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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 February 6, 2020 at 6:10 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
- RICK FIELD
- JILL PENN
- DANIELLE FUTIA

ALSO PRESENT:

- Michael C. Magguilli, Esq, Town Attorney
- Julie Gansle, Town Clerk
- P. Christopher Kelsey, Acting Comptroller
- Chris Kostyun, Chief, EMS
- Chretien Voerg, P.E., Superintendent, Pure Waters
- Sean Maguire
- John Cunningham, Commissioner, DPW
- Ryan Bailey, Esq., Bailey Johnson & Peck

1 MR. MAGGUILLI: First on the list tonight is  
2 our personnel, of course. We are creating a new position  
3 of Laborer, Grade 8 in the Highway Department. We are  
4 appointing John Ekmalian to that position at \$23.87 an  
5 hour. John will start on February 7.

6 Resolution 108 B is a Resolution appointing  
7 Lauren Crunden as a Typist part-time in the Police  
8 Department. Lauren is filling the vacancy of Julie  
9 Phillips. She will be making \$18.28 an hour starting  
10 February 10.

11 Resolution 108C is creating another new  
12 position of Typist, Grade 6 in the Police Department  
13 and permanently appointing Sharon Zaccari to that  
14 spot. Sharon will be earning \$33,265 per year. Sharon  
15 will also start February 10.

16 Finally, we have Sean Maguire who will be  
17 replacing Joe LaCivita as our Planning and Economic  
18 Development Director. Sean will start at \$105,000  
19 effective February 24.

20 MS. FUTIA: Do we have any information about  
21 him? I really just don't know much about him.

22 MR. MAGUIRE: Hi.

23 MS. FUTIA: Oh, hi. I just wanted to know a  
24 little bit about yourself.

25 MR. MAGUIRE: Thank you for having me tonight.

1 I've got a bit of a background in the Town of  
2 Colonie. I probably know Chris the longest, actually,  
3 because I was an EMT for the Town many years ago. It  
4 was a great credit for what I am doing today. I  
5 actually paid my way through college because of that  
6 skill.

7 My background is in planning and economic  
8 development and public administration. I graduated  
9 from the University at Albany and I'm also a certified  
10 economic developer and a certified planner. I have  
11 worked here in the region. Most recently, I am at SUNY  
12 Schenectady. I am their Vice President for Workforce  
13 Development Community Education.

14 Prior to that I was a Director of Economic  
15 Development for the Capital District Regional Planning  
16 Commission.

17 Before that, I was with the New York State  
18 Department of State and Local Government Services Unit  
19 and the Senior Economic Developer and Planner for  
20 Albany County. I was very much involved.

21 I got a phone call today from the American  
22 Planning Association to be on their Great Places in  
23 America book. So, I'm very much involved and I'm  
24 looking forward to being here.

25 MS. FUTIA: Thank you. I'm sorry, I didn't mean

1 to put you on the spot.

2 MR. MAGUIRE: No, that's all right.

3 SUPERVISOR MAHAN: Sean, so you know, Danielle  
4 was probably busy but in their mailbox they got your  
5 resume and all of that - your application and everything  
6 on it. I just wanted to let you know that. I didn't want  
7 you to think that we forgot you.

8 MR. MAGUIRE: No, that's okay.

9 MR. MAGGILLI: Okay, first we have two public  
10 hearings tonight. The first public hearing we have Mr.  
11 Bailey here and he will be filling in for Crystal. This  
12 is under 202-b of the New York State Town Law with  
13 respect to the Burns/Whitney sanitary sewer rehab  
14 projects.

15 As you know, the Town retained Clough Harbor  
16 as their engineers to evaluate the structural  
17 integrity of the sanitary sewer system in the  
18 Burns/Whitney area. This is a gravity collection  
19 system that was constructed in the late 50's through  
20 the 70's. It's getting old and is becoming prone to  
21 frequent breaks in recent years.

22 The study conducted by Clough shows that it  
23 would be to the Town's best interest if the majority  
24 of the mains and manholes were repaired or  
25 rehabilitated. They have provided the Town with an

1 estimate of the cost which is \$3,025,500. If adopted,  
2 the required findings under 202-b would be that the  
3 public, in fact, is benefited by this expenditure and  
4 it is in the public interest to construct these  
5 improvements.

6 If anybody has ever lost their sewer, they  
7 will know that, in fact, it is in the public interest  
8 to do this.

9 Again, Mr. Bailey will be conducting the  
10 public hearing for the Town. He will be available to  
11 answer any questions we may have.

12 SUPERVISOR MAHAN: Mike, just in case anybody  
13 is here from Burns/Whitney - this was something that we  
14 had put in as a priority because I think - the  
15 misunderstanding is how these projects can be done.

16 This is an area that's a very old area of the  
17 Town. So, this was a major project along with others.  
18 We did a little bit last year. It's all phased-in. We  
19 can't just go in and pave and leave the infrastructure  
20 the way it was underneath.

21 If the neighbors are there who came before,  
22 they may not understand this process.

23 There's a reason why were doing this - so we  
24 don't have to put blacktop down and then dig it all up  
25 and start from scratch again.

1 I don't know if anybody has any questions on  
2 it. Chret or John have done studies in that area and  
3 certainly can answer any questions.

4 But just so people understand - we did have  
5 several neighbors that didn't really understand the  
6 magnitude of what goes into this type of development.  
7 Just so everybody knows - in case you get any  
8 questions.

9 Chret?

10 MR. VOERG: We didn't budget anything in the  
11 capital plan for this project. I think it's important to  
12 know that this isn't necessarily going to go straight  
13 forward, full-speed ahead. We're doing a public hearing  
14 now to approve the project. If funds become available,  
15 we might bite these often bigger chunks. Our intention  
16 is to pick them off in smaller repairs. So, if we can be  
17 just ahead of the paving program - - so, when Jack gets  
18 there with the paving program, the sewer and water are  
19 already set. We're going to kind of go street by street.

20 SUPERVISOR MAHAN: We did do some work. There  
21 were two streets last year?

22 MR. CUNNINGHAM: Yes. Just so that the new  
23 Board Members know, the Burns/Whitney area has not been  
24 paved in a very long time. The roads are in complete  
25 disrepair. They came to the Board last year and pleaded

1 to have some attention to this.

2 We got together and DPW started looking at  
3 it, we realized that it had infrastructure issues.  
4 That's why we're going through all these.

5 So, you're going to see this come up over and  
6 over again. We are getting there. We have paved a  
7 couple of streets. There was a water main repair that  
8 was done last summer. So, we are going to pave that  
9 street. There are a lot of streets in there. We're  
10 going to be working on the next couple of years.

11 SUPERVISOR MAHAN: Chret, do you know when the  
12 last time they were paved? Do you have any idea?

13 MR. VOERG: No.

14 MR. CUNNINGHAM: Those roads are about 30 years  
15 old.

16 MR. GREEN: Remember one of them said they saw  
17 something that said 1987 or 1988?

18 SUPERVISOR MAHAN: Yes, it's kind of like the  
19 way the rest of the Town was. It's going to be piece by  
20 piece, but we did get two done last year.

21 MR. CUNNINGHAM: Yes, we did get two of them  
22 done last year. We're also getting a storm sewer repair  
23 in there this year.

24 SUPERVISOR MAHAN: I hope it doesn't take 30  
25 years.

1 MR. MAGGUILLI: The next public hearing is - as  
2 you know, our Pure Waters Department is headed by Chret.  
3 The department manages and controls over 400 miles of  
4 main sewer lines and over 9,500 manholes throughout the  
5 Town. Right now they're trying to conduct and perform  
6 the services by operating out of two bays in Fleet  
7 Maintenance, which they share of course with maintenance  
8 and other parts of the Town workforce. The garage is  
9 limited in size to approximately 17 full-time people,  
10 one Senior Engineer and two Supervisors trying to share  
11 this space, along with storage and the like.

12 Pure Waters is proposing that for the sake of  
13 efficiency - and it will in the long run actually save  
14 us money rather than operating out of several  
15 different locations throughout the Town - that we  
16 consolidate all of Pure Waters' operations into one  
17 new building and that be constructed at the Public  
18 Works compound.

19 The proposed cost put together by Clough  
20 Harbor, our engineers, on this is an estimated  
21 \$6,978,031. Again, if adopted, the Town Board would be  
22 voting on the fact that this Resolution is in the  
23 public interest to construct the underlying structure  
24 and that the people of the Town of Colonie will be  
25 benefited.



1 SUPERVISOR MAHAN: Chret, the first step is  
2 that we needed this report, correct?

3 MR. VOERG: Correct.

4 SUPERVISOR MAHAN: We couldn't go forward  
5 without having this report. The maximum that could be  
6 spent on something like this is what they have in here.

7 MR. VOERG: That's correct. This is the  
8 ceiling.

9 SUPERVISOR MAHAN: But we are working to see  
10 what we can do to bring it down a little bit.

11 MR. VOERG: This was our third shot. Actually,  
12 the first two numbers came in higher. I couldn't even  
13 bring it to the Board. We did spend a lot of time on it.  
14 We put an internal committee together to try to best  
15 situate the garage. We worked with Clough Harbor on a  
16 conceptual design. That's really what the report is  
17 today. This is a conceptual level of a 50,000 foot unit.  
18 That's when the number is so brought. As we start the  
19 design process, we can start identifying the materials  
20 and construction and how many yards of concrete we're  
21 going to need. Then, that number will be more refined.

22 Once we actually go out to bid, we will know  
23 for sure.

24 MR. MAGGUILLI: This is the way we do it when  
25 we do a "not to exceed" figure. Then, as we proceed, we

1           pare that figure down for the actual amounts as they  
2           come in.

3                   SUPERVISOR MAHAN:   It doesn't mean that this is  
4           what we are actually spending.

5                   Also, when you say garage - it sounds like a  
6           garage with a couple of garage doors. This has offices  
7           and other things and it. So, it's a garage but it's  
8           not just a garage.

9                   MR. VOERG:   It is an operational facility. A  
10          number of the Board Members took a tour to see kind of  
11          what we were talking about. It doesn't makes a lot of  
12          sense when we have Supervisors working in one building  
13          and employees working in another building. It's not  
14          conducive to a good operation of efficiency.

15                   SUPERVISOR MAHAN:   Wouldn't a better  
16          description of it be an operational facility versus a  
17          garage? Only because when I think of a garage, I think  
18          of someplace I put my cars and snowblower. This is a lot  
19          more than that. If you are the average person and you're  
20          looking at almost a \$7 million garage, it's almost like  
21          oh my God. That can't be a garage. Something must be  
22          wrong. You're looking to do all your operations out of  
23          there.

24                   MR. VOERG:   That's correct. We can certainly do  
25          that on the next phase after the public hearing. If it

1 is approved tonight, the next step will be to secure an  
2 architect and engineer to actually develop it and do  
3 design drawings at which point we can call in an  
4 operational facility.

5 SUPERVISOR MAHAN: I think that if that's what  
6 it really is, it would be more clear to everybody if  
7 they knew that.

8 MR. MAGGUILLI: What the Resolution itself  
9 describes is construction of an 11,325 square foot cost  
10 effective pre-engineered office building to house a  
11 garage of three double-height bays, two half-height bays  
12 and a hoist weight system for loading and unloading  
13 equipment in bays for storage together with office  
14 facilities and the attending structures for that.

15 MS. MURPHY: So, that would be covered by  
16 saying an operational facility.

17 SUPERVISOR MAHAN: People have a tendency not  
18 to want to read everything. They are reading a  
19 consolidated garage. It's an office building that  
20 includes a garage. That's what it really is. I don't  
21 know how you want to say it. Unless in the Resolution  
22 itself for the presentation of the Resolution -- it  
23 spells it out more.

24 MR. VOERG: It does. Ryan will be presenting  
25 that for the public. There is a description of the

1 aspects and that it's really an operational facility.

2 MS. MURPHY: I like to add that three of our  
3 new Board Members and myself met with Chret for a tour  
4 of the facility and it's pretty astonishing where those  
5 people work. It's not very nice.

6 One of the gentlemen was filing something to  
7 repair a piece of equipment and everybody who is  
8 sitting at card tables doing their end of the day  
9 reports had masks on. It's not a very pleasant place  
10 to see and certainly we are well in need of doing  
11 something like this.

12 SUPERVISOR MAHAN: I think everybody is on the  
13 same page.

14 MS. MURPHY: I think everybody got the same  
15 impression I did.

16 SUPERVISOR MAHAN: I think it's just a matter  
17 of getting what we need and managing the cost the best  
18 we can and making sure that it won't be built again for  
19 a long time and that it has what you need.

20 MR. MAGGUILLI: The Resolution does say that  
21 the maximum allowed to be expended is the 6 million.

22 MR. FIELD: Based on the maximum expense - the  
23 last time I think we spoke about the cost to the  
24 taxpayer?

25 MR. VOERG: Yes. That will be part of the

1 presentation tonight, as well. The cost to the rate  
2 payer both in operations and capital costs is  
3 anticipated to be an increase of \$13.48 for a typical  
4 single-family home for the year.

5 MR. MAGGUILLI: On their sewer bill.

6 MR. VOERG: Yes, on their sewer bill.

7 MR. KELSEY: That's on the life of the \$7  
8 million. It's not the figure of maximum amount.

9 MR. VOERG: That's the worst case scenario.

10 I do want to say that a number of our  
11 collections staff members plan on coming to say thank  
12 you as a show of support to the Board. They appreciate  
13 all of your assistance, as well. They said, can we go?  
14 I said, of course you can go.

15 MR. MAGGUILLI: Resolution 111 is calling for a  
16 public hearing on February 27 of this year at 7:00 p.m.  
17 This is whether or not to create the 168 extension of  
18 the Latham Water District. There's a companion  
19 Resolution to this which is Resolution number 119 that  
20 essentially implements this in the event that it is  
21 adopted tonight. The maximum amount that will be  
22 expended, if this Resolution is adopted, is \$12,358. The  
23 extension 168 includes 11 separate areas located  
24 throughout this district and will be paid for by excess  
25 water rents meaning all properties served in the

1 assessed area will pay their proportionate share.

2 SUPERVISOR MAHAN: Initially I think it's  
3 stated six and it needed to be 11 areas. It's basically  
4 correcting that and that's the amount it's going to be.

5 MR. MAGGUILLI: That's what Resolution 119  
6 does.

7 SUPERVISOR MAHAN: So, they are not duplicate.  
8 It can get confusing.

9 MR. MAGGUILLI: Brian Austin, as you may know,  
10 has resigned from his position at the Planning Board due  
11 to some family health issues. Resolution 112 would  
12 appoint Paul Rosano to fill out the balance of Bryan's  
13 unexpired term which would be until February 7, 2022.  
14 The salary is set and mentioned in the Resolution is  
15 \$3,639 which would of course be prorated from the date  
16 of his appointments which is effective immediately, if  
17 adopted.

18 SUPERVISOR MAHAN: Paul has previous Planning  
19 Board experience. He has been Planning Board liaison as  
20 a Town Board Member. On his own, he has attended  
21 certification classes for Planning Board Members. He has  
22 volunteered with the Conservation Advisory Council to  
23 assist them when looking at properties that are on the  
24 agendas. He has the knowledge and the background and  
25 understands all the steps of the planning process.

1 MR. FIELD: I've a question. Was he only one  
2 considered for that spot?

3 SUPERVISOR MAHAN: There may have been, I  
4 think, one other. We keep a file. We get different  
5 names. He was the best qualified to recommend for the  
6 position. He has been there before. He has worked  
7 closely as liaison with a ton of extra hours put in.

8 MR. MAGGUILLI: Also, he is a member of the  
9 LURC committee; the Land Use Review Committee.

10 SUPERVISOR MAHAN: Yes, so he has all that  
11 background that he brings to it.

12 MR. MAGGUILLI: Resolution 113 authorizes Doug  
13 to advertise for bids for a restoration project at the  
14 Pruyn House.

15 What we're looking at here is bids for new  
16 exterior shutters or the repair of the exterior  
17 shutters at the Pruyn House for some interior  
18 woodworking there and the rear roof replacement.

19 Resolution 114 authorizes Doug to advertise  
20 for bids for a fence at the Latham Kwainis Park. The  
21 park is in need of a new fence.

22 SUPERVISOR MAHAN: This is for the pickle ball  
23 court. The tennis court is going to be made into a new  
24 pickle ball court and the basketball courts are in  
25 pretty rough shape. They're going to be done over as

1 well. So, the fencing is for that.

2 MR. MAGGUILLI: Again, this is only authorizing  
3 the bids.

4 Resolution 115 has a companion Resolution as  
5 well; Resolution 116. What this is - we have an  
6 amendment to our III-E Caregivers Program and the  
7 grants that we received from Albany County. They have  
8 increased the amount of funding and grant funds by  
9 \$29,500 for the period of January 1, 2019 to December  
10 31, 2019 for a total grant award of \$37,500. This  
11 authorizes us to accept the additional \$29,500 in  
12 grant funds.

13 Resolution 116 is the III-E Caregivers  
14 Program grant for the current year, on January 1, 2020  
15 to December 31, 2020. We will receive a grant, if this  
16 is adopted in the amount of \$30,000. This is, of  
17 course, used by Christine Cary in our Senior Services  
18 Department.

19 Resolution 117 is reimbursement for  
20 overestimated water usage at 19 Alex Road. We would be  
21 reimbursing the homeowner, Karen Norton the amount of  
22 \$2,579.23.

23 For the new Board Members, people pay their  
24 water bills. They're supposed to go down and read  
25 their meters, send in their cards and the like.



1 Sometimes that doesn't happen for a period of time and  
2 they pay estimated amounts on the water bill. In some  
3 occasions, we overestimate the amount of water that  
4 was actually used and so when the meter finally is  
5 read, it's determined that they have overpaid. In this  
6 case, \$2,579.23. They are certainly entitled to  
7 reimbursement.

8 The way I like to look at these is these are  
9 essentially interest-free loans that these taxpayers  
10 are making to the Town. We don't pay any interest on  
11 the money and it's free to use during the term.

12 It pays to read and send in your water meter  
13 cards.

14 Resolution 119 is awarding the bid to General  
15 Control Systems. This is the automated control  
16 services. We received four bids. General Control was  
17 the lowest at \$88,322. Both Doug and John Frazier  
18 recommend that the award go to General Control  
19 Systems.

20 Next we have amendment 1 to the engineering  
21 agreement with CT Male. Again, this is in connection  
22 with 111. This purports to change the original scope  
23 of services under the original contract that we signed  
24 back on December 10, 2019. This change order, if  
25 adopted, would allow additional descriptions for five

1 district extensions not included in the original RFP.  
2 The original RFP described one area of new  
3 construction and no areas served as outside users. In  
4 reality, as we started the work we determined that  
5 there was, in fact, six areas of new construction and  
6 five serving outside users. Again, this is merely a  
7 change order that resulted in an additional expense to  
8 the Town of \$1,200 that CT Male is looking to be paid.  
9 This makes the cost of their services total of \$3,450.

10 Resolution 120 is granting the State of New  
11 York the authority to perform relocation and  
12 adjustment services to our water mains and  
13 appurtenances. Under New York State Highway Law  
14 Section 10, this is part of the Exit 3 program. The  
15 Department of Transportation will do the work and bear  
16 the expense of relocation and adjustments of water  
17 mains and its intended equipment and pay for all that.  
18 Then, they turn it over to the Town and maintain it.  
19 That is authorized under Section 120.

20 Jack, anything you'd like to add to that?

21 MR. CUNNINGHAM: No. It's on a project that  
22 we're doing already. We just need approval for it.

23 SUPERVISOR MAHAN: And we maintain it.

24 MR. MAGGILLI: Resolution 121 is authorizing  
25 Doug to advertise for bids to convert all lighting in

1 our Public Safety Building to LED lighting. This would  
2 be partially paid for by a grant received by the Town.  
3 It is estimated that this could save as much as \$70,000  
4 per year. That's just at the one location.

5 MR. KELSEY: We are looking at the other two,  
6 to do that as well.

7 MR. MAGGILLI: Resolution 122 is authorizing  
8 Paula to sign a service agreement with Pittsfield  
9 Communications and this is for the Public Safety radio  
10 system for the Police Department. This is an annual  
11 agreement. This one runs from March 1, 2020 to February  
12 28, 2021. The cost to the Town is \$39,520.

13 Next we have our annual DARE golf tournament  
14 Resolution. The golf tournament this year which  
15 benefits our DARE program will be held at Schuyler  
16 Meadows on May 18, which I believe is a Monday. The  
17 charge per golfer will be \$105 and that includes green  
18 fees, dinner, trophies and things like that. We work  
19 with Schuyler Meadows and they're really good with the  
20 Police Department and a large portion of that \$105  
21 comes back to benefit DARE.

22 Resolution 124 is authorizing Paula to sign  
23 an agreement with Jared Slingerland. Jarrett is one of  
24 our Town Band Librarians. He is paid \$1,000 for the  
25 year from January 1, 2020 until December 31, 2020.

1 Resolution 125 - this is a little bit unusual  
2 and this is what is known as essentially a sole-source  
3 contract. We want 17 power-assisted cots and  
4 stretchers to be used by the EMS department. Typically  
5 under General Municipal Law Section 103, we are  
6 required to bid it. There are certain exceptions to  
7 the bidding requirements including what is known as a  
8 sole-source exception. In this case, the  
9 power-assisted cots that we are looking for are solely  
10 manufactured by this company Stryker. In order to use  
11 these cots, modifications had to be made to the  
12 ambulances themselves for security, to secure the cots  
13 to the ambulances and the like.

14 Chris, jump in whenever you want.

15 MR. KOSTYUN: Basically, it eliminates the four  
16 people. When we put everything out to bid, it is our  
17 specification, or equal. It eliminates our need to  
18 consider alternative manufacturers because there would  
19 be an associated expense with every ambulance that we  
20 had to put a different cot in.

21 MR. MAGGUILLI: It would cost us much more  
22 money to bid it and then have to retrofit our ambulances  
23 to take these structures. These are the best one anyway,  
24 as far as what I have been told.

25 Under Subdivision V of General Municipal Law

1 of the State of New York under 103, we would be  
2 authorizing the purchase of these power-assisted  
3 bariatric stretchers. This would cover the period of  
4 this year, 2020 and also 2021 and 2022.

5 Resolution 126 is under 219 a of the General  
6 Municipal Law. This is that green sheet that I sent  
7 out to you earlier. Under 219-a of the General  
8 Municipal Law my office gets a list of volunteer  
9 firemen who qualify for the service credit awards for  
10 retirement and the like. We take a look at that. It is  
11 verified by them that these people work the requisite  
12 number of hours. Because the program is administered  
13 to the Town, we're the ones who have to sign-off on  
14 it. So, every year we will get these. In the next  
15 month or two will we be getting them for each one of  
16 the other fire departments. It's really an internal  
17 thing for them, but very important to the volunteers.

18 MR. GREEN: And no cost to the Town.

19 MR. MAGGILLI: Resolution 127 - as a result of  
20 the ransomware attack of the Town, under our executive  
21 salary plan, department heads are not entitled to  
22 overtime compensation. Lisa Travis has provided the Town  
23 with youman services with respect to the ransomware  
24 attack. It's been approximately two weeks and we're up  
25 and running as if nothing happened. In order to do that,

1 Lisa had to work pretty much 24/7 throughout that time.  
2 She was here constantly. Her staff is entitled to  
3 overtime. It seems only fair that she should get  
4 compensated.

5 SUPERVISOR MAHAN: The other part of that, too,  
6 is her department - it can't run if they all took that  
7 comp time or whatever. It's just not feasible with what  
8 they had to do. There's still cleaning up and things  
9 like that. It's incredible what she has accomplished.

10 MR. MAGGUILLI: This is not an open-ended deal.  
11 I wrote this so it says that she will be entitled to  
12 overtime compensation if this is adopted until the date  
13 that the system is fully restored or until April 30,  
14 2020, whichever occurs sooner. That gives us some kind  
15 of control over it.

16 Lisa expects it to be done well before April  
17 30. In the event that it isn't, we have two options;  
18 either cut it off completely, or extend the time.  
19 Under this Resolution, it is a control factor.

20 I don't know if you saw it, but the Spotlight  
21 wrote a great article. The fact that Paula and the  
22 Town Board three or four years ago had the foresight  
23 to expend the money which was approximately \$50,000 at  
24 the time, to construct and man this backup system. It  
25 worked as advertised and in large part because of

1 Lisa. So, I think the Town owes her a great vote of  
2 thanks and the taxpayers.

3 Resolution 128 is again a companion  
4 Resolution. This authorizes Lisa to spend funds and  
5 Chris to spend funds as it comes up to restore the  
6 Town's network. The way was explained to me is that as  
7 we have been progressing and putting the network and  
8 the system back together, items may need to be  
9 purchased. We can't wait until the next Town Board  
10 meeting to get a component for the server, or some  
11 kind of wire to connect the things. So, this is an  
12 emergency situation that is allowed by the terms of  
13 the New York State General Municipal Law in situations  
14 like this where we are essentially giving her the  
15 authority that she believes is needed to do it, go  
16 ahead and do it and Chris will pay it. In the long  
17 run, it's the very best for the Town.

18 Resolution 129 is awarding - as you may know,  
19 Jack Paradise who was the Town's insurance adjuster  
20 for decades finally retired. We've been looking for  
21 someone to replace him.

22 What Jack does - we get a claim from somebody  
23 that there was a sewer back-up and their basement  
24 flooded. They want to be compensated for the cost of  
25 cleaning their basement or replacing any furniture

1 damage or the like. We send Jack out and he takes a  
2 look. He comes back and he reports to me whether he  
3 believes the Town is liable in the first instance. If  
4 he does believe it is a clear-cut case that the Town  
5 is liable, he would tell me so and then he will  
6 negotiate with the homeowner the amount to pay him. He  
7 did that for years. He was very good at it. He retired  
8 and we have to replace him because we don't have the  
9 staff or the time to do this kind of thing.

10 We received three responses to our RFP only  
11 one of which was local. The other ones were like  
12 Oklahoma and the like. How they are going to do it, is  
13 beyond me. These people are out of Clifton Park. They  
14 were also the low quote. I met with the owner of this  
15 company personally and they appear to be able to do  
16 the work. I think we can work with them. This  
17 authorizes the contract with them along the same  
18 terms.

19 We are actually saving a little money. We  
20 paid Jack Paradise \$15,000 a year and then we whacked  
21 it up and that \$15,000 covered the first 40 claims  
22 that he had to adjust. After that, he got paid a set  
23 dollar amount per claim. Off the top of my head, I  
24 can't remember. It was something like \$50 a claim, but  
25 I don't recall exactly what it is. We were able to



1 negotiate a lower amount with this guy because he was  
2 very anxious to get the work.

3 MR. GREEN: Is it an unlimited amount of  
4 claims?

5 MR. MAGGUILLI: It's not \$15,000, but it's  
6 less. It is still the same number of claims like the  
7 first -

8 MR. KELSEY: We never went over with Jack that  
9 I know of. He always covered it.

10 MR. MAGGUILLI: We get very few claims for the  
11 Town. For a Town the size, and the number of employees  
12 that we have with the Police Department and an EMS  
13 Department we get an amazingly small number of claims.  
14 Plus, we have worked very hard to build a reputation  
15 that we don't settle. If you want to make a claim  
16 against the Town, be prepared to go to trial. That's to  
17 avoid getting nitpicked to death by guys that will take  
18 anything and hope for \$3,000 bucks or something. That's  
19 worked very well for us.

20 Resolution 130 is authorizing Paula to sign a  
21 lease agreement with Colonie Senior Services Center  
22 Inc. at the Beltrone. This is for our Senior Services  
23 Department.

24 As you know, they are moving. We needed some  
25 space for a temporary amount of time at the Beltrone.

1 This is a six-month lease. It's for 1,208 square feet.  
2 The base rent is \$15 a square, which is reasonable on  
3 the market. There are some other additions to that  
4 \$15, but none that I think will apply because it's  
5 only a six-month period. Their ground lease that  
6 Beltrone uses has the typical adjustments for taxes  
7 and this and that. Again, it's only primarily for  
8 lease agreements that extend beyond a six-month  
9 period.

10 MS. MURPHY: Mike, we are planning on being out  
11 of there by April 1.

12 MR. MAGGUILLI: Right.

13 MS. MURPHY: So, we don't have to pay the  
14 remaining three months.

15 MR. MAGGUILLI: We may not.

16 MS. MURPHY: What you mean we may not?

17 MR. GREEN: Does the lease allow that to  
18 happen?

19 MR. MAGGUILLI: I believe so. I will have to  
20 double check.

21 MS. MURPHY: I think Jack Spath made it just in  
22 case the building where we are moving isn't ready.

23 MR. MAGGUILLI: I can't recall the language off  
24 the top of my head. I can look and have an answer for  
25 you before the end of the night. I know that's what we

1 wanted. We did it for six months just in case we needed  
2 it so we could lock up the space. In the event that we  
3 could move out sooner -

4 MS. MURPHY: But they can't charge us for those  
5 extra three months.

6 MR. MAGGUILLI: Right. It would be prorated to  
7 the date that we move.

8 MR. GREEN: Where did they find the space in  
9 the building, anyway?

10 MR. MAGGUILLI: I don't know.

11 SUPERVISOR MAHAN: This is still at the  
12 Beltrone. This is a huge difference.

13 Back in '08 when we came, the Town was paying  
14 I think it was \$80,000 a year.

15 MR. MAGGUILLI: There is a big article in the  
16 Times Union about it at the time - how we were paying  
17 the same amount of rent to Beltrone as if we had leased  
18 the top space at the Empire State Building.

19 SUPERVISOR MAHAN: It was like \$85,000 a year  
20 they were paying.

21 MR. MAGGUILLI: It was over \$64 a square foot.

22 David, do you want me to give you an answer  
23 right now?

24 MR. GREEN: Just give me the contract and I'll  
25 look.

1 MS. MURPHY: The new space is much larger and  
2 extremely nice.

3 SUPERVISOR MAHAN: And it's real close to the  
4 Beltrone.

5 MS. MURPHY: It's probably not 400 steps from  
6 the Beltrone.

7 SUPERVISOR MAHAN: Which is nice for the people  
8 who are going to go there.

9 MR. MAGGILLI: Resolution 131 is an insurance  
10 agreement. This is for our primary and excess public  
11 officials liability and employment practices liability  
12 insurance coverages. There are two separate insurance  
13 policies here. The first policy for our public officials  
14 liability - the premium is \$57,298. That's an increase  
15 of \$178 from last year's premium. As far as the  
16 employment practices liability insurance coverage, that  
17 has an increase of \$2,862 over last year's premium. The  
18 terms and conditions of the policies are identical as we  
19 had in 2019. It is an experience-based determination. We  
20 have done pretty well with this.

21 Resolution 132 is another insurance premium.  
22 This is one of the big ones. This is for our access  
23 general liability coverage. The premium on this is  
24 \$237,041. This is what provides us with our \$10  
25 million umbrella coverage. In the event we really get

1 hit with a big claim, this policy would come into  
2 play. It runs from January 15, 2020 through January  
3 15, 2021. Because we have not made any claims on the  
4 policy, there is a \$12,294 reduction in the premium  
5 from 2019 although all the terms and conditions are  
6 identical.

7 Resolution 133 is our general liability and  
8 professional liability coverage and this is primarily  
9 for the EMS Department. The premium is \$50,815.13.  
10 Anything dealing with the medical profession is going  
11 up, regardless of claims. The premium has increased  
12 \$5,208 from last year. Although, the terms in the  
13 conditions are the same. It's getting to the point  
14 where we are lucky to be able to get insurance.

15 MS. MURPHY: Did we have claims on its last  
16 year?

17 MR. MAGGUILLI: I don't think there was any  
18 claim.

19 Chris, do you know of any claims that came  
20 in?

21 MR. KOSTYUN: No.

22 MR. MAGGUILLI: Again, given the volume that  
23 our EMS Department does, it is an incredible record.

24 Chris, it's just amazing.

25 Anyway, like everything else, it's going up.

1           There is nothing we can do about it. It is getting  
2           harder and harder to place coverage. It's taking us  
3           longer and longer.

4                       We are doing an insurance audit of the Town.  
5           I asked Paul if it was okay. It doesn't cost us  
6           anything, but I wanted Gallagher to come in and do a  
7           thorough audit to make sure we are not underinsured or  
8           over insured for any particular risk. Hopefully I will  
9           have a response in about six weeks. A girl name Amy  
10          from Gallagher's office and Tim McPherson have been  
11          working on this steadily for the last few weeks.

12                      That's all I've got.

13                      SUPERVISOR MAHAN: Any questions?

14                      (There was no response.)  
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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  
2420 TROY SCHENECTADY RD.  
NISKAYUNA, NY 12309