

TOWN BOARD

COUNTY OF ALBANY

TOWN OF COLONIE

A PUBLIC HEARING AND SUBSEQUENT VOTE IN CONNECTION WITH THE PROPOSED LOCAL LAW AMENDING THE CODE OF THE TOWN OF COLONIE CHAPTER 181 ENTITLED VEHICLE AND TRAFFIC CODIFICATION BY AMENDING SCHEDULE V, STOP INTERSECTIONS *****

THE STENOGRAPHIC MINUTES of the above entitled matter by NANCY L. STRANG, a Shorthand Reporter, on June 27, 2019 8:51 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
- Gloria Knorr
- Richard Nottke

1 MS. GANSLE: Our next public hearing is being held
2 by order of the Town Board to hear all persons in
3 connection with the proposed Local Law amending the
4 Code of the Town of Colonie Chapter 181 entitled
5 Vehicle and Traffic Codification by amending Schedule
6 V, Stop Intersections. Notice of his public hearing has
7 been published in the official Town newspaper which is
8 the Spotlight and has been posted on the Town Clerk's
9 bulletin board. I have an affidavit for each.

10 The Town Board will now hear all persons interested
11 in this matter.

12 MR. NOTTKE: I'll do my best with this.

13 My name is Richard Nottke. I live at 19 Sherwood
14 Drive. The last name is spelled N-O-T-T-K-E.

15 I initiated this with the Highway Safety Committee.
16 I was recommending a yield sign because I don't think
17 the traffic on Sherwood Drive - that intersection
18 warrants a stop sign. At that meeting, the advisory
19 attorney was absent. Out of the six members, there were
20 three members that were absent.

21 The fire gentlemen, I believe his name is Mr.
22 Bisognano showed up and the two Police Officers were
23 there. Because I didn't get a chance to really discuss
24 the issue with the decision-makers, the public
25 commissioner and his representatives, I thought I would

1 make a couple of comments here in front of the Board to
2 advocate my position for a yield sign rather than a stop
3 sign.

4 The MUTCD manual really says consider a yield sign
5 first before you put a stop sign there. I don't know if
6 there were any real study done. My impression and with
7 all due respect the Officers, was that they wanted a
8 stop sign and that's what is going to get. They said:
9 Why put a yield sign in? If we put a stop sign in, they
10 probably will blow through it anyway. That's almost an
11 exact quote. I think it ought to be reconsidered for a
12 yield sign. That's it I'm asking.

13 SUPERVISOR MAHAN: Mike, do you have any
14 background on the meeting?

15 MR. MAGGUILLI: I'm looking at it. My
16 recollection, Mr. Nottke, was that you had written to
17 the Town asking for a stop sign at the intersection?

18 MR. NOTTKE: No, sir. I have the narrative and I
19 can make that part of the record, that I was
20 recommending a yield sign.

21 MR. MAGGUILLI: I will have to look because I
22 don't seem to have it in my file. Apparently, from what
23 I was told - I wasn't there. What we can do tonight is
24 adjourn this and not act on it. What I was told is
25 that -

1 MR. NOTTKE: Mr. Cunningham is in the back. I
2 don't know if you had a chance to review it. He might
3 want to speak.

4 MR. MAGGUILLI: I was told that we could not,
5 under the Manual of Uniform Traffic Control Devices -
6 that we cannot place a yield sign at this type of
7 intersection. I will have to double check that to make
8 sure.

9 MR. NOTTKE: Say that again so I understand
10 exactly what you said.

11 MR. MAGGUILLI: What I believe is that the problem
12 was that the yield sign - the New York State Manual of
13 Uniform Traffic Control Devices didn't allow that at
14 this intersection, but I'm not 100% positive. That's
15 why think that the best thing that we could probably do
16 is adjourn this and then take it up in the future. It
17 is my recollection that you want to the stop sign here.

18 MR. NOTTKE: In the narrative I think I said -

19 MR. MAGGUILLI: Did you send in a letter or an
20 email?

21 MR. NOTTKE: What I did was sent the Highway
22 Safety Committee request for an agenda item and the
23 attached narrative as an email attachment to the
24 Highway Safety Committee.

25 MR. MAGGUILLI: Did you send anything to the Town

1 Attorney's office?

2 MR. NOTTKE: No but it did discuss this with the
3 Town Attorney's office, Ms. Allegra Edelman and she was
4 the one who suggested going in front of the Highway
5 Safety Committee so that we could have a proper sign
6 off before he came in front of the Board.

7 MR. MAGGUILLI: Let us look into it. Allegra is my
8 assistant that handles these things for me.

9 MR. NOTTKE: Yes, she's very good, by the way.

10 MR. MAGGUILLI: Thank you. She is very good.

11 It was my recollection that we couldn't do it.

12 MR. NOTTKE: If you would like me to provide the
13 letter, I can, which I would be more than happy to do.
14 I have a copy. What I said was quote I'm asking for a
15 recommendation to have a dead-end sign placed which was
16 a separate issue in a traffic control sign placed at
17 Sherwood Drive. My opinion is that a yield sign would
18 be sufficient at this intersection and then I have the
19 applicable portion of the MUTCD here that does say:
20 Yield signs may be installed on the approaches from a
21 through street or a highway where conditions are such
22 that a full stop is not always required.

23 Ace Place is used by myself at 19 Sherwood and my
24 neighbor at 21 Sherwood. It is a dead-end street.

25 MR. MAGGUILLI: This is a very short street, isn't

1 it?

2 MR. NOTTKE: Yes, sir.

3 MR. MAGGUILLI: We change the name for you and
4 named it after your dad?

5 MR. NOTTKE: I appreciate that and I remember
6 that.

7 MR. MAGGUILLI: I don't recall right now what it
8 was but if we can do it, we certainly will.

9 MR. NOTTKE: I would appreciate you looking into
10 it. One final point. If a stop sign were placed there,
11 it looks like you don't have a site distance. When I
12 came over here tonight, I was halfway between my
13 driveway and Sherwood Drive and there's no signage
14 there at all. I saw a car directly coming at me. Had I
15 pulled up without looking and then looked to the left,
16 I wouldn't have seen a car. So, I want to make that
17 point, as well.

18 MR. MAGGUILLI: Maybe we shouldn't put anything
19 there.

20 MR. NOTTKE: Well, it is a legal street. That
21 would be your decision. I think as time goes on and the
22 Meadowdale Estates grows and you have pedestrian
23 bicycle traffic rollerblading, roller skaters and the
24 multi-use traffic on that single sidewalk, then it
25 turns into Ace Place which is your responsibility and I

1 do think there ought to be traffic control signage
2 there. Right now, without signage, yes, Ace Place is a
3 through street or Sherwood Drive is a through street
4 and Ace Place is the stub street although it is a legal
5 highway. I think that some signage could go in there. I
6 say a yield sign would be sufficient. If you would look
7 at it and take a harder look and come back when the
8 Board is ready to vote.

9 MR. MAGGUILLI: If we can adjourn this to the next
10 Town Board meeting?

11 MR. ROSANO: I make a motion that we table this
12 until the next Town Board meeting.

13 MS. WHALEN: Second.

14 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,
15 call the roll.

16 (The roll was called.)

17 MS. GANSLE: The ayes have it, Madam Supervisor.

18 SUPERVISOR MAHAN: Thank you.

19 MR. NOTTKE: Thank you, very much.

20 MR. MAGGUILLI: Thank you, sir.

21 (Whereas the above entitled proceeding was
22 concluded at 8:59 p.m.)
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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 _____