as long as the state stays on their timeline to open the baseball to the leagues and as long as the leagues have their plan to us and I can get them to the Board on time you can go through them and if everybody is happy with them we will let the leagues start on the 6th. We will put the basketball nets back up. We'll put the hoops back up. We also think if anybody calls with a pavilion reservation we'd like to start taking those, as well. As the group size that the state recommends changes, we will change with that and we'll just let

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the people know, yes you can rent the pavilion. You have to stay within the state's guidelines at the time of the rental whether it's 20 people, 25, or 30 whatever date it goes up.

Highway Superintendent Guyer said that he purchased a brand new spray tank like you would spray for weeds. We're going to put our bleach and water mixture in it like we've been doing at the highway garage and then every morning the parks department could spray down and mist down the playground at each park. They would mist down the bathrooms too and go down to the pavilions and mist down the picnic tables just to have some level of disinfectant going on. Supervisor LaGrange said that at Feura Bush those are eight foot tables now. Highway Superintendent Guyer said that some are eight and some are 10. Supervisor LaGrange questioned if the newer ones are 10. Highway Superintendent Guyer said that the new ones are 10. Supervisor LaGrange said he's just wondering about marking out seats with tape or something to encourage people social distance if they do use the pavilion. People might go up to sit during a ballgame or something too. At least we would be doing our part. Highway Superintendent Guyer said we absolutely can do that.

Highway Superintendent Guyer asked what else he had in his email? Pavilions, bathrooms, and the playgrounds. All of our neighbors are up and running. I think it would be safe to open our playgrounds. In the Village, everything is up and running except the basketball courts. They are waiting on the state. The Village put up signs saying at your own risk. The village is doing no disinfecting at all. The Town of Guilderland's summer programs will start on the 29th I think. I believe Monday the Town of Guilderland is going to start their summer programs. The Town of Guilderland is going to open their swimming pool. Their bathrooms have already been open. I'm not sure what Guilderland is doing for cleaning. The Town of Bethlehem is open. The playgrounds are open. Bethlehem as of now will not be running their swimming pool and they are doing no disinfecting on playgrounds. Their reasoning was that they have so many pocket parks and playgrounds that they don't have the time or the ability to do that.

Councilperson Greenberg wanted to follow up on the basketball because that was a major thing early on in the pandemic. Is the state giving guidelines on that? You're going to have kids playing pickup games with full contact right up next to each other and all that kind of business. Highway Superintendent Guyer said that if you read the state's guidelines it's kind of weird. It says no official league play but practices and pickup are allowed. I'm not sure what the difference between pickup and practice would be over an official league. They also say no travel leagues. I'm assuming all of our baseball and softball leagues are traveling from the capital district to these leagues. They are not all from New Scotland so there is some sort of travel going on. Highway Superintendent Guyer said he was going to reiterate what Councilperson Greenberg said. We had some issues in the beginning about the basketball and it came to the point of just unbolting the hoops and literally taking them off. We will put them back up if the Board gets the state timeline. Attorney Naughton asked Councilperson Greenberg what the question is. Councilperson Greenberg said he was just going to say what the town's responsibility is if basketball courts are open for instance and people get sick. Do we have to worry about that? Attorney Naughton said he thinks Ken's plan is okay. It's an "at your own risk" situation now. Basketball is a close contact sport. It could be that one or two people go out there to play and at least someone will have the opportunity to do it. Councilperson Greenberg agreed adding that he just didn't know if we should have signs that you're allowed to shoot but maybe no games or something like that. Attorney Naughton said he doesn't think there is a rule right now that prohibits games like that but he doesn't think that the governor has enforcement with respect to construction during earlier periods. I don't believe that he's pushed down responsibility for enforcement of how many people are in a group to the town level. I don't believe it's our parks' or town officers' responsibility to enforce how many people can be out there. The police may go do something about it but it's not really our responsibility to police that as far as I know. Supervisor LaGrange asked if it would be smarter to have something like Kenny mentioned, a sign saying playing at your own risk. Attorney Naughton said you could do that. Councilperson Burke said those signs aren't usually considered very strong in litigation, right? Attorney Naughton agreed. Councilperson Burke said it's a novel situation so assessing risk is somewhat difficult but I think if it's in accordance with the governor's guidance we're in a pretty strong position. Wouldn't you say Mike? Attorney Naughton responded, yes. The sign may more appropriately say, "Please consider the current Governor's Executive Orders and guidance," because we might have to have a new sign every other day. I'm not being critical about that. It keeps changing and I think people need to be educated on their own at this point. Supervisor LaGrange asked what if we had a sign like that at the entrance of each park? Attorney Naughton said it doesn't tell you anything. Supervisor LaGrange said it doesn't tell you anything; it serves as some sort of potential warning. Again, as Bridgit says, this is a novel situation. It's so unusual. Seriously, maybe an all-encompassing sign like that about the governor's Executive

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Order. It's up to you. I'm reaching for something that might help us if something happened or didn't happen. Attorney Naughton said that he doesn't mean to be too flippant here; the sign is a warning, pandemic in progress. Supervisor LaGrange said if you need a sign for that I guess you just woke up from your hibernation. Attorney Naughton said to get back to Ken's issue, he thinks it's reasonable to put up the equipment and hopefully people will be smart about it. I don't believe it's Ken's job to go in and break up the groups out there. We don't have our own police force but I suspect the Sheriff could do it if someone reports it. Councilperson Leinung added it can always get taken down if we hear that there are issues. Maybe that's the way to do it for now.

Councilperson Hennessy asked Ken if he had another portable temporary sign like out in front of Town Hall that maybe you just put out there at Swift Road. You can put letters on it just saying, "Use of park facilities at your own risk." Highway Superintendent Guyer replied that they do and that's fine. It doesn't matter to him, either way. We do have those signs. You are correct. They are out in front of both parks right now and they've been out. They read "Parks Open - All Fields and Courts are Closed." That's what they say now to let the people know they can come to the park but the courts and the fields are closed for now. Councilperson Hennessy said that he's fine with using those and maybe Mike has a couple of blurbs that he can suggest and just use that. Does that sound satisfactory, Mike? Attorney Naughton said he can do whatever you want. He's not sure we need to put signs everywhere in town on everything. Is there any requirement that you do it? There are requirements in the workplace that you have signs but at town parks I'm not aware of any requirement for signage of that nature. I don't believe there will be a liability issue on the town if someone gets COVID at a town park and is somehow able to prove that.

Supervisor LaGrange said that that's the other question too. Bill kind of hinted at it. If people use our soccer fields and they turn an ankle that's at their own risk, right? Attorney Naughton said there are cases where if the fields are maintained properly but have holes in them then they make liability cases out of it. Supervisor LaGrange said okay let's go with a basketball court then which is level and asphalt. What if they turn an ankle on that? Attorney Naughton said that that's their own problem. Supervisor LaGrange said that with that awareness and the awareness of the pandemic and all the things that we hear on a daily basis and understand, is that the proper analogy? Highway Superintendent Guyer said you're almost using the park at your own risk already. Supervisor LaGrange added that that's what he's saying. Councilperson Hennessy said that his point is that Kenny has those signs up and he's going to change them probably to address what use is going to be there on July 6th. If there is room and we want to say anything, there is your mechanism where we can do it. If it fits, it fits. If it doesn't, it doesn't. Supervisor LaGrange said he thinks it's a good idea. It doesn't hurt. Highway Superintendent Guyer said he would vote for no signs but if the Board wants them up it doesn't matter. I'll change the lettering. It's not a big deal. I'm kind of in the boat with Michael. We flood everything with signs. There comes a point where you can fix it. People have to take some sort of initiative on their own and use their heads. Councilperson Leinung said he doesn't know how great the signs would be. Maybe something simple like, "Parks Open - Remember to Social Distance." Something even simple like that. Highway Superintendent Guyer said that he did make a dozen one-page flyers from the CDC website. It explains social distancing, washing your hands, and wearing your mask. There are little pictures. It's a great little, very simple how to protect yourself and others social distancing flyer. They are in color and I had them laminated. They will be on the restroom doors. There will be one on a little sign post at each playground and on the backstops at the ball fields. If I can come up with the hand sanitizer stations they will be side by side on the same post. Attorney Naughton said that sounds good. Councilperson Burke agreed. Councilperson Hennessy said he tends to prefer the other sign out there and just change the lettering so people don't totally lose track of the situation. Highway Superintendent Guyer said that to him "use at your own risk" sounds odd. I think I would put "use at your own discretion." Would that work or no, Michael? Attorney Naughton asked if you can fit that big word "discretion" on a sign. Highway Superintendent Guyer laughed and said he didn't know. Supervisor LaGrange said someone said earlier "Parks Open - Remember Social Distancing." That would be simpler and that's in everybody's head. Attorney Naughton added that the Rail Trail gigantic sign at the parking lot in Slingerlands just says "Stay 6 feet apart if you can't wear a mask." That's a flashing kind of sign which is not legal in our town. That's been up since day one. There are no other signs anywhere on the whole Rail Trail and that is a very well-used facility. Supervisor LaGrange said he thinks at least getting started back up again and reminding the folks that are coming to play baseball and softball. He agrees with Bill. If we just have something simple, "Parks are open but please remember to social distance" or something like that. It's like what we had out front here, Ken. We could have said 100 different things but instead we said, "Facemask required." It just gives people one thing to trigger in their head. I have to think about what we're doing here. Highway Superintendent Guyer replied okay, not a problem. We

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will change the wording and figure it out. It will be simple, just something to help keep people remembering. Not a problem.

Nissan Sanitization

Supervisor LaGrange said that he wanted to also say that when he was talking about the electrostatic sprayer he did spray the Nissan that's used for medical appointments. We have a protocol for those volunteers that are driving. They're all for it. They've been taking some folks to much-needed doctors' appointments. It's only been like two a week. They are doing their own sanitization but yesterday when they came back I had just done the meeting room so I tried it in the car too as it shows in their video. It's just another level of sanitization we can do on top of what the drivers and the folks we're taking do. I wanted to mention that as another thing.

Budget Cuts

Supervisor LaGrange said that he found something interesting. It was an email that went out. He can't recall who it was from. It basically was going to all departments of the county. It trickled down to us so he happened to see it. The county is asking for 20% budget cuts from all their departments and to look at any and all ways to back off 20%. I don't have anything to say on that. It's just an FYI.

Court Air Conditioning

Supervisor LaGrange said that one thing that has come up recently that's been somewhat ignored because of the whole COVID outbreak if you're aware, and I think most of you are, up in the Sheriff's building we have the court sessions in the cafetorium from the old school. It was miserably hot and the justices were concerned about that for a long time. We finally got the Sheriff's department to install two, probably not big enough, air conditioners that go into the windows. They stand inside. They made it a little less unbearable but they weren't to the level that they needed. The Sheriff is intending to put in central air up there this fall or winter but in the meantime one of those units has died. It's not functional and because he's going to be investing in the total air conditioning throughout they don't want to do anything for the summer. I had a question from Stacey Loucks, the new clerk, if it would be something that they could purchase. I've heard it's anywhere from \$500-\$800 for one of these units. I expected higher to be honest. Their first public court appearances are due for July 9th which is a couple of weeks from now. Even then I think they are only having five people come in because they are going by the Court Office's suggestions on which types of cases can be heard in the local courtrooms. I just want to gauge what the Board thought about that particular purchase. Could it be used in the future if we have anything that breaks down somewhere? If he's going to put in central air and we're going to not need it next year theoretically but it's still our property and we could use it in other cases if we needed it. I just wanted to get your thoughts on that and maybe respond to her in some way. Councilperson Burke asked if we have a sense of what the temperature is in that room? Supervisor LaGrange said he's been up there before they installed the air conditioning and on a 90-degree day it's just miserable. Right now you're not packing it but at that time when they were having 100 people in there it just exasperated it with all the body heat. You're bringing people, defendants of all sorts and type, and they're sitting waiting in the heat for two hours. It was miserable back then. It really was. Can I tell you what the humidity and the heat index was? I can't but it was bad. Doug Miller could tell you about that. He was always up there at the time. Again, we can find out a cost. I just wanted to put this in front of you so you were thinking about it. If they're not open until the 9th for four or five people I think we have a little time. We have two to three weeks or so. I asked her to get prices more directly. They were thinking about getting a little bit larger unit than they'd been replacing because the other two basically just took the edge off. She is researching that but I did say that we were having our meeting today and I would at least bring it up so you were aware. Maybe if we can get it before the 6th we can act on something then and tell them to go for it or not. Any other thoughts on that from anybody? Councilperson Hennessy said the engineer in me says I'd be more interested in having some window fans and have them exhaust air from the space during these current times we're in. You don't want to blow air in because then you're pushing whatever's in that room into the building. I'd almost like to exhaust it but that's up to the county because you'd be sucking the air conditioning out the window. That's all I was thinking. Town Clerk Deschenes said that we do have some large fans in the basement. Supervisor LaGrange said that's a real good point, Diane. Maybe they could disperse the cool air out of the one at least. Supervisor LaGrange said we'll see about working on the price. Maybe what I'll do is ask her to pick up some of these fans. I don't know where they were from. They were up at the community center. When we cleaned up the basement and redid the floor at the community center we brought them down and put them downstairs. I'm guessing they are 24-inch fans but they're the metal ones that are pretty heavy duty. I think there might be four to six of them down there. Maybe that would disperse the air better but then again, going back to Bill's comment and ones I've heard before, do we want to blow the air back

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into people's areas during this time? I don't know. We'll check into it. Councilperson Hennessy said it's up to the County; it's their building. My suggestion is to get something in the window. If your fans fit in the window I would just say that. It would be nice if they had a roof exhaust in there. They probably should have historically but that's the county's building. Supervisor LaGrange said that that's the Court thing. I don't know what answer they got other than they were going to put in central air or some type of large scale air conditioning over the fall and winter. So apparently they didn't want to invest anymore at this point. I'll have them do a little more research. Bob Johnson tends to work with the Sheriff's department more so than Dave so maybe I'll give Bob a call and discuss it with him and try to get some more answers than just hearing it off the cuff yesterday.

Meeting room setup

Supervisor LaGrange said he didn't know if everyone saw his text. It showed you a set up in the meeting room that respects social distancing and what we have there. I wanted awareness. We don't have to make a decision yet, of course. We will probably talk about it at our July 6th meeting or on a Friday after that. We also have to take into account that there will be ZBA meetings coming up and Planning Board meetings. The Planning Board meeting is scheduled for the 7th of July, the day after our meeting under Zoom. Diane got me the capacities of our meeting room here and the community center community room. I was a little surprised because the community center capacity is 95. It has to do with exits and all the available ways to get in and out. Our room here is rated for 125. So, I was a little surprised at that but when I went up to the community center to do the same as I did here with the social distancing and so forth I didn't realize it's quite a bit narrower than our room but it's longer. With this room you can probably get four seats across and if you had a couple come in they could sit between the last seat and the wall. We could be up to 12 in our room and up in the community center you could probably get 16. That's a little rougher than in here. We would have to have whoever was the chairman or the rookie on the Board sit in the seat in the front of the dais. Councilperson Burke laughed and said she'd be happy to do that. Supervisor LaGrange added that he really just sent that so you could be mindful of what we have available here. If there are 14 people and they come in, besides the nine of us, we'd also have to consider if we're inviting that public in are we just having them come in the front door now. I think that's probably a good idea anyway. Are we having someone check temperatures and logging them in as they come in so we continue with contact tracing? There are a lot of things more so than our desire to have public meetings to be considered if the governor gives that option. I have a feeling that if an Executive Order might come out it would maybe be if you can do public meetings with the proper amount of social distancing and stuff you can but if you can't you can still do virtual. I'm just speculating. So, it's just something to keep in our minds. I wanted to send you the visual of it so you had an understanding of what it meant here at the meeting room. Nothing more than that. We can discuss it further when we get another Executive Order and see where we stand at that time. Anything else from anyone?

Supervisor LaGrange said he assumes we'd like to get together next Friday. Town Clerk Deschenes said that that's a holiday. Supervisor LaGrange said then he assumes you don't want to get together next Friday. Councilperson Leinung added that we have a meeting on thay Monday. Town Clerk Deschenes said that that's correct. Councilperson Leinung said that unless anyone else has strong feelings, he's fine skipping next week and just having our regular Board meeting on Monday. Councilperson Burke said she was fine with that. Supervisor LaGrange asked if everyone was good with that. Obviously if anybody hears of anything we should all be aware of pertaining to this whole situation we can certainly get together. Okay we'll suspend next week's COVID meeting and I will see you via Zoom on the 6th with our public hearing.

2. Adjourn

Councilperson Burke made a motion to adjourn, seconded by Councilperson Leinung. The meeting adjourned at 1:48 PM.

Diane R. Deschenes, Town Clerk.