

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

PRESENT: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Mayor Gifford called for a moment in silence in memory of Donald Wayand, Bud Harvey and Charles McCarthy.

PRVILEGE OF THE FLOOR

Mayor Gifford opened the privilege of the floor at 7:02p.m.

Dave Lindsay of 14 Red Coach Drive – Congratulated Daniel Harrigan, Henry Brady and Christopher Clemente on their appointments. Provided the Board of Trustees with a formal request that the Village Board of Ethics be convened to review the conflict of interest relating to Andrew Kohout running for, and potentially serving in a Town Board position while serving as the Village of Scotia’s Superintendent of Public Works. Mr. Lindsay stated that, the 30 residents that signed the petition are deeply concerned about numerous violations of the standards of the duly adopted Village Code of Ethics. Specifically, standards listing in §24-3C,(1),(2),(4) and (5) of the Code of Ethics are at risk of violation should Andrew Kohout be elected to the Town Board in Glenville while also serving as the Village Superintendent of Public Works. Mr. Lindsay asked for a response to the formal request as outlined in the Village Code of Ethics.

Mike Seburn of 515 Riverside Avenue – Works for the Town of Glenville Department of Works; thanked the Village of Scotia for all of their assistance with the 10th annual Oktoberfest.

Faye Tischler of 207 Riverside Avenue – Provided the Board of Trustees with an article relating to Ballston Spa’s recent adoption of livestock law and copy of the City of Albany’s law related to keeping of hens. Urged the Village Board of Trustees to consider a change in the Village Ordinance §104-9 that prohibits residents from keeping chickens within 300 feet of any dwelling other than the one occupied by said resident. As written, this ordinance would make it unlawful for most Village residents from keeping chickens in their backyard. Several municipalities are amending their code to allow for backyard chickens; most limit the chickens allowed to about 6, all prohibit keeping of roosters, many have stipulations about size and placement of coup on the property and many have a requirement of a license or registration fee and ban the outside slaughter of chickens.

Kurt Semon of Droms Road – Concerned with the Town of Glenville election as related to the Village of Scotia Code of Ethics. Recommends that the Village would convene the Ethics Board; once a decision is made the recommendation should be forwarded to Albany. Stated that the Village of Scotia has a strong Code of Ethics; respectfully requested that the code be addressed and a commitment be made to follow that code.

Gregg Zeman of 44 Washington Road – Congratulated Dan Harrigan and Henry Brady on their appointments. Addressed the board in response to the misrepresentation made by the Town of Glenville Republican party. Stated that Mr. Kohout is an employee of the Village and does not make policy for the Village of Scotia; that is decided by the Mayor and the Village Board. NYS Comptroller and NYS Attorney General office have put forth multiple opinions that it is acceptable for the Superintendent of Public Works in a Village to run for a Town Board seat. Mr. Zeman stated that this is a blatant attempt to deny the citizens of Glenville a highly qualified and knowledgeable candidate for Town Board; let the voters decide.

Pamela Spicer of 210 Fifth Street – The Village has a Board of Ethics and law; this law should be followed. Requesting that Andrew Kohout step down and not pursue the position on the

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Town Board. Requested that the Board of Ethics to convene to address this issue. Also, addressed the ongoing neglect of zombie properties in the Village of Scotia. The Building Inspector should be addressing these issues. Concerned with the decisions made by the Zoning Board of Appeals.

Mayor Gifford closed the privilege of the floor at 7:20p.m.

APPOINTMENT OF DANIEL HARRIGAN TO POSITION OF POLICE CHIEF

MOVED by Trustee Rizzo, seconded by Trustee Tiberio that
Whereas, Peter Frisoni, Chief of Police, resigned effective 9/27/19, and
Whereas, the Board of Trustees for the good of the Village and Police Department appointed Daniel Harrigan Temporary Police Chief effective 9/27/19, now therefore,
Be it Resolved, that Daniel Harrigan is appointed as permanent Police Chief effective 10/13/19 subject to civil service requirement and at a salary determined by the Board of Trustees effective 9/27/19.

Ayes: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

APPOINTMENT OF HENRY BRADY TO POSITION OF POLICE SERGEANT

MOVED by Trustee Rizzo, seconded by Trustee Gray that
Whereas, Daniel Harrigan is appointed permanent Chief of Police effective 10/13/19, leaving an open sergeant slot, and
Whereas, a committee has conducted interviews for the position of sergeant, now therefore,
Be it Resolved, that the Board of Trustees hereby makes a conditional permanent appointment of Officer Henry Brady as Sergeant effective 10/13/19 subject to civil service requirements.

Ayes: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

APPROVAL OF VOLUNTEER FIREFIGHTER

MOVED by Trustee Tiberio, seconded by Trustee Rizzo that
Whereas, the Village Fire Department has recommended that Christopher Clemente be appointed volunteer firefighter for the Village of Scotia Fire Department, now therefore,
Be it Resolved, that the Board of Trustees approves the appointment of Christopher Clemente as volunteer firefighter for the Village of Scotia Fire Department.

Ayes: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

CLOSURE OF RED COACH DRIVE

MOVED by Trustee Solotruck, seconded by Trustee Tiberio to authorize the closure of Red Coach Drive from Holly Blvd to Deerfield Place on Saturday, October, 26, 2019 from 1:00p.m. to 5:00p.m.

Ayes: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

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HALLOWEEN CELEBRATION

The Mayor announced that Halloween will be celebrated on Thursday, 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.

Ayes: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

MAYOR'S COMMENTS TO THE BOARD

The Scotia Fire Department will be providing cider and donuts throughout the Village on Halloween; schedule will be posted on the Village's website. Fire Department will be holding a live burn drill Sunday, October 20th at 8:00am at Saratoga County Fire Center; Trustees are welcome to attend. Mayor stated that he has received lists from Civil Service for candidates for the open Police Officer position. In response to the Village's request, the graffiti on the railroad bridge at Route 50 and Cuthbert Street was painted over. Thanked Trustee Tiberio and Trustee Solotruck for helping with the Village's booth at the Oktoberfest. Village's employees are completing the required Sexual Harassment Prevention Training. Flint House held an open house last weekend. Village employee health screenings and flu shots will be held October 25th at Village Hall. Steve Lubbe is in the process of the Village's annual audit.

CORRESPONDENCE, LIAISON AND SPECIAL COMMITTEE REPORTS

Trustee Solotruck– Attending a Traffic Safety Committee meeting; discussed a four way stop at Seeley and Broad Street. Working with the school district to create safer walking paths and street crossings. Discussed calming efforts throughout the Village including the intersection of Rt. 5 & Rt. 50. Discussed the traffic study of Rt. 5 & Rt. 50 provided by CDTC; first step into further linkage studies to apply for grants to create traffic calming measures, improved parking and improve safe walkability within our Business District. Attended Police Chief interviews; thanked Trustee Tiberio and Mayor Gifford for holding the Sergeants interviews. Met with Jim Marx, Supervisor of Parks and Recreation regarding the condition of Collins Lake; discussed the threat of algae blooms, Supervisor utilizing all resources to reduce that threat. Attended Open House at Glenville Hills Fire Department. Attended Open House at Flint House property which also hosts the dog park and community gardens.

Trustee Gray– Congratulated Chief Harrigan and Sergeant Brady on their appointments. Encouraged Village residents to review the proposed Town Budget. Online portal available to view usage and pay water and sewer bills; payment is due by October 31st without penalty. Docks will be coming out on Friday, October 18th; paving for the season is complete and leaf removal will begin shortly.

Trustee Rizzo – Attended the Burnt Hills Rowing Association Regatta on October 6th. Attended Special Events Committee meeting regarding Holiday on the Avenue; this year there will be a pie contest, chowder contest and store front decorating contest in the Business District.

Trustee Tiberio – Attended a BID meeting; BID sponsored some events at the regatta and provided a street team to hand out flyers with special discounts and coupons to encourage support of the businesses. Eric Buskirk provided a presentation to the BID on the Electric Vehicle Charging Stations; Village will provide two slow chargers and only fast charger

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available within 50-60 miles; business owners excited and looking to provide discounts to those that use the chargers. Thanked Police Chief Pete Frisoni for his service; as liaison to that department Trustee Tiberio forward to working with Chief Harrigan. Last year Trustee Tiberio and former Trustee Keven Mathes secured a \$30,000 grant for the Fire Department to be used for a fire bail out tower training center; this year Assemblywomen Walsh was able to secure an additional \$20,000; now have \$50,000 for that project.

DEPARTMENTAL REPORTS

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

Ayes: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

AUDIT OF CLAIMS

MOVED by Trustee Gray, seconded by Trustee Solotruck that be it resolved that all claims against the Village dated October 9, 2019 be allowed and ordered paid in full in the amount of \$179,578.85 charged to the following funds:

A-General Fund \$164,770.37

F-Water Fund \$ 11,771.55

G-Sewer Fund \$ 3,036.93

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 Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

MINUTES OF THE REGULAR MEETING HELD SEPTEMBER 11, 2019

MOVED by Trustee Tiberio, seconded by Trustee Rizzo that the minutes of the September 11, 2019 Village of Scotia, Board of Trustees meeting are hereby approved.

Ayes: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

MINUTES OF THE SPECIAL MEETING HELD SEPTEMBER 16, 2019

MOVED by Trustee Tiberio, seconded by Trustee Rizzo that the minutes of the September 16, 2019 Village of Scotia, Board of Trustees meeting are hereby approved.

Ayes: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

MINUTES OF THE SPECIAL MEETING HELD SEPTEMBER 17, 2019

MOVED by Trustee Tiberio, seconded by Trustee Rizzo that the minutes of the September 17, 2019 Village of Scotia, Board of Trustees meeting are hereby approved.

Ayes: Trustee Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

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Abstentions: Trustee Gray

MINUTES OF THE SPECIAL MEETING HELD OCTOBER 1, 2019

MOVED by Trustee Solotruck, seconded by Trustee Rizzo that the minutes of the October 1, 2019 Village of Scotia, Board of Trustees meeting are hereby approved.

Ayes: Trustee Gray, Rizzo, Solotruck and Mayor Gifford

Noes: None

Abstentions: Trustee Tiberio

MINUTES OF THE SPECIAL MEETING HELD OCTOBER 7, 2019

MOVED by Trustee Solotruck, seconded by Trustee Rizzo that the minutes of the October 7, 2019 Village of Scotia, Board of Trustees meeting are hereby approved.

Ayes: Trustee Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: Trustee Gray

NEW BUSINESS

BOND RESOLUTION OF THE VILLAGE OF SCOTIA, SCHENECTADY COUNTY, NEW YORK AUTHORIZING THE ISSUANCE OF \$3,000,000 SERIAL BONDS TO FINANCE IMPROVEMENTS TO THE VILLAGE WATER SYSTEM

MOVED by Trustee Tiberio, seconded by Trustee Gray:

BE IT RESOLVED by the Board of Trustees of the Village of Scotia, Schenectady County, New York (the "Village"), as follows:

Section 1. The acquisition, construction or reconstruction of or additions to the Village water supply and distribution system including original furnishings, equipment, machinery or apparatus required in connection therewith, or the replacement of such equipment, machinery or apparatus, is hereby authorized at a maximum estimated cost of \$3,000,000.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$3,000,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of not to exceed \$3,000,000 serial bonds of the Village (the "Bonds") authorized to be issued pursuant to this Resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is forty (40) years, pursuant to subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law. The proposed maturity of the Bonds will be in excess of five years.

Section 4. Any grant funds obtained by the Village to fund the capital purposes described in Section 1 of this resolution shall be applied to pay the principal of and interest on the Bonds or any bond anticipation notes issued in anticipation of the Bonds, or, to the extent obligations shall not have been issued under this resolution, to reduce the maximum amount to be borrowed for such capital purposes.

Section 5. Pursuant to Section 107.00(d)(3)(a) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

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Section 6. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this Bond Resolution.

Section 7. The Bonds and any bond anticipation notes issued in anticipation of the Bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village without legal or constitutional limitation as to rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this Bond Resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00, 30.00, 50.00 and 56.00 to 63.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to sell and deliver Bonds providing for substantially level or declining annual debt service, is hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 9. This Bond Resolution is intended to constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by this Bond Resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this Bond Resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 10. The Village Treasurer, as Chief Fiscal Officer of the Village, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the Village to provide secondary market disclosure as required by United States Securities and Exchange Commission Rule 15c2-12.

Section 11. The Village Treasurer, as Chief Fiscal Officer of the Village, is further authorized to sell all or a portion of the Bonds to the New York State Environmental Facilities Corporation ("EFC") in the form prescribed in one or more financing or similar agreements between the Village and EFC; to execute and deliver on behalf of the Village one or more Financing Agreements with EFC and to execute such other documents, and take such other actions, as are necessary or appropriate to obtain a loan or loans from EFC for all or a portion of the costs of the expenditures authorized by this Bond Resolution, and perform the Village's obligations under its Bonds delivered to EFC and Financing Agreements.

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Section 12. The validity of the Bonds authorized by this Bond Resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this Bond Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 13. This Bond Resolution, or a summary hereof, shall be published in the official newspaper of the Village, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 14. The Board of Trustees hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 15. This Bond Resolution is adopted subject to permissive referendum in accordance with Section 36.00 of the Local Finance Law. This resolution shall take effect thirty (30) days after its adoption or if a petition is filed pursuant to Article 5-A of the Village Law, upon the affirmative vote of a majority of the qualified electors of the Village voting on the referendum.

Ayes: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

ADJOURNMENT

MOVED by Mayor Rizzo, seconded by Trustee Solotruck to adjourn the meeting at 7:55p.m.

Ayes: Trustee Gray, Rizzo, Solotruck, Tiberio and Mayor Gifford

Noes: None

Abstentions: None

Respectfully submitted,

Maria A. Schmitz

Clerk to the Village Board of Trustees