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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 commencing on December 19, 2019 at 6:12 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
- P. Christopher Kelsey, Acting Comptroller
- John Cunningham, Commissioner, DPW
- Crystal Peck, Esquire, Bailey Johnson and Peck

1 MR. MAGGUILLI: With three personnel matters.

2 The first is appointing Michael Loucks to
3 replace Jean Dumas as a Typist part-time in Latham
4 Water. He will start tomorrow at an hourly rate of
5 \$17.83. He was an interdepartmental Typist for the
6 Town and now he will be a part-time Typist for Latham
7 Water.

8 Resolution 526 be is appointing Randy Wilsey
9 to replace Shane's Zyglewicz as a Laborer, Grade 7 at
10 Latham Water; \$19.09 an hour. Again, he will be
11 starting January 6.

12 Finally, we have a promotion, permanently
13 promoting Thomas Edwards as our Water Maintenance
14 Foreman at Latham Water. He is replacing Chris Weaver.
15 His salary will be \$63,068 and he will begin tomorrow.

16 We have one public hearing scheduled for
17 tonight. This is for the proposed sewer improvement
18 project extending sewer service to 17 Green Mountain
19 Drive; 250 lineal feet of three inch pipe; 173 lineal
20 feet of 1 1/4 inch pipe. The cost is \$15,943 to be
21 paid for entirely by the developer.

22 Resolution 528 is calling a public hearing on
23 January 16, 2020. That's our first regular Board
24 meeting. This has to do with replacement
25 recommendations that were made for the Mohawk Water

1 Treatment Plant mixing study. The cost of the work is
2 estimated to be \$6,050,000.

3 Resolution 529 is also calling for a public
4 hearing and this is to extend our municipal sewer
5 service to 273 Watervliet Shaker Road. The cost is
6 \$13,837 paid for by the developer.

7 Resolution 530 is the escrow agreement that
8 goes with the extension.

9 MR. GREEN: Are they putting up money or are
10 they doing a bond?

11 MS. PECK: There actually putting up the money.

12 MR. MAGGUILLI: Resolution 531 is money from
13 our insurance trust account; \$6,707.73 to Cooper Irving.
14 This is for the lawsuit against our Justice Department.
15 This is the one brought by the county; Steve Herrick.

16 Then, \$259.60 to Alexander Poole. This is for
17 the Fusco case. That's the hill slope case which I
18 would like to go into Executive Session to discuss
19 that case with you later on this evening. We brought a
20 third-party complaint against this company called New
21 York Real, which is the solar panel installation
22 company.

23 During the course of Fusco ownership of the
24 property, he had three large solar panels constructed
25 halfway down the slope. I'll get into more detail

1 during the Executive Session. We had a heck of a time
2 finding the solar installer in order to serve them.
3 Finally, we ended up serving the Secretary of State.

4 MR. GREEN: Mike, a question on the Cooper
5 Irving expenditure. Is that because Carolyn George was
6 handling that from the beginning?

7 MR. MAGGUILLI: That's correct.

8 MR. GREEN: Even though Dave Rowley is there.
9 That's okay? We can continue with her on the case?

10 MR. MAGGUILLI: Absolutely. She started when
11 she was still with Friedman Herschen.

12 MR. GREEN: I just wanted to make sure that was
13 okay.

14 MR. MAGGUILLI: No, we're good. Dave, right now
15 - has no authority to approve or disapprove anything.
16 He's a vehicle and traffic prosecutor.

17 Resolution 532 is authorizing Doug to
18 advertise for RFPs for credit card services for
19 various Town departments.

20 Resolution 533 is contract renewals with
21 diverse vendors as set forth in Exhibit A.

22 Resolution 534 is rescinding all prior
23 Resolutions and setting a new fee schedule for public
24 use of Town hall and our Public Ops building.

25 For Public Ops, there are no changes at all.

1 At Town hall we are eliminating evening
2 outside use by the public. There are better locations
3 for them than Town hall. They are not cost effective
4 to do it.

5 MS. WHALEN: The band is still at Town hall.

6 MR. MAGGUILLI: That's public use. That is more
7 internal.

8 Then we have Resolution 535 which is awarding
9 the bids for our industrial chemicals to Surpass
10 Chemical Co., Univar USA, JCI Jones, Slack Chemical
11 Co. and Shannon Chemical Co. they were all low
12 bidders. This contains a renewal clause for 2021.

13 Resolution 536 is authorizing Paula to sign
14 various contracts with companies for maintenance and
15 repair of equipment at facilities. This is all as set
16 forth in Exhibit A.

17 Resolution 537 is a new fee schedule for
18 Parks and Rec for 2020. You'll see in Exhibit A where
19 the increases are. They are minor; they are \$25-\$50 at
20 the most. This puts us more in line with what other
21 municipalities are charging. We were kind of low.

22 Resolution 538 is authorizing Doug to
23 advertise for bids for new tax collection software for
24 Ron Monfil's office.

25 MS. WHALEN: I have a question about the Parks

1 and Rec. The Prun House isn't in here, right?

2 MR. MAGGILLI: That's correct.

3 SUPERVISOR MAHAN: The Prun House is under the
4 library.

5 MS. WHALEN: Did they raise their fees?

6 MR. KELSEY: We are not in control over their
7 fees. That's all pretty much done through Friends of
8 Prun House.

9 MR. MAGGILLI: We have to approve them.

10 Resolution 539 is the fee schedule for Civil
11 Service. There is no change in that.

12 Resolution 540 is an agreement with Greg
13 Zink. He is our Band Librarian for 2020. It's \$1,000
14 for the year.

15 Resolution 541 is establishing pay dates for
16 2020. The first pay check will be January 9.

17 Resolution 542 is designating the holidays
18 for 2020. No new holidays have been added and known
19 taken away.

20 Resolution 543 is setting the rates of pay
21 for seasonal employees for various Town departments.
22 All we are doing here is aligning our schedule with
23 the new minimum wage that goes into effect December 31
24 which is \$11.80 an hour.

25 Resolution 544 is adjusting the salary for

1 Paula's Confidential Administrative Aide to reflect an
2 adjustment based on a longevity payment. That will
3 incorporate into her salary as of January 1.

4 SUPERVISOR MAHAN: It is longevity and the
5 percentage of the raise that everybody else is getting.

6 MR. MAGGUILLI: It puts her on an even playing
7 field with all other employees.

8 Resolution 545 is our agreement with Access
9 Compliance. They used to be called Access Health and
10 they changed their names. This is for drug and alcohol
11 testing. There is no change from our 2019 contract as
12 far as the cost goes.

13 Resolution 546 is our annual agreement with
14 Roemer Wallens for labor services for next year. They
15 have asked for a \$100 per month increase from \$5,100 a
16 month to \$5,200 a month.

17 Resolution 547 is an agreement with
18 Behavioral Health Specialists. This is providing our
19 psychological services to Town employees. It is an
20 amount not to exceed \$8,100. This reflects a 5%
21 increase from last year from \$643 a month to \$675 a
22 month.

23 Resolution 548 is our professional services
24 agreement with OCG Strategy. This is \$2,250 a day and
25 no change from 2019. Over the years, I think we have

1 used them maybe once or twice. He's never even charged
2 us the \$2,250 a day. That's how we do the contracts.

3 Resolution 549 is an agreement with Capital
4 Bauer. They provide our brokerage administrative
5 consulting services for our insurance needs. There is
6 no change in the contract from last year. They get
7 paid based upon a percentage of premiums so there is
8 no set amount.

9 Resolution 550 is a contract with Dr.
10 Wishnoff. This is for substance abuse professional
11 services. There is a \$50 increase here from \$650 per
12 case. In the last 10 years we have used him four
13 times. We had him on retainer, essentially.

14 Resolution 551 is establishing positions in
15 rates of pay for Parks and Rec's seasonal employees.
16 Again, this is just to align with the new minimum wage
17 of \$11.80.

18 We would like to table Resolution 552, if we
19 can have a motion? We would like to table this until
20 January 2 at the Organizational Meeting.

21 SUPERVISOR MAHAN: There is no Zoning Board
22 meeting until January 9. This is for a Zoning Board
23 position. Since there is no meeting until January 9,
24 that gives us time to get her on the payroll and all of
25 that.

1 MS. MURPHY: I will make a motion that we table
2 that.

3 MR. GREEN: Second.

4 MS. GANSLE: All in favor?

5 (Ayes were recited.)

6 Opposed?

7 (There were none opposed.)

8 MR. MAGGUILLI: That is now tabled until our
9 Organizational Meeting.

10 SUPERVISOR MAHAN: She has been notified that
11 we were requesting the date change.

12 MR. MAGGUILLI: Resolution 553 is our end of
13 the year budget modifications as set forth in Exhibit A.

14 Resolution 554 is a new fee schedule for the
15 Clerk's office. We eliminated our bare tag fee of \$50.

16 MS. GANSLE: These are consistent with the fees
17 that came out of DEC on July 29.

18 MR. MAGGUILLI: Our venison donation and
19 correlation fees and donation to the conservation fund
20 and the like - those are being changed.

21 Resolution 555 is our annual Resolutions for
22 the Clerk's office. The first is to appoint Michelle
23 Turcotte as our Deputy Town Clerk. These appointments
24 are made by our Town Clerk, Julie. The Town Board is
25 merely confirming them. That's under New York State

1 Town Law. She has the authority to appoint.

2 Next we have our Resolution appointing Julie
3 as our Registrar of Vital Statistics. Michelle is the
4 Deputy Registrar, Holly is a Sub-Registrar for 2020.

5 Then we have Resolution 557 which is
6 appointing Julie and Michelle as our Bingo Inspectors.

7 Resolution 558 is our annual Resolution for
8 our appraisal services for Ron Monfill's office and
9 mine and for legal services for 2020. For legal
10 services we have Dan Vincelette who does tax
11 assessment work only. I don't think we've ever used
12 him for anything else. That's his strong point.

13 And then, Cooper Irving essentially following
14 Carolyn George. Dave Rowley does do some of the tax
15 cert work for us, as well.

16 Resolution 559 is awarding the bid for our
17 EMS medical supplies as shown in the Exhibit. They are
18 all to low bidders.

19 Resolution 560 and setting our fee schedule
20 for our Emergency Medical Services Department. There
21 are some minor changes as shown in the Exhibit.

22 Resolution 561 is executing amendment number
23 three. It is essentially a change order for further
24 work needed to be done to a leaky water service near
25 the Homestead Drive intersection with Route 9. This is

1 an increase of \$1,035. Again, because this is a New
2 York State DOT involved project, we are required by
3 New York State to have an engineer on-site while work
4 is being performed. So, CT Male is doing that. It
5 decreases the total contracted amount to \$125,935.

6 Resolution 562 is authorizing Paula to sign a
7 professional services agreement with Adirondack
8 Environmental Services. The cost of field services is
9 \$65 per sample. The analysis is another \$65. That is
10 no change from 2019. That's for the glycol at the
11 airport.

12 Resolution 563 is the fee schedule for water
13 rates and the like. There's slight increases. There's
14 a five cent increase in our permit fee and
15 approximately 4% in some of the others that you will
16 note.

17 Resolution 564 is authorizing Doug to
18 advertise for bids for the Mohawk View Water Pollution
19 Control Plant blower repair job.

20 Resolution 565 is authorizing Paula to
21 declare an emergency to purchase parts for the Mohawk
22 View Water Pollution Control Plant in an amount not to
23 exceed \$750. We put that in because we weren't exactly
24 sure what it's going to be, but it looks like the
25 actual amount will only be \$516.

1 Resolution 566 is authorizing Doug to
2 advertise for bids for various repairs and renovations
3 to the Municipal Training Site.

4 Resolution 567 is advertising for bids for
5 new parking lot and striping at The Crossings.

6 MR. CAREY: Is that an additional parking lot
7 or is it redoing an existing one?

8 SUPERVISOR MAHAN: It's the one down at the
9 south end. There is some striping we want to start that
10 other area too.

11 MR. CUNNINGHAM: It's right down and that
12 circle off to the right. As you pull into the circle you
13 going to take a right hand turn and it goes down into a
14 flat area.

15 SUPERVISOR MAHAN: The new playground will go
16 back there with a grant that we receive. Caitlin is
17 working on that and trying to see if the installers for
18 the equipment can start in early spring along with the
19 paving as well in early spring.

20 MR. MAGGUILLI: Resolution 568 is our annual
21 agreement with the various fire companies and the New
22 York State Division of Military and Naval Affairs. We
23 provide fuel storage space and they pay us \$.10 a
24 gallon.

25 Resolution 569 is under Highway Law 140 2B

1 and it authorizes Paula to enter into agreements with
2 the fire districts for snow removal and salting. What
3 we do is during storm events as part of their plowing,
4 they clear out in front of the base of the fire
5 houses. Is a public safety issue.

6 MS. WHALEN: All of them?

7 MR. MAGGUILLI: Yes, all of the fire protection
8 districts.

9 MS. WHALEN: How many of them do we have?

10 MR. CUNNINGHAM: There are 12.

11 MR. MAGGUILLI: Resolution 570 is a
12 housekeeping Resolution. This authorizes Paula to
13 execute any construction escrow agreements that come in
14 next year without need of individual Resolutions. They
15 are all the same. It doesn't cost the Town anything.

16 Resolution 571 is our rates for our hire
17 trucks for 2024 snowplowing and the like. There is no
18 change next year.

19 Resolution 572 is no change in our roll-off
20 container fees for the Highway Department. It is still
21 \$250.

22 Resolution 573 is establishing fees for our
23 Engineering Bureau. There is no change. Resolution 574
24 is an agreement with Stanley Convergent Security
25 Solutions. This is basically the main doors of the

1 Public Safety Building. The cost will be \$1,779.24.

2 Resolution 575 is the first in a series of
3 Bond Resolutions.

4 Resolution 575 is a \$630,000 bond. It will be
5 used to purchase two ambulances, a stretcher, an SUV
6 and life pack replacements for the EMS Department.

7 The Bond Resolution and 576 is for
8 \$1,315,000. This is to purchase various machinery and
9 apparatus for the Highway Department.

10 Resolution 577 is \$3,654,500 for
11 reconstruction, renovation and various capital
12 improvements for Latham Water, including water meter
13 preplacement, water tank rehab projects and the like.

14 Resolution 578 is a million-dollar bond for
15 reconstruction of the salt shed at the highway garage.

16 Resolution 579 is a \$500,000 bond for
17 construction or reconstruction improvements to our
18 stormwater system throughout the Town.

19 Resolution 580 is a \$300,000 bond for
20 improvements to the library.

21 Resolution 581 is an \$865,000 bond for our
22 Police Department, essentially. This is to buy new
23 police vehicles, police equipment and also general
24 services pool vehicles, lawnmowers and the like.

25 Resolution 582 is a \$2,585,000 bond for

1 various highway and street construction and paving
2 projects.

3 Resolution 583 is \$110,000 bond for
4 improvements to the Pryune House.

5 Resolution 584 is a \$3,080,000 bond for
6 capital improvements to our sewer system.

7 Resolution 585 is a \$200,000 bond for
8 construction/reconstruction or renovations of various
9 improvements to Town hall.

10 Resolution 586 is another Bond Resolution for
11 \$180,000 for improvements to various Town facilities
12 including carpets and flooring replacement, cooling
13 tower upgrades and the like.

14 Finally, 587 is to allow the Chief of Police
15 or his designee to execute any and all documents
16 needed to apply for various grants next year. If we
17 could go into Executive Session to discuss the Fusco
18 case. I would request that Chris Kelsey, Jack
19 Cunningham, Julie and Nancy stay.

20 MR. GREEN: I will make the motion to go to
21 Executive Session to talk about pending litigation.

22 MS. MURPHY: Second.

23 MS. GANSLE: All in favor?

24 (Ayes were recited.)

25 Opposed?

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(There were none opposed.)

(Whereas the above entitled proceeding was
concluded at 6:35 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