

Mayor Kastberg called the meeting to order at 7:00 p.m.

PRESENT: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

EXCUSED: Trustee Mathes

Mayor Kastberg welcomed students from the Participation in Government class.

PRVILEGE OF THE FLOOR

Mayor Kastberg opened the privilege of the floor at 7:01p.m.

Rebecca Fountain of 135 Riverside Avenue; concerned with the increase of traffic on Riverside Avenue and the speed of the traffic; concerned with the safety of the children in that area.

Mayor will refer this issue to the Traffic Safety Committee.

Christine Mezzio of 222 Glen Avenue and Sharon Trumpler of 218 Glen Avenue; concerned that the fencing that will be installed by CVS that borders their property will not be privacy fencing as was approved with the site plan. Mayor will verify the type of fencing with the building inspector and provide that information to the homeowners.

Mayor Kastberg closed the privilege of the floor at 7:11p.m.

SPECIAL USE PERMIT FOR DUNKIN DONUTS

Luigi Palleschi of ABD Engineers provided the Board of Trustees with an overview of the project. The project has not changed since the last Special Use Permit approval. The land is owned by Jeff Christiana, that land is leased to Dunkin Corporate and Kevin Garcia owns the Dunkin Donuts franchise.

James P. Trainor, Esq; Attorney for Kevin Garcia stated that last time the application was made for a Special Use Permit there were legal arguments made against the approval by Don Bekkering and Shu Zhu Zheng regarding the use of the alley. Mr. Trainor stated that these issues have been brought before the Supreme Court and the decision was favorable to Mr. Garcia and a decision was made that Mr. Bekkering has no legal basis on what does and does not occur in that alleyway. Mr. Trainor provided a copy of that decision to the Board of Trustees.

Public Hearing

Mayor Kastberg opened the public hearing at 7:16p.m.

Michael T. Horan, Esq; Attorney for Mr. Bekkering and Ms. Zheng (owner of Ming's Flavor). Although there have been some objections to the project they are generally in favor of local business people improving their property. The objection is not to the drive-thru; the objection is that the alleyway is intended to be made a one-way (exit only).

Although this site plan was approved by the Planning Board, it is their position that the Village of Scotia or the owner of the property cannot limit access to his client's property; this is a decision that must be made by the Supreme Court. There is currently a law suit pending and the issue is still before the Supreme Court. The decision that Mr. Trainor referred to was a decision based on an application for an initial temporary restraining order only. The case is still pending and the easement issue will be decided upon by Judge Kramer.

Mayor Kastberg closed the public hearing at 7:22p.m.

SEQRA Determination

MOVED by Trustee Gifford, seconded by Trustee Tiberio that
Whereas, a Special Use Permit Application was submitted to the Board of Trustees for 17 Mohawk Avenue (currently operated as a Dunkin Donuts) for an Auto Drive-thru, and an Environmental Assessment Form (EAF) has been completed and reviewed, and
Whereas, it is determined that the proposed special use permit application is an unlisted action, now therefore

Be it Resolved, that said special use permit application approval would not have a significant adverse impact on the environment.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

Action

MOVED by Trustee Gifford, seconded by Trustee Rizzo that
Whereas, a Special Use Permit application was previously submitted and approved for 17 Mohawk Avenue for an Auto Drive-thru (for the current Dunkin Donuts) under Sections 250-21(B)1 of the Village Code, and

Whereas, the Permit has expired because the work was not undertaken timely due to extenuating circumstance with Dunkin Donuts corporate offices and the applicant still plans to proceed with the project, and

Whereas, a new Special Use Permit application which is the same as the previously approved application has been submitted for 17 Mohawk Avenue for an Auto Drive-thru (for the current Dunkin Donuts under Section 250-21(B)1 of the Village Code and
Whereas, the Planning Board has reapproved the Site Plan for the project and recommended that the special use permit be granted, and

Be it Resolved that the Board of Trustees approves the Special Use Permit Application for 17 Mohawk Ave for an Auto Drive-thru.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

RFP AUTHORIZATION FOR TELEMETRY SYSTEM

MOVED by Trustee Rizzo, seconded by Trustee Tiberio to authorize Superintendent of Public Works to issue a Request for Proposals for the Village of Scotia Telemetry System.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

RFQ AUTHORIZATION FOR LED STREET LIGHTING

MOVED by Trustee Rizzo, seconded by Trustee Gifford to authorize Superintendent of Public Works to issue an Energy Performance Contract Request for Qualifications for selection of a firm to evaluate and implement energy efficiency projects (LED Street Lighting) limited to the Village of Scotia.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

HALLOWEEN CELEBRATION

The Mayor announced that Halloween will be celebrated on Tuesday, October 31st from 4:00p.m. – 8:00p.m. The Scotia Fire Department’s Cider and Donut schedule will be posted on the Village’s website.

MAYOR’S COMMENTS TO THE BOARD

There will be a flu shot clinic on October 13th for all Village employees and retirees. On November 2nd Vern’s Barber Shop will celebrate 60th Anniversary. The Village of Scotia has been awarded a NYS Water Infrastructure Improvement Act (WIIA) grant for Wastewater Pump Station Improvements in the amount of \$425,000. The project includes upgrades to the current pump station, demolition of the old sewage treatment plant and fencing. CDTC provides linkage grants for pedestrian safety projects; the Mayor would like to apply for funding under this grant for upgrades to the bike path. The docks will be removed on Monday. The Scotia Glenville traveling art show is on display in Village Hall.

CORRESPONDENCE, LIAISON AND SPECIAL COMMITTEE REPORTS

Trustee Gifford – Attended Planning Board meeting; reviewed a preliminary site plan for the Cumberland Farms project and provided a positive recommendation to the Board of Trustees for the Dunkin Donuts Special Use Permit. Attended Fire Department meeting.

Trustee Tiberio – Attended a BID meeting; the Village and BID shared a booth at Oktoberfest which was well attended. Zoning Board meeting will be held later this month.

Trustee Rizzo – Attended Holiday on the Avenue meeting; putting together a small parade for the event which will be held Sunday, December 3rd.

DEPARTMENTAL REPORTS

MOVED by Trustee Tiberio, seconded by Trustee Rizzo that the Departmental reports be accepted as presented with thanks.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

Mayor appointed himself to the Finance Committee for this meeting only to review the audit of claims

AUDIT OF CLAIMS

MOVED by Mayor Kastberg, seconded by Trustee Rizzo that be it resolved that all claims against the Village dated October 11, 2017 be allowed and ordered paid in full in the amount of \$78,927.26 charged to the following funds:

A-General Fund	\$ 46,278.57
F-Water Fund	\$ 28,902.70
G-Sewer Fund	\$ 3,745.99

Further the Clerk/Treasurer is hereby authorized to draw checks in the claimants’ favor and in the full amount listed and charge the same to the funds listed therein.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

October 11, 2017

MINUTES OF THE REGULAR MEETING HELD SEPTEMBER 13, 2017

MOVED by Trustee Tiberio, seconded by Trustee Rizzo that the minutes of the September 13, 2017 Village of Scotia, Board of Trustees meeting are hereby approved.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

MINUTES OF THE SPECIAL MEETING HELD SEPTEMBER 18, 2017

MOVED by Trustee Tiberio, seconded by Trustee Rizzo that the minutes of the September 18, 2017 Village of Scotia, Board of Trustees meeting are hereby approved.

Ayes: Trustee Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: Trustee Gifford

MINUTES OF THE SPECIAL MEETING HELD OCTOBER 3, 2017

MOVED by Trustee Tiberio, seconded by Trustee Rizzo that the minutes of the October 3, 2017 Village of Scotia, Board of Trustees meeting are hereby approved.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

NEW BUSINESS

SCHENECTADY COUNTY FIRE GRANT

The Mayor stated that the Schenectady County Legislature announced that the Scotia Fire Department has been approved by the Legislature's Public Safety Committee for a grant in the amount of \$5,000. The money will be used to purchase fire extinguisher training equipment.

MOVED by Trustee Gifford, seconded by Trustee Rizzo to authorize the Mayor to sign a Public Benefit Services Agreement with the County of Schenectady for a grant in the amount of \$5,000.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

BUDGET AMENDMENT

MOVED by Trustee Rizzo, seconded by Trustee Tiberio that

Whereas, there was damage to the fence in Collins Park during FY 16-17, and

Whereas, the Village received insurance funds for the repair but were not able to complete the job prior to May 31st, now therefore

Be it Resolved, to amend the FY17-18 Village Budget to increase A.7140.4552 by \$7,800, offset by fund balance.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

October 11, 2017

ADJOURNMENT

MOVED by Mayor Kastberg, seconded by Trustee Rizzo to adjourn the meeting at 7:35p.m.

Ayes: Trustee Gifford, Rizzo, Tiberio and Mayor Kastberg

Noes: None

Abstentions: None

Respectfully submitted,

Maria A. Schmitz

Clerk to the Village Board of Trustees