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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 commencing on November 7, 2019 at 6:07 p.m. at Memorial Town Hall, 534 New Loudon Road, Latham, New York

BOARD MEMBERS:

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

ALSO PRESENT:

- Michael C. Magguilli, Esq, Town Attorney
- Julie Gansle, Town Clerk
- Crystal Peck, Esq., Bailey Johnson and Peck
- Christopher Kelsey, Acting Comptroller
- John Cunningham, Commissioner, DPW
- Chretien Voerg, PE, Latham Water

1 MR. MAGGULLI: I have a note here from Jan  
2 that says Mike, I accidently had two Resolutions 482's  
3 in the book. Resolution 482 in relation to Hi-Tech  
4 should be pulled. In our books, it's already cleared up.  
5 Please look to Resolution 482 and the Resolution that  
6 has Hi-Tech as its subject matter. I don't think that we  
7 need a motion to pull it. It was just an error putting  
8 it on. So, we will pull it out.

9 Let's start with personnel.

10 Resolution 482 in my book is authorizing  
11 Paula to sign agreements with the towing companies.  
12 That should be your Resolution 482.

13 Resolution 468A is creating a new position of  
14 Water Meter Reader, Grade 4 in Latham Water and  
15 appointing Shane Zyglewicz to that job at \$18.63 an  
16 hour starting November 12.

17 Our next personnel Resolution is permanently  
18 promoting Lori Kunker. She is filling the vacancy of  
19 Michael Hollar as Public Safety Communication  
20 Supervisor. That annual salary is \$74,088. She will  
21 start on the 18th.

22 Her promotion has a cascading effect, as you  
23 will see in 468C, where Lori is being replaced by Ryan  
24 Carmichael as our Senior Public Safety Dispatcher in  
25 the Police Department; \$67,353 starting November 18.

1                   Finally for personnel, we are permanently  
2                   appointing William Pulver as a Public Safety  
3                   Dispatcher at \$42,872. He is taking the place of Ryan  
4                   and he is starting on November 18th.

5                   Next we have a series of Town Law 202 and  
6                   202-a and b Resolutions with respect to the Colonie  
7                   Sewer Improvement Area.

8                   Resolution 469 deals with the entire Colonie  
9                   Sewer Improvement Area with the expense of  
10                  constructing sewers. There will be a public hearing  
11                  tonight and we called for a public hearing on October  
12                  10.

13                  Crystal from Bailey's office is here to  
14                  handle that public hearing for us.

15                  The next public hearing is Resolution 470  
16                  which is again for the Town of Colonie Sewer  
17                  Improvement Area. This is for the expense of  
18                  maintenance, rather than construction under Town Law  
19                  202-a. Again, Crystal will be conducting the public  
20                  hearing.

21                  Third, we have 471 which is public hearing on  
22                  the expense of maintenance of five sanitary sewer  
23                  bridges.

24                  Sometime back we had hired the engineering  
25                  firm of Greenman and Pedersen to conduct field

1 inspections to evaluate the structural integrity of  
2 the pipes that span these bridges. Four our of the  
3 five pipes needed work.

4 MS. PECK: There was recommended repairs, yes.

5 MR. MAGGUILLI: To the tune of \$1,759,000.

6 MS. WHALEN: How often are you supposed to  
7 conduct such surveys?

8 MR. MAGGUILLI: What is it? It's every five  
9 years?

10 MR. VOERG: There is no standard. We do a  
11 visual inspection annually. This was something that was  
12 on my list to do to get a structural engineer in to look  
13 at this.

14 MR. MAGGUILLI: If and when you vote on these  
15 Resolutions, what you're really voting on is you're  
16 making a finding that the properties and the property  
17 owners are within the proposed sewer improvement area  
18 and that, in fact, their properties will be benefited by  
19 this assessment in being imposed upon. This really has  
20 nothing to do with awarding contracts or anything of  
21 that nature. This just lays the foundation for that next  
22 step.

23 MR. CAREY: Do we know where these locations  
24 are?

25 MR. KELSEY: This is the report.

1 MS. PECK: Chris, I actually pulled out the  
2 specific locations, in case that was a question.

3 MR. CAREY: So, is there a correlation between  
4 these locations and problems that we've had in  
5 neighborhoods with flooding or anything such as that?

6 MR. VOERG: No, there is no correlation with  
7 those.

8 MR. CAREY: So, there are no flooding issues?

9 MR. VOERG: No. This is just a bridge that has  
10 a pipe lying on it rather than a roadway. Because they  
11 are elevated structures, we have them evaluated in  
12 greater detail; the concrete and the steel beams.

13 MS. MURPHY: Where are these sites?

14 MR. VOERG: Most of them are in the woods. Very  
15 few of them are out near the road. For anyone who would  
16 like to see, I'd be happy to take them down.

17 MR. MAGGUILLI: Crystal will be doing 471, as  
18 well; correct?

19 MS. PECK: Yes.

20 MR. MAGGUILLI: Resolution 472 is the 2020  
21 annual budget.

22 SUPERVISOR MAHAN: We will be doing the  
23 PowerPoint.

24 MR. MAGGUILLI: Resolution 473 is authorizing  
25 Paula to sign an amendment to our intermunicipal

1 agreement with the Village of Colonie that we initially  
2 entered into on March 9, 1973. This will permit new  
3 structures to be connected to our existing sewer system.

4 SUPERVISOR MAHAN: If anybody has any questions  
5 about any of the numbers, ask. It's very  
6 straight-forward. It's very easy to understand. We just  
7 want to make sure that everybody understands the actual  
8 numbers and everything in the budget.

9 MR. MAGGUILLI: Next we have a request to refer  
10 to our Planning Board a requested open development area  
11 at 606 and 608 Loudon Road.

12 As you know, this is the Hoffman Playland  
13 planned development district that has already been  
14 referred to Planning. They have subdivided the Hoffman  
15 lots into two lots. As a result of the subdivision,  
16 one of the lots does not have the required frontage  
17 and so therefore they are requesting an open  
18 development area designation for that lot. Again, all  
19 we are doing at this point is referring this to the  
20 Planning Board for them to conduct public hearings and  
21 then subsequently make their findings and  
22 recommendations back to the Town Board.

23 Resolution 475 is authorizing Paula and the  
24 Town to reimburse \$5,702.77 to the Times Union. The  
25 Times Union hasn't read their water meter bills for

1 quite awhile. So, that's for their property at 233 Old  
2 Maxwell Road.

3 Resolution 476 is awarding the sole bid. We  
4 had advertised as early as October 2, 2019. As a  
5 result of that advertisement for liquid sodium  
6 chloride for our 2020 needs, we received one response  
7 from International Dioxide Inc., in the amount of  
8 \$509,206.00 as the sole bidder.

9 Next we have an emergency at the Vly tank  
10 site. This is for Latham Water. They found after they  
11 began to work and they uncovered some of the equipment  
12 that there was a damaged service electrical cable at  
13 the tank. They needed to repair that on an emergency  
14 basis at the cost of \$1,175. The next emergency repair  
15 is in connection with the Mohawk Water Treatment Plant  
16 River Road Pump Station. This was done by Roth Valve.  
17 The cost of this repair was \$10,867.74.

18 Resolution 479 is authorizing Paula to  
19 execute amendment number two to our engineering  
20 agreement with CT Male. This is for the water meter  
21 replacement project on Maxwell Road - 640 Loudon Road  
22 to Maxwell Road, that is. What happened is that  
23 additional construction fee services were required.  
24 Anjo, the contractor, requested time extensions to  
25 complete the work. New York State Department of

1           Transportation permits require that we provide  
2           inspectors on-site whenever any work is being  
3           performed in their right-of-way and therefore CT Male  
4           had to have people there while this additional work  
5           was being done. So, they are looking to be reimbursed  
6           \$9,560 for doing this.

7                     The additional time - normally you would say  
8           to yourself: Why aren't we making Anjo pay? And why we  
9           are not looking to have Anjo pay is because the  
10          additional extension of time was done at the Town's  
11          request for our benefit. I posed that exact same  
12          question to John Frazer. That was the answer I got. It  
13          is certainly reasonable.

14                    Resolution 480 is an amendment with Aladtec.  
15          This is for our online employee scheduling workforce  
16          management system software and hardware. This is for  
17          our Police Department.

18                    We initially entered this contract in 2019.  
19          It seems to be working out well. The Chief would like  
20          to have this go for another year. The cost will not  
21          exceed \$2,220.

22                    Resolution 481 authorizes - the first part of  
23          this Resolution - - every year we do agreements with  
24          various police and law enforcement agencies to use our  
25          police shooting range and training facilities. We only

1 charge some a maintenance fee. Our maintenance fee has  
2 historically been \$250 per year to help us defray the  
3 costs of parking lot repaving, equipment upgrades,  
4 ammunition and things of that nature.

5 The Chief asked to increase that to \$500 but  
6 we are only charging the \$500 to the organizations  
7 seen in the last whereas clause. The reason for the  
8 difference that we charge some and not others is that  
9 the other agencies typically reimburse us in kind in  
10 one way or another - either through providing us with  
11 experts for training, providing us with equipment or  
12 weapons and the like. So, we try to treat everybody  
13 fairly.

14 Resolution 482 is our bi-annual contract with  
15 towing companies. What this does is provides towing  
16 coverage for our Police Department townwide by  
17 spreading out the contracts with these various  
18 organizations and this is for both police and police  
19 requested tows. There's a difference.

20 If you get pulled over for DWI and we impound  
21 your car, you're going to get charged a different fee  
22 than if you are a regular person whose car just broke  
23 down and the police call the towing company for you.  
24 In one case it's \$200 and in the other it's \$100.

25 None of the fees have increased. We haven't

1 changed the fees now for the last three or four years.  
2 I checked with other municipalities to see what they  
3 charge. We are in line. The only one I know is higher  
4 is Guilderland. The rest are pretty much exactly like  
5 ours.

6 Resolution 483 is reappointing Edward  
7 Delehanty to a five-year term on our Board of  
8 Assessment Review retroactive to October 1 and his  
9 term will expire September 30, 2024.

10 Resolution 484 is awarding the annual bid for  
11 printing newsletters to the low bidder. In this case  
12 which was Fort Orange Press at \$6,015 for the year.

13 Resolution 485 is authorizing Paula to sign  
14 an agreement with Tremco/Weatherproofing Technologies.  
15 This is for repairs and modifications to 12 Arrowhead  
16 Lane. The cost is not to exceed \$88,217.37. This is  
17 part of the modifications that we are doing to  
18 Arrowhead as part of our lease with the Federal Bureau  
19 of Investigation who will be using 12 Arrowhead along  
20 with us for training and the like. This was not bid  
21 because it was awarded pursuant to a Federal Source  
22 National Cooperative Contract Agreement of which we  
23 can take advantage.

24 MR. CAREY: Mike, were not paying that, right?

25 MR. KELSEY: We get the invoice and we send it

1 to the FBI. They sent us the money and then we can pay  
2 it.

3 MR. CAREY: Does that building have any - - is  
4 there going to be an issue with that building? I know  
5 that Waste Connections is talking about maybe having the  
6 trucks enter down Arrowhead at some point. Does that  
7 affect that building, or not?

8 MR. CUNNINGHAM: No, it does not.

9 MR. MAGGUILLI: Resolution 486 is a street  
10 dedication by John Paul Builders, LLC. It is Origin  
11 drive, Remark Street and Terminus Drive.

12 Jack, anything you would like to add to that?

13 MR. CUNNINGHAM: No.

14 SUPERVISOR MAHAN: Those are all up Pollock  
15 Road.

16 MR. MAGGUILLI: Resolution 487 is authorizing  
17 Paula to sign Change Order 1 with Gallo Construction.  
18 This is again for the library. This is an increase of  
19 \$1,237.69.

20 This is to provide new electrical service to  
21 the existing outlets in the youth services restroom.

22 As they were beginning to perform the  
23 electrical upgrades at this location, they found that  
24 they could not pull wires out of the existing bathroom  
25 outlet box and we are required to run a new conduit

1 through the ceiling to re-feed the existing lighting  
2 circuits. It wasn't something that could reasonably be  
3 discovered prior to entering the contract.

4 Resolution 488 is Change Order 2 with Gallo.  
5 This one is for \$837.13. This is as a result of a wall  
6 hung fixture.

7 When they were doing the wall framing  
8 modifications to accommodate this wall hanging  
9 fixture, they had to do \$837.13 worth additional work.

10 Resolution 489 is Change Order 3 with the  
11 Gallo contract. This one is at no cost, but it extends  
12 the contract completion by 49 days at no extra cost to  
13 the Town.

14 Resolution 490 is authorizing Doug to  
15 advertise for bids for our Town Designated Engineers.  
16 With the Town Designated Engineers we anticipate doing  
17 this through an interview committee and if anyone  
18 would like to make suggestions or anyone you would  
19 like to see someone on that committee, please feel  
20 free.

21 MS. WHALEN: Have we done that in the past?

22 MR. MAGGUILLI: Yes. We did at the last time.  
23 We had an interview committee.

24 MS. WHALEN: Last year?

25 MR. MAGGUILLI: No, we did it in 2009.

1 SUPERVISOR MAHAN: It is the length of the  
2 contract, so that will be coming up and that's why.

3 MR. CAREY: Who will be on the committee?

4 MS. WHALEN: It can be laypeople or residents?

5 MR. CAREY: Will there be any builders on  
6 there?

7 SUPERVISOR MAHAN: I'm trying to think of who  
8 was on there before.

9 MR. MAGGUILLI: We are in the discussion stages  
10 at this point. Paula, Joe LaCivita, Pete Stuto, me and  
11 then we were thinking about keeping the committee to  
12 five at the most. We need an odd number, but if there's  
13 anybody else you guys think that you would like to have  
14 on it, please let us know.

15 MR. CUNNINGHAM: The Public Works Department  
16 should be represented.

17 MR. MAGGUILLI: You are on there.

18 MR. CUNNINGHAM: You didn't mention me.

19 MR. CAREY: What do you think about having  
20 somebody from the building trade on there? I know a  
21 group of developers came in at one point and talked to  
22 you about some concerns they had. I wonder if you have  
23 canvassed that group and maybe there somebody from that  
24 group. I'm just thinking out loud. Does that make any  
25 sense? I know there was some talk which I'm not going to

1 get into right now.

2 MR. MAGGILLI: Having a developer on there? I  
3 don't see why not.

4 MR. CUNNINGHAM: The engineers are hired to  
5 watch the developers.

6 MR. CAREY: Maybe they would bring to the table  
7 some issues that they have had or some things -

8 MR. CUNNINGHAM: We could talk to them about  
9 maybe what they would like to see.

10 MR. CAREY: Maybe you could meet ahead of time  
11 and bring the input to the table, if you think it would  
12 be helpful.

13 SUPERVISOR MAHAN: They had some good  
14 suggestions. They came in to basically give some  
15 recommendations of what they see that they think would  
16 work better for everybody. They do provide that input.

17 We probably should do this again, but we made  
18 visits to other municipalities and talked to them  
19 about how they do their Town Designated Engineer  
20 process. Originally, the Town Designated Engineers  
21 resulted from the feedback from the developers when we  
22 first came and part of that was to improve and correct  
23 some of the things in Planning. It actually originated  
24 with the developers and that so we started going to  
25 the different municipalities in the capital region and

1 they gave us an idea of how they do them, what they do  
2 and what their costs are. Some places are smaller than  
3 we are, obviously.

4 MR. CAREY: I wonder what the group that talked  
5 to you - one of the guys that was a little bit more  
6 outspoken than others. I'm wondering if you guys reached  
7 out to him and said here's what were looking to do, do  
8 you want some input on this? It might be good for you  
9 guys to bring to the table.

10 MR. MAGGUILLI: A board Member could be on this  
11 committee as well, you know. If you thought a Board  
12 Member would be good, that's fine.

13 The one thing that would cause some  
14 controversy with the TDE thing is when we initially  
15 started this back in 2009 or whenever it was, we had a  
16 clause in the bid documents that whoever became he  
17 Town Designated Engineer was prohibited from doing  
18 private work in the Town. That was a term that is in  
19 this contract, as well. What had happened back then  
20 was Clough Harbor had two or three projects that they  
21 had been representing the developers for quite some  
22 time and they asked for exemptions for just those  
23 three. The Town Board looked it over at the time and  
24 as long as Clough Harbor wasn't reviewing their own  
25 projects - - so, for those three projects it was

1 Barton and Loguidice that actually acted as a Town  
2 Designated Engineer. That complied with the New York  
3 State Engineering Code of Ethics. We are very careful  
4 about that. So were they. They didn't want to do  
5 anything that didn't comply. Because we have been  
6 doing this for so long now, I don't expect this to be  
7 a problem. I don't expect anybody to come to us and  
8 ask for waivers.

9 One thing that is in there is that if you  
10 want to be a TDE, there is no other work for you in  
11 Colonie.

12 SUPERVISOR MAHAN: Clough Harbor did extremely  
13 well at the interview, but they're the ones that came  
14 forward and disclosed that we were in the middle of  
15 three major projects and that's why. We were able to  
16 work with that because of the situation.

17 MR. MAGGUILLI: They felt that they had a  
18 professional obligation to their client, which I think  
19 they did.

20 MS. WHALEN: I have talked to Joe LaCivita  
21 about this and the appearance of conflicts over the last  
22 few years. He also said that there's not really a whole  
23 lot of companies to choose from. There's a limited  
24 amount and what are there? There are five or six that  
25 would be eligible?

1 MR. MAGGUILLI: I think there is a limited  
2 number that were truly qualified to be TDE's.

3 One of the things that was very attractive  
4 about Clough to us at the time was the familiarity  
5 with the Town. They had been working in the Town for  
6 so long and had done so much, even for the prior  
7 administration, they had a very good grasp on what was  
8 there. So, as I recall, that was one of the main  
9 reasons.

10 SUPERVISOR MAHAN: They know the infrastructure  
11 and they have people on their staff that worked with the  
12 Capital District Transportation Committee, which was  
13 critical because of how they are involved with the Town.  
14 Again, they had a lot of knowledge about the  
15 infrastructure and inspections, locations of things.

16 MS. WHALEN: Is it really worth it for them?

17 SUPERVISOR MAHAN: They are paid for by the  
18 developers.

19 MR. MAGGUILLI: It doesn't cost the Town  
20 anything. There have been complaints by the developers.  
21 They feel the prices are too much.

22 SUPERVISOR MAHAN: That something that they  
23 have to understand. Barton and Loguidice, when they  
24 came, that's all they did was just municipalities.

25 Clough Harbor had those three that they were

1 involved that they had to finish up. I guess when it's  
2 not cost-effective for them - - at this point if  
3 they're interested, they're going to put in a request.

4 MR. CAREY: It's too bad we couldn't design a  
5 fee schedule for that type of thing. I don't know if  
6 it's too complicated to do that. That was the complaint  
7 that I had from one of the guys. They felt they were  
8 being overcharged. They compared a project that they did  
9 sort of on their own in this was the number attached to  
10 that. How did I get charged this number? It seemed like  
11 it just kept snowballing.

12 MR. MAGGUILLI: We are putting a maximum on it.  
13 When I was thinking about it, I was thinking is there a  
14 way that we could put a maximum on it that we could not  
15 charge more than X amount of dollars for any given  
16 project? If we can come up with an agreed hourly fee  
17 rate - - I don't see how that could be very difficult to  
18 do because they all have fee rates that they charge  
19 their own clients. We could look at that.

20 SUPERVISOR MAHAN: I think that we could go to  
21 some of the municipalities and compare again. What are  
22 the rates? How many do you have? How is it working?

23 MR. CAREY: When the Town Designated Engineers  
24 have the same hourly rate - that wouldn't be fair to  
25 charge - say if somebody was assigned one project and

1 his rate an hour was - - I'm just making up numbers -  
2 his rate is \$200 and the other Town Designated Engineer  
3 was only \$175. You couldn't do that.

4 MR. MAGGILLI: Historically, Chris, I think  
5 they are actually charged less. I'm not 100% sure. It  
6 wasn't so much the hourly rates that were being  
7 complained about. As far as I know, it was the amount of  
8 hours, and the amount of the total accumulated bill.

9 As you know, we have hired our own engineers  
10 and bill a lot of the time and what we were finding  
11 was their own engineers weren't familiar with  
12 Colonie's infrastructure and that their work had to be  
13 corrected. That happened over and over again.

14 MR. ROSANO: Almost every project in the last  
15 couple years has had incomplete paperwork involved in it  
16 and it drives the Planning Department crazy for chasing  
17 these people for their paperwork and then they're  
18 blaming the TDE. The easy fall guy is the TDE. They say  
19 it over and over again.

20 SUPERVISOR MAHAN: The other thing, too, is  
21 that you have to keep in mind that we have almost a  
22 two-step process because a lot of the municipalities  
23 don't have their own engineers anymore.

24 Take a place like Guilderland or some  
25 comparable to us, they just rely on the TDE's. They

1 don't have all the engineers that we have do  
2 inspections. We have all our Water and Sewer and  
3 Highway - all of these areas - - our people are also  
4 looking at the same thing and the TDE is looking at  
5 it. You've got two sets of eyes looking at the  
6 projects. Our procedure is complex compared to some  
7 other places. We ask for a lot more. It's a very  
8 comprehensive process and sometimes it does take time.  
9 We are looking for the outcome and sometimes it takes  
10 more work.

11 MR. ROSANO: The other piece to that whole  
12 thing is having the DCC meetings, the developer is able  
13 to come in and sit down with every department head for  
14 one meeting where they lay out everything to start the  
15 project or at least to get the project to concept. With  
16 other municipalities, you would have to meet with each  
17 department and try to make appointments and then you tie  
18 up your time and money as a developer or an engineer to  
19 try to make these appointments and try to catch  
20 everybody. When you come into that room, everybody's  
21 there. There's one voice and everybody hears it. They  
22 get their minutes. Sometimes they leave and we never see  
23 them again and sometimes they want to go forward. People  
24 actually come to us to copy our process.

25 MR. MAGGUILLI: I think one of the things we

1 really do have to address is the fee structure and have  
2 it made more fair to all parties involved.

3 Resolution 491 is awarding the bid to  
4 national -

5 MS. WHALEN: I have one more question. You have  
6 to determine that before you do the RFP, right?

7 MR. KELSEY: It is an RFQ.

8 MS. WHALEN: Oh, because it is professional  
9 services.

10 MR. MAGGUILLI: We are awarding the low bid of  
11 \$689,166 to National Water Main Cleaning Company. This  
12 is based on Pure Waters Director - their recommendation,  
13 Doug's recommendation and also that they were the low  
14 bidder.

15 SUPERVISOR MAHAN: The monitors are going to be  
16 on tonight, right? There is new technology where you  
17 will be able to see how it's working. Lisa put a lot  
18 into that. We will see how it goes.

19 MR. KELSEY: The big screen is working well and  
20 the two screens in the back are very easy to see, I  
21 guess. Lisa has really done a lot and it's come out very  
22 nicely.

23 SUPERVISOR MAHAN: The company, way back when  
24 we started, were so busy. They said they would be done  
25 at the end of October. They pretty much stuck to their

1 schedule.

2 MR. MAGGUILLI: One more thing that we have to  
3 do is I would like to make a request that we go into  
4 Executive Session to discuss a real estate transaction  
5 as there is a 2.9 acre parcel of land that has come up  
6 for sale that is vacant property.

7 The Town has put in a bid using our - - do we  
8 have a name for that fund?

9 MR. KELSEY: We always refer to it as the  
10 incentive zoning pot. That's kind of become the open  
11 space fund.

12 MS. WHALEN: I think I better go.

13 MR. MAGGUILLI: You don't have a conflict. It's  
14 not your property.

15 MS. WHALEN: What if I wanted to bid against  
16 you?

17 MR. MAGGUILLI: Then, we have a problem.

18 MS. WHALEN: Which I am not doing. I don't  
19 know, but I should just go. I think I should just go.

20 MR. MAGGUILLI: Let me do this part first.  
21 Then, you make the decision.

22 As Jennifer indicated, the property at 496  
23 Loudon Road, right down the street here by the gas  
24 station and next to Jennifer's house and it is a 2.9  
25 acre vacant parcel which we have put in a bid for with

1 the understanding that this would be used exclusively  
2 for open space, green space. I won't say what the bid  
3 is. We did get a counter and I won't say what the  
4 counter is.

5 I would like to go into Executive Session so  
6 I could get some authority to see how you would like  
7 me to proceed from this point on.

8 SUPERVISOR MAHAN: I would like Chris to stay,  
9 please.

10 MR. MAGGUILLI: Chris Kelsey, Julie, the steno.

11 MS. MURPHY: I make the motion that we going to  
12 Executive Session.

13 MR. GREEN: Second.

14 MS. GANSLE: All in favor?

15 (Ayes were recited.)

16 Any opposed?

17 (There were none opposed.)

18 MS. WHALEN: I don't think I should be here. I  
19 think I should go. I'm glad that I knew nothing about  
20 this, which is great.

21 (Whereas the above entitled proceeding was  
22 concluded at 6:50 p.m.)

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  
2420 TROY SCHENECTADY RD.  
NISKAYUNA, NY 12309