

TOWN BOARD

COUNTY OF ALBANY

TOWN OF COLONIE

AGENDA SESSION

THE STENOGRAPHIC MINUTES of the above entitled matter by NANCY L. STRANG, a Shorthand Reporter, on April 4, 2019 6:11 p.m. at Memorial Town Hall 534 Loudon Road, Newtonville, New York 12128

BOARD MEMBERS:

- PAULA A. MAHAN, SUPERVISOR
- LINDA MURPHY, DEPUTY SUPERVISOR
- PAUL ROSANO
- DAVID GREEN
- CHRISTOPHER CAREY
- MELISSA JEFFERS-VONDOLLEN
- JENNIFER WHALEN

ALSO PRESENT:

- Michael C. Magguilli, Esq. Town Attorney
- Julie Gansle, Town Clerk
- Michael Burick, Director, Civil Service
- John Cunningham, Commissioner, DPW
- Peter Berry, Chief, EMS
- Joseph LaCivita, Director, Planning and Economic Development
- Christopher Kelsey, Acting Comptroller

1 MR. MAGGUILLI: As always, we start off with our
2 personnel. The first personnel matter for your
3 consideration is Dawn Souza, Typist grade six in the
4 Police Department. She is replacing the Nakia Tonik.
5 Her starting salary will be \$32,454 on April 29.

6 Resolution 205B is a new position provisionally
7 appointing Abby Lavazzo to the position. She is a Senior
8 Resource Specialist, grade 9. Her salary will be \$40,144
9 beginning April 29.

10 Resolution 205C is another new position that we are
11 creating in our Parks and Recreation for a Senior
12 Recreation Maintenance Worker, Grade 26 and appointing
13 Mr. David E Gallagher to that position starting April 8
14 at \$58,295.

15 Resolution 205D is appointing Michael Torrey to the
16 position of Code Safety Inspector, part-time, and the
17 Police Department. So you know for full disclosure,
18 Mike's wife works in my office. She is one of our
19 secretaries and does an excellent job. Anyway, Mike is
20 taking the position of Ed Landry, \$22.06 an hour
21 starting Monday.

22 Resolution 205E is provisionally promoting Don
23 DeLude junior to Senior Building Inspector. He is
24 replacing Wayne Spenziero who became our building
25 department manager, as you know; \$74,249 starting April

1 5.

2 Resolution 206 is the continuation of our public
3 hearing for the comprehensive plan. I suppose you want
4 to do it the same way we did it last week, Paula? Hold
5 it until the end of all the normal resolutions?

6 SUPERVISOR MAHAN: Yes, Julie and I were talking
7 about that earlier - to be able to allow enough time
8 for comments. This will be strictly new comments. We
9 have all the comments that have been said. This is for
10 new comments.

11 MS. WHALEN: What does that mean? Strictly new
12 comments? Who is determining what is new and what has
13 been said? We don't even have copies of what has been
14 submitted.

15 MS. MURPHY: They're not going to be Planning
16 Board comments.

17 SUPERVISOR MAHAN: No.

18 MS. MURPHY: That wasted a lot of time.

19 SUPERVISOR MAHAN: Anything other than pretense of
20 the Comprehensive Plan - we will have to do a public
21 comment after. What I mean by new comments is: We are
22 not going to check off a list and things like that but
23 people who have made their comments already for the
24 Comprehensive Plan and they know they have made their
25 comments, all we can do is trust them that they are not

1 going to make a third, fourth and fifth time. So, if
2 they have something new, that would be the time to
3 bring it up.

4 MS. WHALEN: It is not a forum for them to just
5 keep repeating themselves every time we have a new date
6 for the continuation.

7 SUPERVISOR MAHAN: It is a waste of time and it's
8 not productive.

9 MR. MAGGUILLI: It's something that we will have
10 to do on a case-by-case basis.

11 MS. WHALEN: We are not voting on this yet
12 tonight.

13 SUPERVISOR MAHAN: No. The first portion that was
14 revised was two weeks ago. This is the second portion
15 and the third one we are hoping that consultant will
16 have the profile and the timeframe template. That's all
17 we need. Then, they will be done.

18 MS. WHALEN: So, this is an update. This is an
19 update as an insert to put in here somewhere.

20 SUPERVISOR MAHAN: No.

21 MS. WHALEN: This is the whole thing?

22 SUPERVISOR MAHAN: That is all updated and
23 everything is as current as we could get it. What you
24 have there is any corrections, any revisions and then
25 the last piece that goes in there - - look on the last

1 page. There is a timeframe chart.

2 MS. WHALEN: An implementation table?

3 SUPERVISOR MAHAN: Yes, the implementation table.

4 MS. WHALEN: This whole thing was condensed down
5 to this (Indicating)?

6 SUPERVISOR MAHAN: The implementation table is in
7 the back. So, that is going to be all updated according
8 so that it matches that. All those other pieces in
9 there - the maps, the charts and all that stuff - that
10 is call their profile piece. That is going to go into
11 the appendix. So, there will be a whole profile there.

12 MS. WHALEN: So, does this have the peace that
13 Chuck Voss did on the PowerPoint here?

14 SUPERVISOR MAHAN: Yes.

15 MS. WHALEN: All of that is in here.

16 SUPERVISOR MAHAN: That is in there, but for the
17 PowerPoint we show the connection so that people could
18 see that.

19 MS. WHALEN: It is the same content but the text
20 looks different.

21 MR. LACIVITA: We reformatted it.

22 SUPERVISOR MAHAN: What you saw last week was the
23 2005 goal in its progress and then you saw the 2019
24 goal. The 2019 is in here, but it is separated so that
25 it makes sense. If you look on page 21, you will see a

1 new table that shows the connection on 22.

2 MR. MAGGUILLI: What that is intended to do is
3 incorporate the concerns and statements that people
4 made - Board Members and members of the audience made
5 at the last meeting in trying to bring it all together.

6 SUPERVISOR MAHAN: Everything is updated. The
7 feedback that you get from the meetings, the feedback
8 from the public, the feedback from the Board, the
9 feedback from the staff - things that we could add that
10 were appropriate and made sense are all added in.

11 MR. MAGGUILLI: You are going to hear a lot of
12 complaints that this didn't get out quick enough for
13 them to review.

14 SUPERVISOR MAHAN: It will be online tomorrow.

15 MR. MAGGUILLI: We are not voting on it.

16 SUPERVISOR MAHAN: We will have two weeks at least
17 to do this.

18 MS. WHALEN: So, this is really all obsolete -
19 don't look at this anymore.

20 SUPERVISOR MAHAN: At this point, yes. What you
21 have to understand is what you did not see last week is
22 you didn't see the objectives for the goals. They are
23 just self-explanatory and you can read those yourself.
24 The objectives just lead up to the goal. That's what
25 they are. So, if you can go through this over the next

1 two weeks and if you guys have any comments or you see
2 any corrections or typos or anything like that, if you
3 let us know?

4 MS. WHALEN: Has anything major been removed from
5 this initial one that we posted from Barton and
6 Loguidice, once they finished their committees - the
7 Committee's draft? Has anything majorly been removed?

8 SUPERVISOR MAHAN: I can tell you what has been
9 removed. I understand the questions that Jennifer has.
10 It just makes it easier if you can understand.

11 MS. WHALEN: Also, I don't know how we can ask for
12 comments from people in a public hearing if they are
13 commenting on something - - what are they commenting
14 on, this old one? The one that was presented two weeks
15 ago or this one?

16 SUPERVISOR MAHAN: They are going to have a copy
17 of the packet. So, they are just going to follow along.

18 MS. WHALEN: But what if they came with the
19 purpose of commenting on like, this? They printed this
20 out two weeks ago -

21 SUPERVISOR MAHAN: If they have a question on
22 that, we can answer the question.

23 MS. WHALEN: If they have comments on something
24 like that's in here - and it may have even been taken
25 out. Somebody knows? Someone will say, like, that's

1 been taken out?

2 SUPERVISOR MAHAN: Yes. It's pretty basic if you
3 go through it you will say. What has been changed was
4 what you saw last week and an Executive Summary has
5 been added. Everybody saw that. The introduction in
6 this old one - it is historical and it doesn't have
7 relevance.

8 MS. WHALEN: And it looks like it was written by
9 someone - they call him a Town historian but is he even
10 - - I thought Kevin Franklin was the Town historian.

11 SUPERVISOR MAHAN: If you go on Kevin Franklin's
12 website, it is an excerpt that brings you back in time.

13 MS. WHALEN: It was another Town Historian that
14 was before Kevin?

15 SUPERVISOR MAHAN: I don't think he was our
16 historian. It was just something they found that -

17 MS. WHALEN: They took that out?

18 SUPERVISOR MAHAN: It's not relevant to this
19 because it is an update.

20 MS. WHALEN: I thought the same thing.

21 SUPERVISOR MAHAN: So, there is an introduction -

22 MS. WHALEN: I mean, it was nice, but I was like
23 oh my God this thing is long enough. So, we took that
24 out.

25 SUPERVISOR MAHAN: And the Route 32 study is out

1 because we did not solicit it, Watervliet did.

2 Everything else is in here except the profile because
3 Barton and Loguidice is not done with that yet. All
4 this stuff is the profile. It is good information. It
5 needs to be updated. For someone who is interested in
6 the statistical information about the Town, it's good
7 for them.

8 MS. WHALEN: We are keeping that in, or taking
9 that out?

10 SUPERVISOR MAHAN: We are keeping that in but it's
11 going to be in the appendix. They did not finish
12 updating it yet because we told them we wanted it more
13 updated.

14 To have any other questions?

15 MS. WHALEN: Is there anything else we are taking
16 out or moving out of here?

17 SUPERVISOR MAHAN: The profile will be in the
18 appendix and the implementation table will be in there
19 - when that's done. Those are the two pieces we're
20 waiting for from Barton and Loguidice. Then, what will
21 create a final will be that for the actual update of
22 the 2005 plan. The way they did in 2005 is they had the
23 appendix and different things in there and that was
24 under separate cover. So, they are following the same
25 pattern. Somebody picks up the 2005 and then they pick

1 up the 2019, it's very easy to follow. Joe's office is
2 going to do is they are going to create a spreadsheet
3 so as a goal is accomplished in here - and the new one,
4 those goals will be documented in that spreadsheet so
5 when somebody goes to do an update again, they won't
6 have to go back so far through all kinds of materials.

7 MS. WHALEN: It will be like a checklist. That
8 will be on the website of the Planning Board?

9 SUPERVISOR MAHAN: No, it will just be an internal
10 working of the Planning Department - just an internal
11 task they will keep tract of. Our goal is to have
12 periodic updates as goals are completed or progressing
13 - periodic updates on the website. So, it's going to be
14 easier to keep tract of. It will be better
15 communication and it will be so difficult the next time
16 around.

17 MR. MAGGUILLI: Resolution 207 which is amending
18 our Local Law to delete the provision for \$25 charge
19 for renewal applications. This will be done in the
20 future by Town Board Resolution. It will save us some
21 time and money.

22 MS. WHALEN: Didn't we just vote on that?

23 MR. ROSANO: No, we called the public hearing.

24 MR. MAGGUILLI: Left, called the public hearing.
25 Tonight will be the vote.

1 Then we have Resolution 208 which is appointing
2 Stephen Girvin as a member of our Board of Assessment
3 Review. He is replacing Michelle Burns for the balance
4 of her five-year term.

5 Resolution 209 is the service award program which
6 is that blue sheet that is floating around. We need to
7 get that signed tonight and this is for the retirement
8 for SW Pitts volunteers.

9 Resolution 210 - we have a replacement that I
10 passed out because we added another individual who is
11 being reimbursed.

12 Resolution 211 is authorizing Paula to declare an
13 emergency to repair the 30 inch raw waterline into the
14 Mohawk View Water Treatment Plant. Between January 23
15 and January 28 of this year ANJO Construction had to go
16 in and repair not only the 30-inch raw water line, but
17 the 2-inch chlorinator feed, the 4-inch containment pipe
18 and the 8-inch under drainpipe. The total cost is
19 \$62,940.96.

20 Resolution 212 is awarding the bid to the sole
21 bidder, Rozell East, Incorporated; \$79,041.89. This is
22 for the sulfuric acid day tank replacement projects.

23 Resolution 213 is authorizing Paula to sign an
24 agreement - an amendment, actually, to our contract
25 service agreement with Matco Electric. We are increasing

1 the authorized amount from \$10,000 to \$20,000. It is
2 needed because of material costs, equipment and
3 technical labor costs and all the testing for the
4 variable frequency drives in motor controls at the high
5 lift pump station.

6 Resolution 214 is awarding the bid to Tracy Road
7 Equipment. Again, this is a sole bidder situation. This
8 is for a new step van for Latham Water; \$132,828.

9 Resolution 215 is authorizing a contract for the
10 Pure Waters collection garage project. This is a capital
11 plan project. The RFP was by Clough Harbour. The cost
12 will not exceed \$57,200.

13 Resolution 216 is an agreement with B&L Control
14 Services Inc. This is for the chemical treatment
15 services of two cooling towers at Public Ops in the
16 public safety building. This is a one-year agreement
17 running from April 1 of this year to March 31 of next
18 year. What we are getting for \$5,310 is five service
19 visits to check equipment function, add chemicals were
20 needed and provide the required chemical readings.

21 Resolution 217 is a professional services agreement
22 with control point Associates Inc. This is for Town wide
23 survey services for 2019. This is not to exceed \$40,000.
24 This is an on-call surveying contract where these people
25 are only used on an as-needed basis.

1 Resolution 218 is a low bid situation. These are
2 all going to the low bidders. There were ties in a
3 couple of instances and in those cases there was a coin
4 toss.

5 Resolution 219 is adopting a new fee schedule for
6 Fire Services and this has to do with the vehicles that
7 we use for training. The cost of the vehicles that we
8 destroy and put out the fires has gone up and so this
9 Resolution authorizes the increase in cost.

10 Resolution 220 is an agreement with SFW Pitts and
11 this is for continuing medical education. Our EMS
12 Department is going to provide the S&W Pitts Hose
13 Company with the training that they need to be
14 recertified.

15 Peter, anything you would like to add to that?

16 MR. BERRY: I don't think so.

17 MR. MAGGUILLI: Resolution 221 is amending
18 Resolution 321 of 2018 awarding the bid to Northeastern
19 Rescue Services. As you recall, we authorize two new
20 ambulances last year and as part of the bid process, we
21 also bid out the cost of putting EMS decals on these
22 cars. At the time it was determined that Fleet
23 Maintenance could do it. So, we did not award option
24 four. Since that time, there has been a change. Fleet
25 Maintenance can no longer do it and so Northeastern

1 stepped forward and said okay, we will do it pursuant
2 to our bid from last year, but we will lower the price
3 by \$2,000. So, this is going to be option for at
4 \$4,000, rather than \$6,000.

5 MR. GREEN: What changed where they couldn't do
6 it?

7 MR. BERRY: We do a cost analysis. It was going to
8 cost us over \$2,000 per car to do it. We can get it
9 faster and do it cheaper this way.

10 MR. MAGGUILLI: Resolution 222 is in agreement
11 with the City of Troy. This is for our tactical team
12 joint services. It spells out the terms and conditions
13 of our SWAT teams, essentially, assisting each other. I
14 had some initial concerns with this agreement and
15 that's why we pulled this, if you recall, a couple of
16 months ago. We have since worked it out with Troy. One
17 of my main concerns which has been resolved to our
18 satisfaction was what happens if one of our guys gets
19 hurt over in Troy? We amended the agreement to provide
20 - - this is just an example - that the geographical
21 location doesn't matter. Each municipality would be
22 required to provide Workers Comp for its own people. We
23 don't want to be relying on Troy's Workers Comp
24 agreement for our men. That's basically it.

25 MS. MURPHY: So, the one with the EMS - this is

1 only for the decals.

2 MR. MAGGUILLI: Correct.

3 MS. MURPHY: The Resolution doesn't say anything
4 about that. And says two new ambulances for the
5 Emergency Medical Services Department.

6 MR. ROSANO: It's an option for, bottom of the
7 first page.

8 MS. MURPHY: I understand that, but the written
9 part that we are reading to the public says we are
10 purchasing two new ambulances.

11 MR. MAGGUILLI: We can change it, if you like.

12 MR. KELSEY: We are buying two new ambulances but
13 I guess -

14 MS. MURPHY: We did that once, didn't we?

15 MR. KELSEY: But we are amending what you did
16 originally, I think.

17 MS. MURPHY: We are not telling them about option
18 4 and that we are putting decals on the ambulances. It
19 clearly says we are purchasing two new ambulances for
20 the Emergency Medical Services.

21 MR. MAGGUILLI: If you look at the resolve clause
22 on page 2 of this, it is resolved that Resolution 321
23 for 2018 be amended to award the bid to Northeastern
24 Rescue Vehicles for two new ambulances for the
25 Emergency Services Department for the base bid and

1 options one, two and four for a total of \$294,058.

2 SUPERVISOR MAHAN: I understand Linda's points
3 that the actual Resolution doesn't indicate that. I
4 think if you state that so it goes into the record, -
5 it's in there, but it is in the body. So, if you just
6 read the Resolution, you don't see that. If you also
7 stated, I think that will go into the record.

8 MS. MURPHY: We can say this Resolution
9 specifically refers to the fact that this is regarding
10 the decals.

11 SUPERVISOR MAHAN: Yes, because if someone doesn't
12 read the whole thing then that's what it looks like. It
13 will be in there - in the body, but it's probably good
14 if you stated as well.

15 MS. WHALEN: Did we arty buy them? Like, are they
16 already on the road?

17 MR. BERRY: No, they are at the dealer in Syracuse
18 waiting to be delivered. We will be calling them right
19 after the meeting is over and they will be slapping
20 decals on them.

21 MR. MAGGUILLI: I guess the original cost was
22 \$294,058. What we are authorizing tonight is \$286,058.

23 MR. KELSEY: They're going down? I like that.

24 MR. MAGGUILLI: I have here that the original cost
25 was \$294,058. That is hand written on the form. Wait, I

1 am reading the last one. Nevermind. I'm reading
2 resolution 321 for 2018 where the total was \$286,058
3 and tonight we are doing it for \$294,058. The bottom
4 line is that we are not buying for ambulances.

5 SUPERVISOR MAHAN: Just so you guys know, it is
6 kind of a complicated order tonight because we also
7 have the students from local government day. Some of
8 the students will be here. So, we have the pledge, the
9 students, we have a little surprise that maybe some of
10 you don't know. Maybe you do. We have personnel. We
11 have public hearing 207. Then, we have Resolutions,
12 then we have public hearing 206. Then, Joe is going to
13 do the presentation, then public comments for the
14 presentation for the comp plan will be asked for and
15 then when that's done, if there are any other regular
16 comments for regular public comment - if anybody has
17 anything else besides the Comp Plan, they can bring
18 that up.

19 MS. MURPHY: Only limiting the time they can speak
20 on the Comp Plan?

21 MR. MAGGUILLI: No, you can't. On a public hearing
22 you can't limit. What I will do, Linda, to address your
23 concern which is valid is make an announcement that the
24 public hearing is for the Comp Plan only. If you want
25 to discuss any others, you have to wait until after the

1 public hearing is over and we will have our public
2 comments section. That, we can limit to three minutes.

3 SUPERVISOR MAHAN: I think it is important, Mike,
4 that you ask for new comments because we go over the
5 same thing over and over. It's not productive.

6 MR. MAGGUILLI: Okay, I can do that.

7 SUPERVISOR MAHAN: This one is not on yet because
8 we finished everything and made copies. It will go on -
9 hopefully Jimmie can put it on. I will be at the
10 crossings. We will have Jimmie put it on in the
11 morning. If not, he will have to put it on Monday. The
12 main thing is that you guys will have a couple of weeks
13 to review it. A lot of you have already seen. You have
14 seen a good portion of it already. I would read the
15 whole thing to refresh your memory. Then, hopefully, we
16 will have the last two parts on April 18 from Chuck
17 Voss. That will be the final draft. Then come you guys
18 will have to decide they are ready or not ready to
19 vote. The final draft will be presented on the 18th. If
20 we get it sooner, then we can add it to this on the
21 website. If we don't get it sooner -

22 MS. WHALEN: We will get the final draft on like
23 the 18th and presumably close the public hearing the
24 next time?

25 SUPERVISOR MAHAN: Probably at that point because

1 it's basically a profile update in the implementation
2 table is the same as the goals. So, at that point, we
3 will have had it out - everything that they can comment
4 on. We will probably close it for public comment may be
5 on the 18th but keep it open for the vote and give
6 people time to look at it.

7 MR. MAGGUILLI: Wanted to show everybody your
8 present? I think it's really nice. One, two, three,
9 four, five, six - that's an accomplishment.

10 SUPERVISOR MAHAN: It says congratulations to me,
11 to you guys and all the employees, and the residents,
12 Eric.

13 MR. MAGGUILLI: It is well deserved. I thought
14 this thing was great. It was nicely done.

15 SUPERVISOR MAHAN: Six years in a row, we got it.

16 MR. MAGGUILLI: That's pretty impressive.
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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.

NANCY L. STRANG

Dated _____