

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

PRESENT: Trustee Gifford, Mathes, Rizzo, Zeman and Mayor Kastberg

Mayor Kastberg welcomed students from the Participation in Government class.

Mayor Kastberg and Chief Almy swore Captain Jim Jones in and presented him with his badge.

Mayor Kastberg opened the privilege of the floor at 7:10p.m.

Jerry Moore of 122 Jay Street read the following statement:

My name is Jerry Moore – J-e-r-r-y M-o-o-r-e – and anyone who wants a copy of what I say tonight can contact me at JerryMoore@nycap.rr.com or request a copy from the Scotia Village Clerk, who might charge you for the copy.

When I began my research into the connection between the Village Trustees and Freedom Park Foundation, I had no idea that I'd be going down the rabbit hole of cronyism, broken laws, a non-functioning Ethics Board, a deceptive sewage plant study, a pathetically written sewage services contract with Schenectady and a Dear Sewer Customer letter with the seeming intent of misleading our neighbors more than informing them. I had no idea rabbits lived in such dark, damp, stinky holes, but I'm sure the Trustees smell nothing.

Which reminds me. I brought a poster with me tonight. I'll show it to the YouTube audience first. At the top are pictures of the four trustees who have repeatedly voted to move forward with the process of bringing a sewage treatment plant closer to Collins and Freedom Parks, and closer to the homes of our neighbors. At the September 14th trustees meeting, I proved this is an economic boondoggle, and you can find a copy of my presentation at www.scotiasewagecac.com/, a worthy organization that I do not belong to for their own protection.

The trustees are pictured above an admittedly doctored satellite photo of Schenectady's sewage treatment plant. Gases whirl around the plant and vapors rise past the clothespinned noses of the trustees who happily proclaim, "We don't smell anything."

At the bottom of the poster, readers are invited to Google "Sewer Plant Smells." When they do that, they will find link after link to articles reporting about smells coming from modern sewage plants. "Dirty diaper" smells. "Rotten eggs" smells. Smells like that from "toilets not flushed for 10 days." Smells that get worse with rain, or wind, or cool nights or warm days. And articles telling people not to purchase homes near sewage treatment plants. Many, many articles.

Now I ask the trustees, should we not believe everything we read on the Internet, or should we not believe everything we read in Dear Sewer Customer letters written by mayors who say, "Modern treatment plants produce no detectable odor beyond the confines of the plant." Some of the Google links refer to plants built or upgraded this decade. Maybe those aren't modern.

Even more interesting is the whole paragraph entitled, "What About Smell?" It has 5 sentences and the only one dealing with smell is the one I just read. The sentence following it says, "They also require only two people to operate." Smell. Staffing. Aren't paragraphs supposed to have unity, order, coherence and completeness, Kris? How can a masterdegreed retired public school teacher write a paragraph about smells that goes from no detectable smells to the number of operators, who, by the way, won't be village employees, but who will be driving on an entrance road away from residences. Maybe the employees won't be using deodorant and it's important to keep them away from residential areas. After all, why waste money on deodorant if you work at a sewage plant? Thank goodness they won't be village employees.

You say, Kris, that you want to build a sewage plant because the sewer charge is a significant part of our bill, implying that our sewer rates will go down. How much, Kris? You don't say. You don't even promise our rates will go down. Isn't true that our sewer rates will go up even if we build the plant? Your study projects our construction and operations costs, but it doesn't project our sewer rates. Why not?

Directly impacting our sewer rates is our probable liability to Schenectady to pay capital costs

after we terminate the service contract. I have discussed Paragraph 26 of the sewage treatment agreement in emails with the Village Clerk. That paragraph makes Scotia sewer customers liable for our proportionate share of the **total costs** of repairs and upgrades made to the Schenectady plant while the contract is in force. The contract is ambiguous about whether sewer customers owe the entire amount even after the contract expires, or if we owe only the amortized portion of the total debt incurred, and only so long as the contract is in effect. Frankly, I don't care about what you think Paragraph 26 means. And I don't care about what you think the City of Schenectady thinks it means. I don't even care what the Village attorney thinks it means, especially since she never should have approved such awful language, assuming you had her review the terms of the contract.

What I know is the language is ambiguous and that it's in Schenectady's interest to assert that we owe the entire amount of repairs and upgrades made while the contract was in force in proportion to our usage of the plant. That means Scotia sewer customers could end up paying for two plants at once. There is absolutely no way any trustee or any resident should vote for a new plant without a letter of clarification from Schenectady expressly stating that once the contract expires, no further bills for anything will be submitted to the Village. Finally, page 1 of the bogus "study" says, "The costs associated under the current agreement with the City . . . are stipulated in the contract and are primarily based on wastewater flow Historical information can be used to determine the annual cost of [the lease option with Schenectady]."

On page 14 of the bogus "study," city contract costs range from \$758,000 in year 1 to \$794,000 in year 10. Do the trustees know how much our sewage bill for July 1, 2015 to June 30, 2016 is? It's \$563,743.05. The projected first year contract cost owed to Schenectady is \$194,257 or 34% higher than our actual cost this year.

What kind of historical information is McDonald Engineering using? I've reviewed our sewer costs from 1967 to present. There is nothing in the historical data that comes close to justifying the \$758,000 value used in the "study." Moreover, McDonald provides us with no spreadsheets or tables to show us how it arrived at \$758,000 by using historical information. It doesn't show us Schenectady's operating costs, or our payments. It doesn't show our share of Paragraph 26 expenses. I asked the Village Clerk if she could project our Paragraph 26 expenses for the next 5 years and she said that Schenectady hasn't given us the data to do that calculation. If she doesn't have the data, I know McDonald Engineering doesn't, which is why it gives us nothing. \$758,000 is just a black-box, completely unjustified, and completely unjustifiable.

And it's just the completely unjustified and unjustifiable number that provides the only basis for making the claim that building a new sewage plant closer to Collins and Freedom Parks is a better option than leasing treatment services from Schenectady. Do the Trustees think we are complete ignoramuses out here? Do we look like a basket of deplorables?

We demand the clarification letter from Schenectady about Paragraph 26. We demand to see the historical information used by McDonald Engineering to calculate the cost of leasing services from Schenectady. We demand to see the spreadsheets where that historical information produces the number of \$758,000. We demand to see a projection of our sewer rates. We demand it because the Dear Sewer Customer letter is a bad John Oliver joke. We demand it because sound judgment requires us to verify the crucial assertions you make. We demand it so we can fulfill our duty to make informed decisions that will affect our community for decades. If you don't want to give it to us, I'll be accepting your resignations at the door at the end of the meeting, because you have no business running our government.

Mark Dreisenstock of 7 Washington Avenue; McDonald Engineering prepared the Waste Water Treatment Plant Study and stand to make 1.4 million dollars if the project goes through; stated that he believes this is a conflict of interest. Would like a third party to review the study and to provide an objective opinion.

The Mayor stated that if the project were to go through; the engineering of the project would be put out for a Request for Proposal (RFP).

Mayor Kastberg opened the privilege of the floor at 7:20p.m.

RESOLUTION APPROVING GRANT AWARDS FOR CASE #6N29-06 IN CONNECTION WITH VILLAGE OF SCOTIA HOUSING REHABILITATION PROGRAM

MOVED by Trustee Mathes, seconded by Trustee Zeman that

Whereas, the Village of Scotia has established a Housing Rehabilitation Program funded by the New York State Affordable Housing Corporation Affordable Home Ownership Development (AHOD) Home Improvement Program; and

Whereas, this program provides grants to the home owner to cover 100% of the cost of eligible costs, including rehabilitation construction, administration, project delivery, and associated soft costs, up to a maximum of \$40,000 per project, and

Whereas, a single family property Case File #6N29-06 has been determined to be eligible for this grant assistance and the owner of the property has requested such assistance, and

Whereas, property rehabilitation specifications will be provided to a minimum of three (3) qualified contractors for bid, and

Whereas, the low bid cost to complete the rehabilitation work specified is to be determined but will not exceed funds available, including the costs for administration, project delivery, and associated soft costs, and

Whereas, the low bid cost to complete the work specified will be verified upon receipt of bidding documents, and

Whereas, Shelter Planning & Development, Inc. has overseen the grant process and has verified that it has been followed in this case and recommends approving these grants, and

Whereas, a Note and Mortgage will be filed against the property for the benefit of the New York State Affordable Housing Corporation of a period of ten (10) years from the completion of the rehabilitation,

Now Therefore, Be it

Resolved, that the Village Board authorizes and directs either the Mayor to execute the Grant Award agreements and take such other and further action as may be necessary to effectuate the terms of this Resolution.

Ayes: Trustee Gifford, Mathes, Rizzo, Zeman and Mayor Kastberg

Noes: None

Abstentions: None

RESOLUTION APPROVING GRANT AWARDS FOR CASE #6N29-07 IN CONNECTION WITH VILLAGE OF SCOTIA HOUSING REHABILITATION PROGRAM

MOVED by Trustee Mathes, seconded by Trustee Zeman that

Whereas, the Village of Scotia has established a Housing Rehabilitation Program funded by the New York State Affordable Housing Corporation Affordable Home Ownership Development (AHOD) Home Improvement Program; and

Whereas, this program provides grants to the home owner to cover 100% of the cost of eligible costs, including rehabilitation construction, administration, project delivery, and associated soft costs, up to a maximum of \$40,000 per project, and

Whereas, a single family property Case File #6N29-07 has been determined to be eligible for this grant assistance and the owner of the property has requested such assistance, and

Whereas, property rehabilitation specifications will be provided to a minimum of three (3) qualified contractors for bid, and

Whereas, the low bid cost to complete the rehabilitation work specified is to be determined but will not exceed funds available, including the costs for administration, project delivery, and associated soft costs, and

Whereas, the low bid cost to complete the work specified will be verified upon receipt of bidding documents, and

Whereas, Shelter Planning & Development, Inc. has overseen the grant process and has verified that it has been followed in this case and recommends approving these grants, and

Whereas, a Note and Mortgage will be filed against the property for the benefit of the New York State Affordable Housing Corporation of a period of ten (10) years from the completion of the rehabilitation,

Now Therefore, Be it

Resolved, that the Village Board authorizes and directs either the Mayor to execute the Grant Award agreements and take such other and further action as may be necessary to effectuate the terms of this Resolution.

Ayes: Trustee Gifford, Mathes, Rizzo, Zeman and Mayor Kastberg

Noes: None

Abstentions: None

JUSTICE COURT ASSISTANCE PROGRAM

MOVED by Trustee Rizzo, seconded by Trustee Mathes that

Whereas funding has been made available under a competitive grant process through the NYS Justice Departments Justice Court Assistance Program for funding of municipal projects, Whereas it is in the best interest of the Village of Scotia to apply for available funding to assist with the financing of such projects for the Village Court,

Whereas the Village of Scotia's Board of Trustees approves the submission of an application for funding under the 2016-2017 Justice Court Assistance Program (JCAP) with a request up to the maximum amount available.

Now therefore Be it Resolved that Kris Kastberg, Mayor the Village of Scotia is authorized to execute all necessary documentation for the 2016-2017 JCAP application for court funding under the NYS Department of Justice.

Ayes: Trustee Gifford, Mathes, Rizzo, Zeman and Mayor Kastberg

Noes: None

Abstentions: None

APPROVAL OF VOLUNTEER FIREFIGHTER

MOVED by Trustee Gifford, seconded by Trustee Zeman that

Whereas the Village Fire Department has recommended that Jason Roney be appointed as a volunteer firefighter for the Village of Scotia Fire Department, now therefore,

Be it Resolved that the Board of Trustees approves the appointment of Jason Roney as a volunteer firefighter for the Village of Scotia Fire Department.

Ayes: Trustee Gifford, Mathes, Rizzo, Zeman and Mayor Kastberg

Noes: None

Abstentions: None

SUPLUS OF EQUIPMENT

MOVED by Trustee Gifford, seconded by Trustee Rizzo that

Whereas, the Police Chief has determined that the 2006 Chevy Impala VIN#2G1WS581069390099 and 5 Motorola CDN-1250 & 5 Motorola MaxTrac mobile police radios and 3 MTX portable police radios are no longer serviceable, now therefore

Be It Resolved that the 2006 Chevy Impala VIN#2G1WS581069390099 and 5 Motorola CDN-1250 & 5 Motorola MaxTrac mobile police radios and 3 MTX portable police radio are surplus and no longer needed, and

Be It Further Resolved the surplus equipment be sold or disposed of in a manner permitted by law.

Ayes: Trustee Gifford, Mathes, Rizzo, Zeman and Mayor Kastberg

Noes: None

Abstentions: None

HALLOWEEN CELEBRATION

The Mayor announced that Halloween will be celebrated on Monday, October 31st from 4:00p.m. – 8:00p.m.

MAYOR'S COMMENTS TO THE BOARD

The Scotia Fire Department Cider and Donut schedule is out and will be posted on the Village website. The Scotia Glenville traveling art show is now in Village Hall. The Mayor received a thank you from Susan Swartz, Superintendent of Scotia Glenville Schools, thanking the Village for their commitment to safety with the installation of the sidewalks along Albermarle Road and

October 12, 2016

NEW BUSINESS

The Mayor stated that Terry Jackson resigned from the Zoning Board of Appeals effective October 7th.

Mayor Kastberg appointed E. Thomas Neals to fill the vacancy of Terry Jackson, term to expire 2019.

ADJOURNMENT

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

Ayes: Trustee Gifford, Mathes, Rizzo, Zeman and Mayor Kastberg

Noes: None

Abstentions: None

Respectfully submitted,

Maria A. Schmitz

Clerk to the Village Board of Trustees