

Town of New Scotland
Regular Town Board Meeting
10/14/2020

The following Town Officials were in attendance:

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

1. Call to Order

Supervisor LaGrange called the meeting to order at 6:00 PM advising that he has proof of notification that was in the Altamont Enterprise from our Clerk, Diane Deschenes. We are meeting via Zoom pursuant to the Governor's Executive order suspending in-person meetings. Before getting started, a roll call attendance was taken.

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

5. Discussion/Action: set date for Public Hearing for the 2020 Preliminary Budget

Supervisor LaGrange said that we need to set the date for our November regular meeting.

Resolution 2020-205

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby set November 12, 2020, at 6:30 PM for our regular meeting. This is to avoid Veteran's Day on November 11, 2020, which would be our regular meeting. This will be via Zoom still.

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>

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

Supervisor LaGrange said that we have to set a public hearing for our 2021 budget. We have to do that before November 5th, and since November 3rd is a Tuesday and Election Day November 4th might be the ideal time.

Resolution 2020-206

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby set the date for the 2021 budget for November 4, 2020, at 6:30 PM via Zoom.

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>

Town of New Scotland
Regular Town Board Meeting
10/14/2020

Councilperson Leinung Aye
Councilperson Burke Aye

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

6. Resolution supporting JCAP Grant Application by the Justice Court

Supervisor LaGrange said that this is a resolution supporting the JCAP grant application for the Town Justice Court. The town Justice Court is looking to purchase a walk-through metal detector. We've been encouraging something like that for quite some time. This will be something that they are going to apply for.

Resolution 2020-207

Supervisor LaGrange offered the following and moved its adoption:

WHEREAS, the Justice of the New Scotland Town Court have advised the Town Board that additional security is necessary in the Town Court for the safety of the court staff and the public, and

WHEREAS, the Town Court intends to seek grant funding from the Justice Court Assistance Program ("JCAP") to purchase and install a standing metal detector from Protective Technologies International, Model PD 6500i-Walk-Through Metal Detector and a hand-held metal detector, and

WHEREAS, the quote for the aforesaid purchase is attached hereto, and

WHEREAS, said metal detector may be operated with existing court staff and will improve safety of court operations, and

WHEREAS, the Town will pay for the Metal Detectors with JCAP funds without any contribution from Town resources

NOW THEREFORE, BE IT RESOLVED that the Town of New Scotland supports the Town Court's plan to purchase the aforesaid metal detectors with JCAP funding.

Councilperson Greenberg seconded the motion.

Supervisor LaGrange said again that they needed to make an official grant application. They had to have a Town Board resolution. This is what we're doing. As it said in the resolution, there won't be any funds expended by the Town. It's pretty cut and dried. Does anyone have any comments or questions? Councilperson Hennessy asked so the metal detector and the entry for the sheriff's office entry for the building doesn't suffice. Supervisor LaGrange said no because they go in their own door now. The whole court area has been separated. Councilperson Leinung said just for the record the cost is in the attachment. Supervisor LaGrange said \$4,144.82. Councilperson Leinung said that's one metal detector right. Supervisor LaGrange said it appears to be one metal detector and one hand held metal detector. I assume they work in conjunction with one another but I didn't get into the particulars. Councilperson Burke said if someone beeps they run a wand over them.

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

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

7. Discussion/Action re: Proposed Local Law C of 2020 amending the Lighting Law-Local Law 3 of 2012 entitled "A local law regulating artificial lighting"

Councilperson Burke advised that back in June of 2012 the Town amended the Lighting Law to address certain limitations on the type of lighting people could have. At that time the Town exempted holiday lights from the loose restriction. Since that time people have complained that sometimes folks are using the holiday lights in such a way that it's a nuisance to their neighbors. Whether or not it is, other complaints have been that the holiday lights have stayed on for most of the year so we drafted a

Town of New Scotland
Regular Town Board Meeting
10/14/2020

proposed law which would more clearly identify what an acceptable holiday light is so that it would be exempt from the rest of the lighting law. We are hoping that we can have a hearing on that. Supervisor LaGrange asked Attorney Naughton if there is anything else we need to do other than introduce it as it is and schedule a public hearing. Attorney Naughton said that he talked to the Supervisor today. Because we have to do local Planning Board comments and have recommendations from our Planning Board and we have to refer this to the County, the simple thing is to do in December but there is some interest in trying to get this into place if we can before December 1. Why don't we give it a try and set a hearing date in November and hope that we get our recommendations back in time? He doesn't know the particulars on the County Planning Board meetings and their deadlines, but maybe we can push this through. It's basically a one sentence amendment. Supervisor LaGrange said that the County's next meeting is Thursday, November 19th so that will be after our hearing in November which still is okay. His preference would be to keep it moving. He can't imagine that a modest amendment like this will draw anything out of the County anyway. He thinks that we could then at least keep it rolling along. Jeremy said that they should have a decision the Monday following the 19th which would be the 26th if we get it to our Planning Board for their November meeting. Bridgit or Dan, do you know if they changed their meeting to another night since that's election night? Councilperson Leinung said that he believes it was changed to the following week, the 10th. Supervisor LaGrange said that we will hear from our Planning Board before our meeting on the 12th. He'd be inclined to schedule the Public Hearing and keep it rolling for our meeting the first part of November on the 12th and see what transpires unless anyone has a strong suggestion not to. Councilperson Leinung said that he thinks the concern from Michael is that we can't actually vote on this until the December meeting. We would necessarily be able to close the Public Hearing in November and vote on it that same night but we'd have to wait until the 1st week in December. Attorney Naughton said that the good news is that you'd have your hearing and if there was something that came up in the hearing you'd have time to maybe fix it. Councilperson Burke said that also, since we're having regular Friday meetings, could we do it at one of those? Attorney Naughton said we could as long as we notice that it's going to be on the agenda. Councilperson Greenberg said, to answer Bridgit, we could do it on a Friday. We could vote but we should still keep the Public Hearing at our regular meeting. He thinks it's better for residents to come to an evening meeting. Everyone agreed.

Resolution 2020-208

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 C of 2020 amending the Lighting Law – Local Law 3 of 2012 entitled “A local law regulating artificial lighting” for November 12, 2020, at 6:15 PM.

Councilperson Burke 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>

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

Councilperson Greenberg wanted to publicly thank Bridgit for doing all the work on this. This is important and something we've been discussing for a long time. It's great to see it move along. Councilperson Burke said that, although she appreciates the praise, she has to say that Michael actually did most of it. Councilperson Greenberg then thanked Michael, as well.

8. Discussion of possible law exempting certain domestic fowl from special use permit requirements

Supervisor LaGrange said that this has been going on for quite a while and Dan decided to take a stab at it. Councilperson Leinung said, “Full disclosure: My wife and neighbor applied for a special use permit to get some backyard chickens. It went pretty smoothly but the whole process took a little more than three months from the time we put in the application to the time of getting it approved. You have to go through a public hearing. You have to come before the Board. I think we came 2-3 times. We paid the permit fee and filled out the SEQRA form. So, looking at it I was

Town of New Scotland
Regular Town Board Meeting
10/14/2020

thinking this is kind of a lot to have for backyard chickens especially in the part of town where I live.” They are in pretty rural parts of the town. He spoke to Jeremy about it a little bit, and he referenced that a couple of years ago there was a possible push to exempt chickens or domestic fowl from the special use permit if they meet certain conditions and then the Building Inspector would give a building permit for the coop and the raising of the chickens. Michael shared that with him. Before we get too far with that, he just wanted to take the general pulse of the Board to see if this is something they’d be interested in. Personally we are a Right to Farm community. He thinks that should apply. The cutoff is seven acres but there is something to be said for people that have less than seven acres of land to also have some benefits of living in a more rural community. He just wanted to get the Board’s opinion. We don’t necessarily need to do this tonight. If we do decide to go ahead with this, he was going to mark up the law from 2014. He thinks that was when it was from and add in some of the restrictions the Planning Board has been adding to these. They have a pretty good list of conditions now that they’ve come up with. They get maybe two or three chicken applications every year so they have a good list. No roosters. You have to be away from setbacks. You have to keep the waste in a certain area. Before we get too far with it, he just wanted to see if the Board thought this was something worth pursuing. Councilperson Greenberg said that he definitely thinks it’s worth pursuing and he’s glad Councilperson Leinung brought it up. He and Bill had discussed this with Nan. He thinks maybe you want to check in with Nan. She’s done some work. This was on our low-hanging fruit list so it would come down the line either way, but if we want to move it forward on its own that’s great. Councilperson Leinung said that he did check in with Nan and she said great. She said it was on her list. She said she hadn’t gotten to it yet. She was more than happy to look at what we came up with but to avoid duplication of work she said she’ll definitely take a look. She’s aware and was making a similar suggestion. Councilperson Hennessy said that one of his concerns is going to be in the hamlet zoning areas, residential hamlet, commercial hamlet where there are smaller lots. Maybe MDR too but those are half-acre lots. That’s something we might need to look at, although some of the cities allow it and they must have small lots. So there is a comparison there that we need to look at. Councilperson Leinung said that he kind of looked at it already. He thinks the way you can do it is to have RA, R2, the non-densely residential areas where you don’t need to get a special use permit but it’s still available in the hamlet and other areas. You just need to get a special use permit and go through that normal process and you have a public hearing. So that’s one idea to still allow them but you still have to go through the special use permit which is currently what it is now. You can have chickens anywhere in the town; you just have to go through the special use process. He doesn’t want to go backwards and restrict it necessarily from where people can have it now. Councilperson Greenberg said that he agrees and believes Albany allows two per lot or something like that. He doesn’t know if you’ve checked with them at all. They allow them in more densely populated areas, but they limited the number. Councilperson Hennessy said that he’s wondering, like Dan is saying, if maybe it’s a permitted use in RA and RF and still make it a special use permit in the hamlets and maybe MDR. We ought to see what the city does, whether it’s an allowed use or you still have to get some kind of permit. Councilperson Leinung said that he would take a look. Supervisor LaGrange said that it’s always been frustrating for him to see a couple of 4-H’ers come in with their parents, although it’s nice to have them active in local government and learning, to drag them back and forth for two or three months to get a half dozen chickens for a 4H project he thinks there is a better way to be had. He appreciates Dan taking it on. He thinks it’s going to be much better for folks like that. He has chickens and loves the eggs. They are better than the store’s and he doesn’t want to see other people denied that. Councilperson Leinung added that he thinks it’s also a money thing too. The permit with Jeremy is significantly cheaper than a special use permit and having to do all that. It’s also a cost issue. Councilperson Greenberg added that it will also save the Planning Board a lot of time. Councilperson Leinung said that besides that, if you see how many chickens are around he doesn’t know how many actually have the special use permit that they’re supposed to have. Making it kind of an easier process might actually encourage more people to do it the right way. One thing before we do move off this, the law from 2014 was actually broader than just chickens. It was geese and turkeys. He was thinking we might want to just leave this at chickens and then leave the other domestic fowl (ducks, turkeys, and geese) still as a special use permit. Again, that’s something we can talk about. He didn’t know if we want to make this specifically for chickens which he thinks is what we generally think of, whereas having turkeys is a little different than having chickens. The same thing with ducks or geese; they are bigger. That’s something we can talk about further. Supervisor LaGrange said that we actually had an incident and a complaint by neighbors about peacocks in the town. Highway Superintendent Guyer said that he didn’t remember but they did have peacocks at his house. He

Town of New Scotland
Regular Town Board Meeting
10/14/2020

fell into the seven acres. He added that he has no vote but backyard chickens are fantastic. His kids grew up with backyard chickens. Their mother had chickens for years. We had them here but with the sale of his house he no longer has those seven acres. He doesn't currently have any chickens but what a great thing for kids. They learn sciences, life, death, and taking care of things. It's great for kids and he thinks it would be a great thing for the Board to broaden this for people and kids. Like Doug said, once you've had fresh eggs there is absolutely nothing that compares to fresh eggs. Councilperson Greenberg agreed that they are great in those ways and they also keep the ticks down. Supervisor LaGrange said thank you again to Dan. Councilperson Leinung said that he has a process question. Should he mark something up and send it to the Supervisor first or send it around to the Board so everyone has it and they can chime in. Attorney Naughton said that either way works fine. We will just put a local law letter on it, whatever is next at the time, and we'll make sure it's in shape by the time we circulate it for comment from the Planning Board, etc. Councilperson Leinung said that we will want to send it to Planning probably but he doesn't know about zoning. Attorney Naughton said that it's popularly known as the "chicken law."

9. Highway & Parks Department:

- **Request for approval of new hire Taylor Woodside as a Laborer step - \$15.73 per hour. When Mr. Woodside secures a CDL Learner's Permit, request he move to Equipment Operator 1 step - \$16.85 per hour with requirement that he obtain the CDL license within 6 months of securing the permit. When Mr. Woodside obtains his CDL, request approval to move him to Equipment Operator 1 -step2 - \$18.24 per hour.**

Highway Superintendent Guyer said first on his agenda is one of our vacant spots on highway. He has a gentleman, Taylor Woodside, who resides just over the town line in the Town of Bethlehem. He would like to hire Taylor as a laborer, step 1 of the 2020 pay scale, the reason being is that Taylor does not have a permit. He does not fall into the civil service title of operator 1 yet so he'd like to hire him at step 1 of the laborer category. When Mr. Woodside receives a CDL Class B permit we can then move him to Operator 1, step one and then like we've done with our other hires when they receive a full license he would like permission to move Taylor to step 2 of Operator 1. We've always given new hires six months to obtain their license. If for some reason they don't, and we have had this happen in the past, we have to cut our losses and move on because we're small and everyone needs a CDL license at our shop. Supervisor LaGrange said that hopefully motor vehicles will cooperate with that timeline too. Highway Superintendent Guyer agreed. Councilperson Greenberg asked if this person would be replacing someone who recently retired? Highway Superintendent Guyer said that this would be a replacement of one of our Operator 2's that retired. We will be well under what was budgeted for 2020 for this position.

Resolution 2020-209

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby approve hiring Taylor Woodside as a laborer, step 1, @ \$15.73 per hour, and when he secures a CDL Learner's Permit move him to Operator 1- step 1 @ \$16.85 per hour with the requirement that he obtain the CDL license within 6 months of securing the permit.

It is further resolved that when Mr. Woodside obtains his CDL it is hereby approved to move him to Equipment Operator 1- step 2 @ \$18.24 per hour.

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

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

- **Request approval to declare a 2007 Ford F550, VIN# ending in 01621, as surplus**
Highway Superintendent Guyer said our 2007 F550 Ford is what we refer to as our one-ton dump truck; it's a little dump truck. We have a new one ordered. It's in town. It's had the body shop having the

Town of New Scotland
Regular Town Board Meeting
10/14/2020

body put on. We should see it within a week or two. We would just like to declare our existing one surplus so when the time comes we can put that up for auction and send it on its way. You will find that on our annual inventory as truck number 7.

Resolution 2020-210

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby declare the 2007 Ford F550, VIN # ending in 01621, a one-ton dump truck, as surplus upon receipt of the new truck to take its place.

Councilperson Burke 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>

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

• **Discussion/Action rehiring retiree Christopher Zautner on an as-needed, emergency basis at a rate of \$23.57 per hour.**

Highway Superintendent Guyer said that with two new hires, Mr. Woodside without a license, and another new hire who has a permit and he's been working doing a lot of driving working on his pre-trip, come this winter with these new hires it's going to be tight for drivers. He has an opportunity to hire part-time on an as-needed basis one of our retirees, Mr. Zautner. He retired at step 5 of his operator 2 pay so that's what the \$23.57 per hour is. He'd like to kind of retain Chris on an as-needed or emergency basis for the winter months. We have some new drivers. We also have the change of COVID and losing a seasoned driver whether it be themselves or something where we could lose them for a few weeks. He's been working with Sarah. We've been through the state retirement system and it's good there. They have no issues. She's been though his medical stuff as far as insurance. Everything's good to hire Chris back on an as-needed, part-time basis. There are limited hours he can work which we will have to stay within. It would be basically like one of our summer hires. It will be no benefits and he won't ever reach the overtime, the 40 hours per week, so it will be \$23.57 per hour and that's it without any additional benefits. Supervisor LaGrange asked if there would be any overtime hours? Highway Superintendent Guyer said that he may work in the overtime hours but there will never be an overtime situation. He's limited. He will never hit the threshold of a 40-hour week to trigger overtime. Supervisor LaGrange added, "When you say on an as-needed, emergency basis do you want to call it that or do you want to give us an idea what emergency means? Are we only talking snow blowing?" He would assume there would be other times when we were short staffed. Highway Superintendent Guyer said that the big thing we're coming into is snow. There may be other things where we need seasoned drivers but like our big thing is snow. He'd like to retain Chris for a backup. He spoke to him. He's seasoned. He's good. He knows all our plow routes. He's been here 30 years so he knows everything we do and he can just step in if we need him and do what we need him to do. Councilperson Burke asked how we would do this? Would we set a budget for spending up to this amount and if you need to go beyond that you come back to the Board? She doesn't know how it's done. Highway Superintendent Guyer said that we've never done this. We've never been in this situation. Supervisor LaGrange added that we also have another retiree coming in December too. This could stall a rehire. It could get us through 3-4 months before we bring someone on in the spring to get started and learn everything too. We'd be saving there too, Bridgit. Councilperson Burke said that she just thinks as a practice it's probably not a good idea to basically approve an open check but she doesn't know. Councilperson Greenberg said that he agrees with Bridgit. He thinks there is a good chance we will need extra help this winter, and he understands that. He doesn't like the open endedness of it either. Is there any way we can say for snowplowing or limit it some way? Highway Superintendent Guyer said that we would certainly have to stay within the confines of our budget. Councilperson Greenberg added that we don't exactly have a budget. This is not in the budget. Councilperson Leinung said that that was going to be his question. Highway Superintendent Guyer said that he meant this year in our 2020 budget. We would have to stay within the confines of our 2020 budget in our 0.1. Councilperson Hennessy said that for the months of November and December is what you're saying. Highway Superintendent Guyer said for November and December of 2020, correct. Councilperson Leinung asked

Town of New Scotland
Regular Town Board Meeting
10/14/2020

if this is built into your 2021 budget or is that something we'd have to look at when we're doing 2021? Highway Superintendent Guyer said that this is something that we'd have to look at after the new year. Supervisor LaGrange said that we would be losing another equal pay-scaled person and if we didn't rehire immediately he could get us through January, February, and March is his take from this. We'd actually be paying out less than a full-time of 40 hours a week. Councilperson Leinung asked if it is a little cleaner to actually have a line item in the budget for part-time snowplow overtime and set like an x amount up to x. If we go over it, we go over it. We make budget mods all the time. Supervisor LaGrange added that he's sure Chris has a limitation of what he can make to start with. If we could prorate that out maybe that's the way to do it. It's going to throw the budget into a bit of a flux. You are going to have your standard employees in the Highway Department for the winter and the summer. The Board can control this but he would want to get into filling the retiree's role immediately, the one from November-December, when we can take advantage of this. He thinks it would almost have to be an independent while we don't have the full-time position filled. This would be there and maybe put some sort of cap on it. He doesn't know what the number is. Councilperson Leinung asked what we did for the parks? We have part-time seasonal parks workers. Highway Superintendent Guyer said that they are for highway and parks. There is a line item for seasonal workers. We've always utilized that for what we called "summer kids" for seasonal workers. We could come up with a number on that line item and possibly expand that somewhat and just incorporate that into the line item that's already there. Supervisor LaGrange replied that potentially he just doesn't want to crisscross over and have a situation where we're hiring a guy in February to take over for the guy that retired and then we have a snowstorm in February and March and Chris comes in, too. It's going to go through the budget offline, that's all. He's kind of working between what everybody has been thinking here and what's the best way to address that. He doesn't know. The Board still controls the pocketbook when you hire the full-time person. Maybe that makes it a moot point.

Councilperson Greenberg asked Kenny if his plan was to only use Mr. Zautner on snowplowing. Highway Superintendent Guyer replied that that was his idea originally because he does know we will be down two seasoned drivers to start. We could possibly be down three toward the end of winter when our last retiree for the year is at the tail end of November/beginning of December retires. We can put that off a little bit. There is a possibility we can be down three seasoned drivers come the tail end of winter. His main thing was snowplowing. If there was some other sort of emergency like the windstorm or something like that he would hate to earmark snowplowing totally in case something came up like some other sort of emergency. His main thought was snowplowing. Councilperson Greenberg said that he just didn't want to get into a situation where he was being used all the time or 30 hours a week or something like that. Highway Superintendent Guyer said that he can't work that. Councilperson Greenberg said that he remembers that the threshold is 21 hours. Highway Superintendent Guyer said yes and he will be under 20. He has a cap of under 20 hours per week. Councilperson Greenberg said so the plan is not to use him 19 hours every week? Highway Superintendent Guyer replied no. He added that there will be weeks that he works 19 hours. Councilperson Greenberg added that there might be weeks he doesn't work at all. Highway Superintendent Guyer said that that's correct. If it's sunny and dry for two weeks we don't call Chris at all. Highway Superintendent Guyer added that he doesn't plan on making a schedule and having him here showing up on a schedule. It will be because there is a storm coming, something like that. He'll call him ahead of time and give him a heads up. It won't be a set schedule and it won't be every hour. Councilperson Burke said that for 2021 couldn't we just add the seasonal worker at a certain amount and if it gets to be beyond that amount you come back and talk to us? We will have all seen it. Highway Superintendent Guyer asked if Supervisor LaGrange had any thought on that. Supervisor LaGrange said that we can figure something out. It's the Board's prerogative to add a position and constrain it, and it's Kenny's prerogative to hire someone under those constraints. He thinks we're safe to cruise ahead knowing what we are thinking and knowing Chris's parameters of his availability. We can handle that for the bulk of 2020. In the meantime, we could certainly come up with something that is appropriate to institute. Maybe we could set it up at our December meeting for the 2021 timeframe. Does that make sense to everybody? Councilperson Leinung said that he thinks it makes sense. We are going to be down people and it gives Ken that extra flexibility if somebody is sick or out with COVID. If you have people, then you at least have a little backup. He just wanted to make sure. For 2020 he thinks we can figure out a way to do this. For 2021 it would just be cleaner if we have a specific budget line. Maybe we could have that seasonal worker. Councilperson Hennessy said that he's generally supportive of it as long as it's not open ended as others have mentioned. He's all for planning ahead and having a contingency. He applauds Ken for thinking ahead like that. He doesn't want to get into a position where we are actually using somebody instead of hiring a new hire. He's supportive of new employees versus using a lot of retirees to cover things.

Town of New Scotland
Regular Town Board Meeting
10/14/2020

Generally that's how he feels. He wouldn't want to cover anyone else's roles which he doesn't see it doing. That's just his thought. As long as it's clear that it's for snow and emergencies he doesn't have any problem with it. Highway Superintendent Guyer said that he agrees with Bill. This will not take the place of a full-time employee. We need all of our employees. We need them all in the wintertime, we need them all in the summer when it comes time to pave, for emergencies, water breaks, storms, things like that, brush season; we need everybody so we do need to fill all of our full-time positions. We run a bare-bones ship as it is so this will not drag on and take the place. This is because he knows that two of our new employees do not have a full-time license yet. Even once they do obtain that, you just can't put anybody in a \$200,000 truck and send them out and say go do this. They need time to get used to stuff. This is for the winter. This is to get us through snow plow emergencies and things like that. It will not take the place of our need for full-time employees. Councilperson Greenberg said that maybe we could pass some kind of resolution with an up-to amount for this year. If we have to change it at some point we can. We could add to it. He would also be interested in an end time for the hire, the end of March or the end of April or something like that if you'll be up and running by then or out of snow season. At least we would have some limitations on it. We could always revisit any of those things. They are not etched in stone but at least it gives the Town Board some authority in hiring. Supervisor LaGrange asked if we want to come up with a plan for our November meeting or do we want to pass something tonight to get through the 2020 season? Councilperson Burke said that she thinks it makes sense to have Ken let us know in November what he thinks a reasonable budget would be, and he can even raise it at one of the COVID meetings if it seems that he's needed before our regularly scheduled November meeting. Supervisor LaGrange replied okay. Councilperson Greenberg asked if Ken feels like this is time sensitive and needs to be done before November in case there is some kind of storm? Highway Superintendent Guyer said that it would be nice to get something done. If he could maybe have permission to hire Chris on this as-needed basis for 2020 staying within the constraints of our 2020 0.1 budget line, and then we can certainly address 2021. He's not saying it's going to happen but if you listen to the weather the "S" word was said for Saturday, possible snow not far north of us. We have plowed and sanded roads in October. If we can get something done for 2020 that would be fantastic. We can certainly come up with a full plan at the November meeting and have something for the rest of the winter season for 2021. Councilperson Greenberg said that he's comfortable passing tonight if Ken stays in the budget and trusting Ken to be super responsible with these hours and how many there are. The other way he could see going is saying we are willing to hire tonight, something that would average out to no more than 10 hours per week or something like that. One week it might be 20 and the next week it might be zero. He doesn't know if there is a resolution that would work like that. Michael, you might have an idea. Attorney Naughton said that he would just say why don't we do this for a 30-day period and then we can clean it up with a more structured resolution and that will cover the short term. It could be up to 19 hours for any week during this 30-day period and then we could have a superseding resolution when this gets a little cleaner and we have that typed up. How does that sound? Councilperson Greenberg said that he liked it. Councilperson Burke said that that sounds reasonable. Highway Superintendent Guyer said that for now we will have 30 days and stay within the confines of his 2020 budget. Attorney Naughton added not more than 19 hours. Highway Superintendent Guyer said right. There is a limit on that so that can't happen anyway, and then we'll have something put together for November's meeting. Councilperson Greenberg replied yes. Highway Superintendent Guyer thanked the Board. Councilperson Burke asked if we should actually vote on that? Attorney Naughton said to get a resolution to approve it.

Resolution 2020-211

Councilperson Greenberg offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby approve hiring Christopher Zautner on as as-needed, emergency basis at a rate of \$23.57 per hour for no more than 19 hours per week and not to exceed the 2020 line item budget through November 15, 2020.

Councilperson Leinung 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>

Town of New Scotland
Regular Town Board Meeting
10/14/2020

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

Supervisor LaGrange said that we will try to sort something out for the balance of 2020 and then something that people can be happy with for 2021.

Councilperson Greenberg said that he doesn't know if now is the time or if you want to do this later. He and Doug had some discussion points with the Highway Department in terms of dealing with COVID. Is now a good time while Kenny is on highway issues or do you want to wait? Supervisor LaGrange said we're quick to getting there anyways. He was going to hit the COVID update and get into that discussion because it's not solely for highway, maybe under Liaison. If you don't mind we'll just flip through the next two and hit it on the third. Councilperson Greenberg replied okay.

10. Onesquethaw Volunteer Fire Co. Membership request for Stephenie Davis as an active Auxiliary Member

Resolution 2020-212

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby approve Onesquethaw Volunteer Fire Company's membership request for Stephenie Davis as an active Auxiliary Member.

Councilperson Leinung 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>

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

10A. Discussion/Action re: Bethlehem Land Surveying task order for Topographical Survey of Hilton Park.

Councilperson Hennessy said that as part of the Hilton Grant Project and the renovation of the park and the area around the barn we have site design requirements to provide an appropriate design and layout. Since significant grading and improvements have occurred over the past three years from installation of stone and then installation of some fill, grading around there, and then the hump reduction we need to have a more up-to-date topographical survey for the designers. This was generally understood when we were getting proposals. Creighton Manning provided the area that was needed and Bethlehem Land Surveying was the firm that did the survey work for Mohawk Hudson when they acquired the park and also when we did the work in acquisition of the one acre on the barn. So they have a lot of baseline information and they are the ones to go to for the survey. They gave us a proposal for \$600. He can attest that that's a fine number for such work. He would add that he did look at all the work that Barton & Loguidice is doing for the water. This area will actually accommodate much of the needed area of the Barton & Loguidice plans for the Kensington and Northeast connection. Barton & Loguidice actually said in their work that they did not need any updated survey. That's great and everything we need should be here and that's the background if anyone wants to ask questions. There were no questions.

Resolution 2020-213

Councilperson Hennessy offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby approve the proposal by Bethlehem Land Surveying for a total price of \$600 for topographical work and authorized the Supervisor to sign the proposal.

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>

Town of New Scotland
Regular Town Board Meeting
10/14/2020

Councilperson Burke Aye

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

11. Liaison Reports:

COVID

Supervisor LaGrange said that he did receive a late note from the Sheriff for yesterday's results but he didn't have a chance to go through it yet. It's kind of interesting. The 7th was the last he had a report and there were 163 cases county-wide and 975 quarantine contacts. The town had 3 cases and 23 contacts. On the 12th, which was Monday, we had 168 so a little bump in positives and he thinks that's increased a little bit from our emails directly from the County and a reduction to 779 quarantines countywide. In the Town, interestingly we had a bump from 3 to now 7 cases but a reduction from 23 contacts that are quarantined to 9. So, kind of an interesting number. He hasn't seen quite that close a case/contact since we started all this. Councilperson Leinung said that it sounds like it might be the same household. That could be what's happening. Supervisor LaGrange said that there are two households that account for five of the cases so yes you are correct there. There are two other households. There are four households with seven cases. The nine quarantines are nine different households. So that's where we stand. He will get an updated list tomorrow when he gets a chance to review the one sent today, but that's where we are right now.

Supervisor LaGrange said that Adam wanted to discuss the COVID situation at the Highway Department. Councilperson Greenberg replied that he did since we're not having a Friday meeting and because of our recent issues in terms of COVID in the town. He wanted to revisit with Kenny a little bit with winter coming the issue of making sure that if someone in the Highway Department comes down with COVID that it doesn't spread throughout our Highway Department because as we just heard with this Chris Zautner hire we need every driver we can get and we can't have half the crew down at the same time even if they're quarantined. He doesn't know what Ken's thoughts are on this. Is there a way to set up pods within the Highway Department where only four people are ever in contact with each other or something like that? He really thinks coming into this winter season with an assumption of a big uptick in cases we need to make sure that we keep New Scotland open and able to plow. We really need to have a conversation on how we are going to do that. It doesn't necessarily need to be tonight and he's happy to meet at Town Hall and do this or have anybody meet and figure this out. He thinks we need a specific plan. Highway Superintendent Guyer said that he thinks we can come up with something to separate the crew into quarters somehow. We have a handful of summer jobs to get through. We are getting close but we do have a handful of jobs where we need all hands on deck, brush clean-up being one of them. We have to finish up the Community Center project but we are getting there. Once we get to the plowing season we can somehow divide the crew and keep them separated whether its quarters but certainly with your plow partner. We do our very best to keep partners together in their trucks and not swap them around. In some cases you may have an emergency where you have no choice with the lack of everyone being a seasoned driver. We will do our absolute best in scheduling to keep partners in their truck and together as opposed to mixing it up. He will certainly meet with whomever. We can do it online or at a distance at Town Hall, however it works, and try to assist him in a plan. To do so would be fantastic. Councilperson Leinung said to build on that a little bit, he thinks it's also most important for the highway crew but also for the rest of the town if there might be a situation where technically half the crew is under quarantine. If somebody on the crew tests positive there are some pretty close contacts there. Luckily now we are at a point where if people get a COVID test you can get the results in 24-48 hours now. He just had to do that with his son who had a sniffle the other day. The schools require them to get a negative COVID test if they even have a little cold. It took a little more than 24 hours to get that back. That's something that we still want to have available if there is some type of possible contact. Having the highway crew or whoever at least gets a COVID test if they are subject to some type of quarantine or whatever. That's just something else to keep in mind now that we are at a stage where we can get the test returned quickly. Councilperson Greenberg said that it's not just getting the test returned. You don't necessarily get sick for a week so it's not as if somebody could come into the Highway Department having COVID. Everybody else could get tested tomorrow and get a negative back the next day and you're good to go. That's not how it works. Councilperson Leinung agreed. Supervisor LaGrange said that he thinks it's good to check this and maybe fine tune our protocols there but he thinks we're going to run into a similar situation here at Town Hall with everything

Town of New Scotland Regular Town Board Meeting 10/14/2020

closed up and the air circulation changing. We are allowing people in but there have been instances of people not necessarily when they come in adhering to the mask policy. Those are just some of the things. We try to keep a log of people coming in but unfortunately on a recent sheet some of them are filled up good with the names, telephone numbers, time in, and checking off boxes that they don't have a fever and so on and so forth and then checking out and writing it down. We've had some pages where basically everybody except a couple have the names, the time they came in, and their telephone number at least which is helpful if we have to do a contact tracing. According to that log nothing else is on there so they're still here. When it comes to contact tracing we don't know how long they were here or anything else. We have to clean ourselves up here at Town Hall too. We better make sure we don't get into a situation here. We can work here just like the Highway Department did with a skeleton crew and not allow anybody in but at the same time he doesn't know how long we can do things like we did in the past early on where we paid people to stay home. We got through 2020. If we adhere to the policies and do a better job we wouldn't have to worry about that. That's just his thoughts. Councilperson Leinung said that he thinks we are at a stage now that we don't need to go back to where we were but it's a very clear possibility if things start spiking again, We might be back to where we were in April or May. He doesn't think we're at that stage yet. Supervisor LaGrange said that his point was if we were to have a case here for lack of a better word laxity of following the rules we could run into a situation where we are all quarantined and then we can't service the public. It's just something to be mindful of and do a better job of checking people in and out. He's often heard people say, "Hey, don't forget to check out." He thinks we just have to do a better job of checking in and checking out. Maybe he has to send out a note to everybody to say if somebody comes in your office ask, "Have you filled that out completely?" Just so we stay on top of it. It is going to be different as we close things up. Councilperson Greenberg asked if it makes sense to have each office have their own sheet and whoever comes into the building whatever office they are going to do their business at that office make sure they sign the sheet when they come in. That office would make sure they sign the sheet when they leave. Supervisor LaGrange said that that's a good idea. Diane might be able to comment too. If we had the same sheet available at each office then at least whoever is dealing with the person could make sure that they filled it out completely and that they signed out when they left if it was right in that office. He doesn't know if that makes a difference for them leaving as long as they wait and we control that wait in case there are two or three people waiting for the same person and we keep them socially distanced. He asked Diane what her thoughts on that were. Town Clerk Deschenes said that sounds like a good idea for her. We don't have too many times when people are waiting. For us, with Patty and I both here, if she's taking care of one person I can go out and take care of another. We could even have two sheets, one for each of us. Sometimes she'll just take care of someone out in the hallway when we have someone else here. She thinks that sounds good. Unless you are out there sitting at the table with everyone that comes in you are not going to get a completed form. We don't go out and check right now each time they come in and then leave. This way if we had the form here we could make them fill it out before we take care of them. Councilperson Greenberg agreed adding that that's what you would have to do. Councilperson Burke said that that makes sense. She added that she spent time today looking at the COVID plan that we approved before and going through some of the minutes of our COVID meetings. At one point Michael had suggested and she thinks we all agreed that there should be a log in each department that captures when people are working together so it's not just the public coming in but if two people instead of staying six feet apart are spending a lot of time working together there is a log of that so if one of those people get sick then we can say they we're close with that one but not these other people because we regularly fill out such a log. Is that being done? Town Clerk Deschenes responded no adding that she doesn't really see how that could be done. She and Patty are six feet away from each other most of the time unless there is a problem on the computer and we're helping each other out. She doesn't know if you would you log those little times. Councilperson Burke said that with the two of you it would be an automatic. Town Clerk Deschenes said that she feels like that happens throughout the office other than maybe when Doug and Lisa were working on the budget or something like that when they were in the meeting room together for the entire day working on it or a couple of hours. That kind of stuff she can see logging maybe. Attorney Naughton said that his recollection is mostly for parks and highway where there are x number of people on the crew and two people go out in a truck. That's when they are in close contact. He thinks that the folks in Town Hall pretty much know who they are close to and for him it's when the tasks change and people are in these closed cars that's probably where we need to have a little bit better record keeping for the Highway Department. Councilperson Burke said that that certainly makes sense. She was wondering if there was some

Town of New Scotland Regular Town Board Meeting 10/14/2020

way to prevent the entire Town Hall staff from being on quarantine if one person gets sick? Councilperson Leinung said that the offices are currently fairly spread out. Diane and Patty are in the Clerk's office. The Supervisor's office is in the back. You interact throughout the day but not a ton of times and probably not for a few minutes at a time. Town Clerk Deschenes agreed. Councilperson Leinung said that it's probably very rare where someone from another department is within six feet of you for more than a few minutes. Town Clerk Deschenes agreed. Supervisor LaGrange added that most all are very cognizant about keeping their masks with them. He's had to wait in the back of Diane's office while she attended to someone because he forgot to bring his mask up front. A lot of us will wear them if someone is up front. If we go up there to work with somebody Lisa, Samantha, and Sarah all grab their masks and put them on before they leave their office. I've seen Jeremy wait back here in the hall because he came in and didn't have a mask on. It was in his office. So he waited back here until Diane had finished with someone in the lobby. Everyone is pretty cognizant of it and are pretty good about it. Lisa goes up to ask Mike McGuire a question or something like that. She'll be wearing her mask into his office and keeping it on while she's in there regardless of plexiglass or six feet. She's doing all three. So it's pretty well covered here as far as that goes at least in the interaction of the employees. Diane, you'll probably agree with that. Town Clerk Deschenes agreed. Supervisor LaGrange said that the biggest concern is probably just being sure that the interactions with the public are better controlled. He's got wipes. He cleans everything in the morning. Diane is often out front cleaning up the table. Maybe now if we just have them in the offices and they clean between people at the counter it's a little bit less arduous too. We certainly have the wipes and we have the opportunity. This whole thing just might be even better in a more specific way in that we can control things. Councilperson Leinung said that he thinks it would be good to remind people since now we're getting into the colder season to please have their mask on. Just a general reminder. We are all human. He doesn't want to say that we're getting lax but you get used to something. He remembers when at the beginning of COVID he was wearing gloves. He probably should still be. Just a friendly reminder to everyone that when dealing with the public have your masks. Things people are doing anyway but it doesn't hurt to send another reminder around. Highway Superintendent Guyer said that we talk about masks and just general hygiene. Wash your hands. Councilperson Hennessy it was not here but just the other night one of those doctor commentators said that the mask might be better than a vaccine. As far as the air discussion in Town Hall he'd like to comment about that. Diane has a new fresh air inlet in the front of the building system which is nice. It helps bring in fresh air. In the back of the building he and Doug met with a gentleman from an HVAC company. He never gave us a proposal and we didn't follow up with him. He's out of the state right now but he promised to have the proposal back to us on Friday. That was for installation of a new type of filtration on the air conditioner system that serves the back of the building. He would also just like to remind Doug and Town Hall to feel free to open your windows and bring in as much fresh air as you can. Supervisor LaGrange said that we do that. Thank you, Bill.

Supervisor LaGrange said that it's the Board's decision to implement an individual office sign in and sign out and make sure that it's completed before you work with someone and make sure they sign out. Also that they take care of their own spots for cleaning them down. That doesn't preclude me from doing them in the morning or anything else we do generally. He thinks it's important if we're going to go that route that they're available. One thing he's seen when people come in is that we have a big sign at that front desk that says the hand sanitizer is behind you. I'll bet you 90% of the people I see come in use it. Things like that. Their masks, using hand sanitizer, and making sure we're good with cleaning up after they're gone is a good start to get into this timeframe that we're approaching. Hopefully both the Highway and Town Hall can stay healthy.

Councilperson Greenberg just wanted to comment that people started to come in without a mask or something. That's news to him. If that's going to start to happening we're going to have to go back to the doorbell. He also thinks that if people see someone come in without a mask they have to say no you are not allowed in without a mask. Town Clerk Deschenes said that the problem is we don't see them come in without a mask; unless you are looking out the window there is no camera on the door. There was one incident and it happened today. It was a person who didn't have a mask. It was an employee's husband who just stopped to pick up a credit card. If she had known she would have met him at the door. He just walked in. As soon as he did we told him to stop. He didn't come any further than the door. He wasn't near anybody. That's the one time I'm aware of. Councilperson Leinung asked if we have a few spare masks to keep at the front? Town

Town of New Scotland

Regular Town Board Meeting

10/14/2020

Clerk Deschenes replied yes adding that she has them right in her office. Still if you don't see that person coming up the sidewalk and they happen to come in it can be perfectly innocent. Councilperson Leinung said that he thinks we're saying that people are absent-minded. If people are there for a longer period of time and they are refusing to wear a mask obviously that's a whole different situation. Councilperson Leinung added that it sounds like we haven't had that situation. Town Clerk Deschenes agreed. Supervisor LaGrange said that somehow too we are going to have to, maybe from your desk or Patty's desk, if somebody comes in, he knows he's often heard you say, "Who are you here to see?" How are we going to do that? Say somebody comes for Jeff. Betsy and Jessica are there in case somebody comes for Jeremy, Jeff, or Mike. They could hear that and one of them can meet the person. You could ring us back here if it's for one of us but that's fairly rare. We'll have to play with that. We're already kind of doing it anyway. Town Clerk Deschenes said either that or we sit someone at the table all day. Supervisor LaGrange said that he thinks we can figure it out.

Hilton Park

Councilperson Hennessy wanted to comment on the Hilton Park on the park side of things. The contract is still in the NYS Office of Parks and Recreation Historical Preservation Albany office for their final approval. Then they can send it to the Town for signature. They had some historic preservation amendments they need to include. That's what they found out during that review so they are putting that in. That I found out on September 28, 2020. That's where that is on the contract.

Planning Board

Councilperson Leinung said that for Planning Board he had two updates. First, Crystal asked the Planning Board their opinion on the Subdivision Law, the conservation subdivisions. They generally seem to be in a similar mindset as what we were discussing in the sense of having the conservation subdivisions be the default. They definitely would like some type of acceptance that the Planning Board could apply so it's not a cookie cutter. There might be some times where they need to deviate from the conservation subdivision. That was just a general focus. They also want to sit down with Nan to discuss more. They want to fully understand the conservation subdivision law. Crystal did say to them that there is going to be a more formal period where they are going to have a formal referral. This was more to get their general opinion at this stage. They did technically request to have some type of workshop with Nan, but I don't know if that needs to happen immediately or if that's something that can happen later. Supervisor LaGrange said that it would seem like it would be best to do after we have something for them to look at and then maybe have Nan go in and answer the questions they might have. That's just his thought. Councilperson Greenberg added that we don't even have a final document yet. Councilperson Leinung said that he thinks there was just a little confusion about how official an opinion we were seeking from them. He thinks we got their general opinion. He thinks Crystal clarified that. There will be some formal referral process at some point once there is an actual law to refer to.

The second piece he wanted to bring up was that there is an application in front of the Planning Board now. It's actually before the Zoning Board. It was referred to the Planning Board for a solar development on Tygert Road. The Planning Board was looking at it and actually made a negative referral back to the Zoning Board because of the existence of prime soils and also the site is on lands of statewide importance. He thinks that's the term. When they did that the Planning Board kind of felt that it was a great site. It made a lot of sense to have the site there but the restrictions without any type of leeway or any type of exceptions for the Planning Board to implement for this make it hard for them. They felt like their hands were tied basically. They asked if the Town Board would consider looking at the Solar Law again. One extreme is to remove the restriction on prime soils and land of statewide importance. The alternative is to give a little bit more leeway to the Planning Board to overrule those designations. This might be something more where we have a more direct conversation with the Planning Board. He just wanted to bring that piece up, as well. Councilperson Greenberg asked if this was just a referral from Zoning? Councilperson Leinung agreed. Councilperson Greenberg said that he doesn't understand that. If that is their theory they would issue a negative declaration on every zoning variance that came to them. The point of a variance is that you want some leeway from the law. Councilperson Leinung said that he thinks that's what they are saying. They want something in the law. He gets what you're saying. Councilperson Greenberg added that that's what a variance is, a leeway in the law. Councilperson Leinung said that that's what they were saying. Maybe

Town of New Scotland
Regular Town Board Meeting
10/14/2020

he's using a double negative. They recommended that the Zoning Board not grant the variance. Supervisor LaGrange said that that's good. That's what they are being asked for. Like Adam said, it's in the Zoning Board's hands to honor that. He's had a couple of calls on it. When we did the solar law we were of the opinion at the time that because we didn't have anything that addressed it we didn't allow solar farms for lack of a better term. So, when we got into it we by creating the law and having the restrictions that we do, knowing that there are a lot of areas in the town that have poor quality soils, have less than mature scrub brush, there are plenty of areas that could facilitate these solar farms. So, when we got to discussing the prime soils Laura Ten Eyck at the time added the soils of statewide importance. He thinks those two are important to keep the opportunity for farmland in the town. That goes back to our right-to-farm law, rural character, and so on and so forth. We often forget we relieve the restriction on solar for fields by creating the law and we just want it confined to less desirable areas as far as the soil and so on and so forth. It is what it is. If the Zoning Board feels that they should grant a variance for some reason to get around that we will see. Councilperson Burke said that it would be a use variance. Wouldn't it be more difficult? It's very challenging to grant such a thing. Councilperson Greenberg said it would not be a use variance. Councilperson Hennessy said that this is an area variance. He's seen such cases where there is a question of whether it's an area or a use, but the determination by counsel on it was area from what he read in any of the notes from the meeting he listened to. Basically the law is many years old. He thinks it's right that we look at it and see if it is something we want to consider. That's the easy answer on this. Councilperson Greenberg said that he agreed with Bill. It's also a new technology and something new that we're dealing with so we're going to understand it more as a few years go by and a few applications come in. Councilperson Burke added that she thinks we should respect that the Planning Board is saying we're uncomfortable with the state of the law. Could you take a look at it? We should go along with that. Councilperson Leinung agreed. They are just asking us to look at it. They pointed out that the solar farm on New Scotland South technically was on prime soils although those soils were not actually usable as farmland but that was granted. Supervisor LaGrange added that there was a very small sliver in the back corner to be precise. Councilperson Leinung said that he wasn't sure but that was brought up as an example. Supervisor LaGrange said that technically it could have been construed but he doesn't think it made it to the main project site. He'd have to relook at that. He recalls it that way. Councilperson Leinung said that there was also discussion about the forest. This site actually was cleared a few years ago. They also pointed to a possible loop hole in that if you clear land two or three years ago that doesn't fall within the current restrictions on solar. He thinks it's if you clear land within the last year that's still considered mature forest and you can't put solar there. There is a whole list. He thinks probably what we could do is ask the Planning Board to send us their specific concerns. We can talk to Crystal and she might articulate it better than he is. They did ask us to look at it. Again, this was all Planning. Zoning will be discussing this at their next meeting. Planning was just hemming and hawing that they are actually going to ask the applicant for the history of the land. Was it ever used for farming or was it used for farming in the last 50 years which gets kind of hard to do. If it's just a field for hay, is that farming? Is it just scrub that was there? There are a lot of issues. Maybe it's time to take a look at it. We could have a conversation with Crystal. Maybe she can talk to the Boards and see what specifically they want us to look at. Councilperson Burke said that that makes sense.

Census

Councilperson Leinung said that the census was originally supposed to end in September and then it got moved to October 31st. Supreme Court just said they can end early. So now the census is ending October 15th. Tomorrow is the last day to fill out your forms. He doesn't think the census takers have been out very much recently. That should all be ending tomorrow. New Scotland ended up with a little under 75% response rate. He thinks it was 74.7% which is an improvement over 2010 by 2% to 3% so that's good. We were still behind Guilderland, Bethlehem, and some of our surrounding towns. Generally around 75% is a pretty good response. Supervisor LaGrange asked if that is 75% of people who filed themselves? Councilperson Leinung agreed. Technically everyone was enumerated, someone knocked on their door. After this process they go and look at tax records and everything else to backfill for people who hadn't responded and who they couldn't get in touch with. That's what takes a few months.

12. **Departmental Monthly Reports:**

- **Town Clerk, Sept 2020**
- **Registrar, Sept 2020**

Town of New Scotland
Regular Town Board Meeting
10/14/2020

13. **Pay the Bills**
Resolution 2020-214
Supervisor LaGrange offered the following and moved its adoption:

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

Pay the Bills October 14, 2020		
Abstract #	Vouchers	Amount
	20200974-20201093	\$192,465.57
Abstract#	Prepays	
	20200929-20200931	\$1,284.85
	20200932	\$13,395.10
	20200933-20200952	\$5,352.94
	20200953-20200955	\$1,041.18
	20200956	\$115.36
	20200957-20200973	\$43,209.31

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

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

14. **Approve any Budget Modifications**
Resolution 2020-215
Supervisor LaGrange offered the following and moved its adoption:

Whereas, there is a need to provide additional funding for amounts made or to be made in excess of the appropriation provided in the adopted budget, the Town Board resolves to provide funding as follows:				
FROM	CODE	TO	CODE	AMOUNT
Fund Balance	SS0909	Purification	SS8330.4	\$200.00
To appropriate money from fund balance to purification for amount over budget (\$21.00) plus an estimate through year end.				
Fund Balance	WN0909	Source, Supply, Pump, Power	WN8320.4	\$1,250.00
To appropriate money from fund balance to source, supply for amount over budget (\$231.64) plus estimate through year end, including estimate to be paid to Village of Voorheesville for recent power outage.				
Fund Balance	WN0909	Water equipment	WN8397.2	\$34.40
To appropriate money from fund balance to water equipment for amount over budget.				
Fund Balance	SS0909	Med and Dental Ins.	SS9060.8	\$800.00
Fund Balance	WC0909	Med and Dental Ins.	WC9060.8	\$1,430.00
Fund Balance	WCC0909	Med and Dental Ins.	WCC9060.8	\$280.00
Fund Balance	WF0909	Med and Dental Ins.	WF9060.8	\$1,150.00
Fund Balance	WG0909	Med and Dental	WG9060.8	\$190.00

Town of New Scotland
Regular Town Board Meeting
10/14/2020

		Ins.		
Fund Balance	WH0909	Med and Dental Ins.	WH9060.8	\$645.00
Fund Balance	WKW0909	Med and Dental Ins.	WKW9060.8	\$160.00
Fund Balance	WN0909	Med and Dental Ins.	WN9060.8	\$930.00
Fund Balance	WNS0909	Med and Dental Ins.	WNS9060.8	\$830.00
Fund Balance	WS0909	Med and Dental Ins.	WS9060.8	\$373.00

To appropriate money from Fund Balance to Med. and Dental ins. for amount over budget and estimate through year end – mainly due to retirement and new hire.

The Town Board hereby resolves, pursuant to authority in Town Law, section 112, to amend the Town’s 2020 budget as stated above.

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

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

Executive Session

Supervisor LaGrange said that if there was no other business we did discuss last night maybe taking some time after this meeting to discuss individual employees, salaries, scales, and changes possibly for the 2021 budget. Is that still everyone’s desire? Councilperson Hennessy said that it probably isn’t Executive Session if we’re going to talk about the B fund. Councilperson Greenberg said that we are not doing that tonight. Supervisor LaGrange said that we have the two-page document that says 2021 salary increase in tentative budget and that covers many different funds.

Resolution 2020-216

Supervisor LaGrange offered the following and moved its adoption:

Resolved that the Town Board of the Town of New Scotland does hereby approve an Executive Session for discussion of salaries.

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

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

Executive Session began at 8:09 PM.

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

Executive Session adjourned at 9:17 PM

No action was taken during Executive Session.

Town of New Scotland
Regular Town Board Meeting
10/14/2020

15.

Adjourn

Councilperson Leinung made a motion to adjourn, seconded by Councilperson Greenberg.
The meeting adjourned at 9:19 PM.

Diane R. Deschenes, Town Clerk