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TOWN BOARD COUNTY OF ALBANY

TOWN OF COLONIE

TOWN BOARD MEETING

THE STENOGRAPHIC MINUTES of the above entitled matter
by NANCY L. STRANG, a Shorthand Reporter commencing on
May 7, 2020 at 7:06 p.m. via telephonically.

BOARD MEMBERS:

- PAULA MAHAN, SUPERVISOR
- LINDA MURPHY, DEPUTY SUPERVISOR
- DAVID GREEN
- MELISSA JEFFERS-VONDOLLEN
- RICK FIELD
- JILL PENN
- DANIELLE FUTIA

ALSO PRESENT:

- Michael C. Magguilli, Esq, Town Attorney
- Julie Gansle, Town Clerk

1 SUPERVISOR MAHAN: Okay, that is our only
2 public comment. We will begin with the Resolutions.

3 MS. GANSLE: We have a Resolution authorizing
4 expenditure of funds from the Insurance Reserve Fund for
5 payment of legal fees, expenses and/or settlement in
6 connection with litigation.

7 MS. JEFFERS-VONDOLLEN: So moved, Melissa.

8 MS. PENN: Second, Jill.

9 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,
10 call the roll.

11 (The roll was called.)

12 MS. GANSLE: The ayes have it, Madam
13 Supervisor.

14 SUPERVISOR MAHAN: The Resolution is adopted.

15 MS. GANSLE: We have a Resolution authorizing
16 the Supervisor to execute an Amendment to the Flexible
17 Spending Account Administrative Agreement.

18 MS. JEFFERS-VONDOLLEN: So moved, Melissa.

19 MS. PENN: Second. Jill.

20 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,
21 call the roll.

22 (The roll was called.)

23 MS. GANSLE: The ayes have it, Madam
24 Supervisor.

25 SUPERVISOR MAHAN: The Resolution is adopted.

1 MS. GANSLE: We have a Resolution awarding the
2 bid to F.W. Webb, Core & Main and Ferguson Waterworks
3 for Pipe, Fittings and Hydrants for 2020.

4 MS. MURPHY: These bids were awarded to three
5 different companies, but they were all low bids on each
6 item. So moved.

7 MS. PENN: Second, Jill.

8 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,
9 call the roll.

10 (The roll was called.)

11 MS. GANSLE: The ayes have it, Madam
12 Supervisor.

13 SUPERVISOR MAHAN: The Resolution is adopted.

14 MS. GANSLE: We have a Resolution pursuant to
15 Section 219-a of the General Municipal Law, approving
16 the list of all volunteer members of the S.W. Pitts Hose
17 Company, Inc. submitted and certified under oath by said
18 Fire Department and identifying those volunteer members
19 who have qualified for credit under the Service Award
20 Program for 2019.

21 MS. MURPHY: So moved.

22 MS. JEFFERS-VONDOLLEN: Second, Melissa.

23 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,
24 call the roll.

25 (The roll was called.)

1 MS. GANSLE: The ayes have it, Madam
2 Supervisor.

3 SUPERVISOR MAHAN: The Resolution is adopted.

4 MS. GANSLE: We have a Resolution authorizing
5 the General Services Director to advertise for Requests
6 for Proposals for the Sale of all or a portion of the
7 real property located at, near or surrounding the Stony
8 Creek Reservoir.

9 MS. MURPHY: So moved, Linda.

10 MS. PENN: Second, Jill.

11 SUPERVISOR MAHAN: For our new Town Board
12 Members - just a little background on the Stony Creek
13 Reservoir.

14 Stony Creek Reservoir is in Clifton Park. It
15 is our current back-up water system. We now have a new
16 system. It's on Albany Shaker Road. It is a
17 partnership with the City of Albany and it is a
18 brand-new state-of-the-art back-up water system.

19 In speaking with the Superintendent of the
20 Water Department, John Frazier, through the last
21 several years, once this was completed our goal and
22 our intent was to sell Stony Creek Reservoir as we can
23 no longer use it - or needed, rather. It is
24 ineffective for use and it costs us at least a couple
25 hundred thousand dollars more just to keep it open.

1 So, this Resolution will allow us to start moving
2 forth the process. It's about a little over 900 acres.
3 I believe the waterway is about 365 acres. So, as I
4 said, it is in Clifton Park. It goes back many, many
5 years ago. So, that's why it's in Clifton Park, I
6 guess. It was something that occurred back then. It is
7 one of our assets that we no longer need.

8 MS. FUTIA: So, we are just voting on accepting
9 proposals for it, right, and not actually selling it?

10 MS. MURPHY: Requesting proposals, yes, right.

11 MS. FUTIA: Okay.

12 MR. MAGGUILLI: Correct. What we are doing
13 tonight is just authorizing Doug to advertise the
14 request for proposals as part of the sale. Anticipating
15 this will be approved, I have ordered an appraisal to be
16 performed on the property. I, in fact, received the
17 appraisal today which I will share with the Board
18 Members. I just got it late this afternoon by email. We
19 will take it from there.

20 MS. FUTIA: Okay, thank you.

21 SUPERVISOR MAHAN: You're welcome. Any other
22 questions?

23 (There was no response.)

24 MS. GANSLE: We have a mover and a second.

25 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,

1 call the roll. *(The roll was called.)

2 MS. GANSLE: The ayes have it, Madam
3 Supervisor.

4 SUPERVISOR MAHAN: The Resolution is adopted.

5 MS. GANSLE: We have a Resolution calling a
6 Public Hearing in connection with rescinding a portion
7 of Local Law 7 of 1988.

8 MS. MURPHY: There will be a public hearing to
9 resend a portion of this law - Local Law 7 of 1988 and
10 the public hearing will be June 18, 2020. So moved.

11 MS. FUTIA: Second, Danielle.

12 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,
13 call the roll.

14 (The roll was called.)

15 MS. GANSLE: The ayes have it, Madam
16 Supervisor.

17 MR. MAGGUILLI: This is Michael Maguilli.

18 I would just like to add that this is only
19 referring to Section 97 - 10 HH. That is 1770 Central
20 Avenue, which is located entirely in the Village of
21 Colonie. I'm sure that will come up in the public
22 hearing.

23 SUPERVISOR MAHAN: The Resolution is adopted.

24 MS. GANSLE: We have a Resolution awarding the
25 bid to Edmunds Gov Tech in connection with the Tax

1 Collection Software and authorizing the Supervisor to
2 enter into an agreement for same.

3 MS. JEFFERS-VONDOLLEN: So moved.

4 MS. MURPHY: This bid was awarded to the low
5 bidder that met specifications and I second it.

6 MS. GANSLE: That was Melissa that moved?

7 MS. MURPHY: Yes, Melissa moved and Linda.

8 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,
9 call the roll.

10 (The roll was called.)

11 MS. GANSLE: The ayes have it, Madam
12 Supervisor.

13 SUPERVISOR MAHAN: The Resolution is adopted.

14 MS. GANSLE: We have a Resolution authorizing
15 the Supervisor to enter into an Engineering Agreement
16 with JMT of New York, Inc. in connection with
17 engineering services for the Pipe Bridge Rehabilitation
18 Project-Dry River Trestle No. 3 Replacement.

19 MS. PENN: So moved, Jill

20 MS. MURPHY: Second, Linda.

21 SUPERVISOR MAHAN: This completes the project
22 at a cost not to exceed \$90,000.

23 Supervisor votes aye. Clerk, call the roll.

24 (The roll was called.)

25 MS. GANSLE: The ayes have it, Madam

1 Supervisor.

2 SUPERVISOR MAHAN: The Resolution is adopted.

3 MS. GANSLE: We have a Resolution allowing the
4 installation of a Generac Emergency Generator at 38
5 Braintree Street.

6 MS. JEFFERS-VONDOLLEN: So moved, Melissa.

7 MS. MURPHY: Second, Linda.

8 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,
9 call the roll.

10 (The roll was called.)

11 MS. GANSLE: The ayes have it, Madam
12 Supervisor.

13 SUPERVISOR MAHAN: The Resolution is adopted.

14 MS. GANSLE: We have a Resolution authorizing
15 Change Orders to the Paving Program and the Brush and
16 Leaf Program Contracts.

17 MS. PENN: So moved, Jill.

18 MS. MURPHY: Second, Linda.

19 SUPERVISOR MAHAN: This has to do with the
20 removal of billings regardnig the paving program.

21 Supervisor votes aye. Clerk, call the roll.

22 (The roll was called.)

23 MS. GANSLE: The ayes have it, Madam
24 Supervisor.

25 SUPERVISOR MAHAN: The Resolution is adopted.

1 Okay, those are our Resolutions. Do any of
2 you guys have any questions?

3 MR. FIELD: The last one there about the brush
4 - what was that about?

5 SUPERVISOR MAHAN: Hold on one second here,
6 Rick.

7 MR. MAGGUILLI: What was the question?

8 MR. FIELD: The last Resolution about the brush
9 pick up or something.

10 MR. MAGGUILLI: I can answer that, if you like.

11 SUPERVISOR MAHAN: Yes, this is the paving
12 portion.

13 MR. MAGGUILLI: The contractors which are Curb
14 Landscaping and Callanan Industries approached the Town
15 and what they are willing to do is provide the personnel
16 and equipment needed for our brush and leaf program and
17 they will take that over. We budgeted that cost at
18 \$75,000.

19 What they were looking for in exchange was to
20 be able to keep the millings from the paving program.
21 We normally take the millings and sell them and we get
22 approximately \$30,000 annually from the sale of our
23 millings. So, Doug Sippel looked at this and Jack
24 Cunningham. They believe this will result in a net
25 savings to the Town of approximately \$45,000. So, we

1 need change orders for existing agreements to provide
2 for the swap.

3 SUPERVISOR MAHAN: Let me just add to that a
4 little bit.

5 There's a paving program and a leaf and brush
6 program.

7 What Callanan is offering to do is to provide
8 riders and trucks to the Town to support removal and
9 hauling of the millings at no charge to the Town in
10 exchange for milling road material. So, that's where
11 this comes into play. By doing that, we still net
12 savings. However, it helps us with the brush and leaf
13 programs because it more of our staff will be
14 available for the leaf pick-up and the millings will
15 be picked up by Callanan and hauled away. So, all the
16 way around the two programs are working together. This
17 is the best plan that Highway has recommended for us.
18 It seems to be the way to go. Does that make sense?

19 MR. FIELD: Yes.

20 SUPERVISOR MAHAN: We still will gain the
21 savings, but Callanan will take the place of our people
22 that are always picking them up and hauling them away
23 and doing all of that. So, this way here we will have
24 more people to work on leaf and brush.

25 MR. FIELD: Okay.

1 The leaf and brush right now - you mentioned
2 it's like 50% going? It's 50% at this point because -
3 - is there only half of the number people doing that
4 right now, Paula?

5 SUPERVISOR MAHAN: Where were at with that,
6 Jack Cunningham - there are three or four groups out
7 there currently. They started a couple of weeks ago. I
8 believe they started at Midway and Stanford Heights and
9 then they moved to Loudonville, which I think they may
10 have just finished up or close because I think they're
11 in Latham now. What they are doing is they have these
12 groups going out and they are alternating the groups.
13 The purpose of that right now is if someone
14 unfortunately catches the virus, we can't take the
15 chance of it spreading to the department because then we
16 won't have workers. They will be quarantined or
17 whatever. So, this is a health and safety measure that
18 we are taking and hoping that we can increase as time
19 goes on. So, I don't know the actual percentage, Rick,
20 but I believe there is at least three or four groups
21 alternating. So, it's limited as to what we normally
22 have, but they are working very hard and moving through
23 the Town and they will do the best and they are doing it
24 by the fire districts - the way it was originally
25 designed.

1 MR. FIELD: You mentioned about around the 17th
2 of this month they're going to start with the paving?

3 SUPERVISOR MAHAN: I believe paving will start
4 next week and they will be starting with the road that
5 they will have an overlay process that they do. Probably
6 one of our Maintenance Supervisors in Highway will
7 assist them by following in the truck just to monitor
8 things. Then as we get that portion done, we will move
9 into the types of paving that require more workers;
10 milling the ground and all those types of things that
11 take more time and more staff. We are starting out with
12 the contractors with the overlay areas and go that route
13 and then move into the more complicated paving as time
14 goes on.

15 MR. FIELD: Okay. So, the pothole thing - - if
16 you go down Spring Street down towards the old steel
17 factory there - down in that direction

18 SUPERVISOR MAHAN: The potholes?

19 MR. FIELD: Yes, potholes going past Siena on
20 Spring Street going down the hill. It's pretty severe,
21 obviously.

22 SUPERVISOR MAHAN: Anybody that has potholes to
23 report, call the Highway Department. Michelle Matuszak
24 has been there every day. They are making lists of the
25 potholes because the pothole crews are a different crew.

1 They just work on potholes. So, if you see them, call in
2 the location so they can put them on the list.

3 MR. FIELD: Okay, that sounds good.

4 SUPERVISOR MAHAN: Anything else?

5 (There was no response.)

6 Okay, I'm going to continue to work on the
7 budgeting issues regarding Covid19 and also Jack
8 Cunningham and Mike Franze and Tom Breslin and
9 Rosemary Newton are working on the programs to get
10 people back in stages and reopen for employees and not
11 for the public yet. We have all the safety measures in
12 place.

13 We're following the CDC recommendations and
14 we are requiring masks - we have to make sure nobody
15 has a temperature or things like that. So, they have
16 all of the guidelines that they need to follow.

17 We have also ordered shields for some of the
18 desks that come in contact with the public. We are
19 marking up areas so people are six feet apart. So,
20 everything that's in the guidelines is what we are
21 presenting to each department. We are setting up each
22 department on an individual basis, according to their
23 needs.

24 MS. MURPHY: Paula, do you have the ability to
25 take people's temperatures when they arrive at work, or

1 are you not going to do that?

2 SUPERVISOR MAHAN: They can self-check at home.
3 We do have the ability to take temperatures in a safe
4 way. So, we are working on that portion of it as to how
5 we coordinate. We have ideas, but the Police Department
6 has been working on that. I think we're going to follow
7 the same method that they use.

8 MS. MURPHY: It appears on television that they
9 don't even touch the person's forehead. It just looks
10 like they put some sort of an instrument near their
11 forehead. I didn't know if we had the ability to get
12 something like that. I don't think we should be touching
13 anybody's face to take their temperature.

14 SUPERVISOR MAHAN: We have the proper materials
15 as defined in the CDC regs.

16 MS. MURPHY: Perfect, thank you. We probably
17 will have to continue to do that even when the public
18 begins to come into the building, I would presume, for a
19 while.

20 SUPERVISOR MAHAN: This is going to be ongoing
21 and we will modify things as we go through. Anything new
22 that we see that we need, we will make those
23 modifications. Some things are obviously - fire drills
24 and things like that - safety comes first. You follow
25 the same protocol and try to stay a safe distance from

1 everybody, but you've got to get out of the building.

2 There are other things that we can take at a
3 slower pace like materials that come in. We have a
4 table that is set up so they are not in contact with
5 the employee. Things like that - that will be coming
6 as we allow the public to start coming in.

7 MS. MURPHY: That's good. I'm sure there are a
8 lot of regulations that we have to follow. Once you even
9 have permission to allow the public into the building,
10 I'm sure there will be many regulations that have to be
11 followed to keep that happening.

12 SUPERVISOR MAHAN: When they come in, we are
13 going to have a rule that they have to wear masks. If
14 anybody refuses to do that, then they will either have
15 to something either by mail or email or in another
16 fashion.

17 MR. FIELD: Paula, I've had people asking me
18 about the Building Department's status right now and
19 what's going on with that.

20 SUPERVISOR MAHAN: Jack Cunningham is handling
21 all of the DPW staff and Engineering and Building, as
22 well. They have been coming in - like staggering. They
23 come in to do a few things. The secretary comes in to do
24 a little typing. She may come in on a certain day, so
25 that they are all separated from each other. They have

1 been distributing plans so that both residential and
2 commercial are reviewing plans at home to try to keep up
3 with that. They have been addressing emergencies. They
4 will start to come back in stages, as well.

5 I think their biggest task is going to be the
6 permitting because the permits are building up. Any
7 type of emergency situation - Jack and I have been
8 working with the department to get those resolved as
9 they come about. Obviously, some things are going to
10 be slower, but construction is the first phase of the
11 Governor's plan for re-entering. So, that will start,
12 I believe, May 15 or that Monday after. So, that's
13 where Building is going to get a lot of requests. The
14 things that have had to wait will be addressed and
15 they should be addressed first.

16 MR. FIELD: When you say the 15th, does that
17 mean that more than one person will be on the job
18 building things, as far as that goes?

19 SUPERVISOR MAHAN: For the Governor's reopening
20 plan, construction and manufacturing are Phase I. So,
21 that means they basically, I believe, will be going back
22 to work unless we get some other type of guideline,
23 that's the first phase of reopening those types of work.

24 MR. FIELD: Okay, because at the present time
25 there's only like one person that's supposed to be in

1 the house doing certain types of construction.

2 MR. MAGGUILLI: That's one person on a project.

3 MR. FIELD: Really?

4 SUPERVISOR MAHAN: Yes, this is part of the
5 Pause Program that the Governor has. The Pause ends May
6 15 and that's when the first phase of his plan begins.

7 MR. FIELD: Okay.

8 SUPERVISOR MAHAN: The fourth phase is
9 recreation and entertainment which puts us in the
10 position for two reasons; one is budgeting second is
11 because they are not going to be open until the fourth
12 phase, which is quite a ways out.

13 We are not going to be able to have summer
14 programs and events - summer events and things like
15 concerts, opening the pool - all of those things are
16 going to have to wait until next year because there's
17 no possible way that you can open them or have them.
18 We are working with parks and Pruyn House and all of
19 the places that are affected - we are working with
20 them to get all of that together and everybody on the
21 same page.

22 Our parks are open for people to walk and
23 hike and bike and things like that. They can get out
24 and get some fresh air. I don't know when we would be
25 opening up the playgrounds. I'm guessing not for a

1 while.

2 MS. MURPHY: It's almost trying to be better to
3 be safe than sorry.

4 SUPERVISOR MAHAN: Now, our summer camps are
5 held at the schools and the schools aren't even opened.

6 MS. MURPHY: Exactly. It's a very difficult
7 situation for people that I think safety should be our
8 absolutely our top - - we feel that way about public
9 safety with the Police and EMS. We should feel that way
10 with everything we do. This is certainly a huge issue to
11 be dealt with.

12 MR. FIELD: The Crossings is blocked off, but
13 people can walk there, is that it?

14 SUPERVISOR MAHAH: Yes, it's closed to
15 vehicles. They can walk through. If they live close
16 enough, they can walk through, or they can be dropped
17 off for some exercise or whatever. At this time, and
18 talking with the Police Department and Parks and
19 everything - it started that there were too many cars
20 and too many people in groups and the only way to
21 control it was to stop the vehicles from coming in.

22 You have to keep in mind that they come all
23 over the capital region and beyond. If they're close
24 enough to walk through or to be dropped off, they can
25 certainly walk the trails in the fields and hike and

1 bike or whatever.

2 MS. MURPHY: They had any issues, Paula, with
3 people parking on sidestreets there?

4 SUPERVISOR MAHAN: We have had that and we have
5 worked with the Police Department and they have signs up
6 and when people take them back down, they go back and
7 put them back up again. The Police Department is
8 monitoring that.

9 MS. MURPHY: That's good because I know there
10 was a lady and a couple people on TV that said I walk
11 there every day, but I live in Watervliet and I have to
12 park my car and I will park on a side street there.
13 That's not a good thing to have and could get out of
14 control. So, that's good that they are doing that.
15 Sounds good.

16 SUPERVISOR MAHAN: Thank you have a good night.

17 (Whereas the above entitled proceeding was
18 concluded at 7:38 p.m.)

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CERTIFICATION

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I, NANCY L. STRANG, Shorthand Reporter and
Notary Public in and for the State of New York, hereby
CERTIFY that the record taken by me at the time and
place noted in the heading hereof is a true and
accurate transcript of same, to the best of my ability
and belief.

Dated: _____

NANCY L. STRANG
LEGAL TRANSCRIPTION
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NISKAYUNA, NY 12309