

TOWN BOARD

COUNTY OF ALBANY

TOWN OF COLONIE

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AGENDA SESSION

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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. MAGGILLI: 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 \_\_\_\_\_