

STATE OF NEW YORK COUNTY OF ALBANY

TOWN OF COLONIE

AGENDA SESSION

THE STENOGRAPHIC MINUTES of the above
entitled matter by NANCY L. STRANG, a
Shorthand Reporter commencing at 6:00PM on
September 10, 2020 at Memorial Town Hall,
534 New Loudon Road, Latham, New York

BOARD MEMBERS:

- PAULA A. MAHAN, SUPERVISOR
- LINDA MURPHY, DEPUTY SUPERVISOR
- MELISSA JEFFERS VONDOLLEN
- DANIELLE FUTIA
- RICHARD FIELD
- JILL PENN

ALSO PRESENT:

- MICHAEL C. MAGGUILLI, ESQ., TOWN ATTORNEY
- JULIE GANSLE, TOWN CLERK
- P. CHRISTOPHER KELSEY, COMPTROLLER
- SEAN MAGUIRE, AICP, CEcD, DIRECTOR,
DEPARTMENT OF PLANNING AND ECONOMIC
DEVELOPMENT

1 CHRISTOPHER KOSTYUN, CHIEF, EMS

2 JOHN CUNNINGHAM, COMMISSIONER, DPW

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1 MR. MAGGUILLI: It's a straightforward
2 meeting tonight. Resolution 346 is our only
3 personnel matter. This is permanently
4 promoting Mark Gatto to Sewer Maintenance
5 Supervisor; \$84,444. He will get that
6 promotion on September 14th.

7 MR. KELSEY: Mike, this is a civil
8 service item. Mike wanted me to just mention
9 that this is just for civil service. He has
10 been in that position for quite a while.

11 SUPERVISOR MAHAN: He passed the test.

12 MR. MAGGUILLI: Next we have a
13 Resolution adopting or not adopting a Local
14 Law for the proposed rezoning of 44 Waterford
15 Avenue. They want to go from single-family
16 residential to multi-family.

17 On August 11th the Planning Board
18 recommended a zone change. We need to hear
19 from the Albany County Planning Board. They
20 don't meet until September 17th. So, I'm going
21 to ask you to adjourn this to the 24th. The
22 applicant is Richard Rossetti and he knows we
23 had to adjourn it because the Planning Board,
24 for whatever reason, didn't decided at the
25 last meeting.

1 What he is looking to do is rezone 2.35
2 acres of land to put four two-family houses on
3 it.

4 MS. MURPHY: All the property over there
5 has duplexes or triplexes. There is no
6 single-family housing back there.

7 MR. MAGGUILLI: Next, we authorizing
8 Paula to sign a contract with CDPHP for
9 health insurance for 2021. There is a 5.6%
10 increase from the 2020 rates. it looks like
11 \$12,908,351.40.

12 Then, we have our agreement with CDPHP to
13 administer our flexible spending account
14 program. This is a renewal from last year so
15 there is no increase from the 2020 rate. It
16 remains at \$5.25 per participant, per month.

17 Resolution 350 - EMS would like to
18 purchase manual and air-powered patient
19 lifting devices. This simply authorizes Doug
20 to advertise for bids.

21 Resolution 351 - EMS would like to
22 improve the existing Internet at Station 3 and
23 get increased speed, thereby signing a new
24 contract with Spectrum. The rate actually goes
25 down to \$71.98 a month. That's down from

1 \$101.99. There will be a \$99 installation fee
2 and we just need to close the existing account
3 and open a new one to get the deal.

4 Resolution 352 is awarding the bid to
5 Stryker Medical Sales. This is for the Stryker
6 ambulance equipment. There's actually two
7 bids; a purchase contract and the install
8 contract.

9 On the purchase contract Stryker was the
10 sole bidder. On the installation programs,
11 they were the low bidder.

12 Chief, anything you want to add to that?

13 MR. KOSTYUN: We are being assisted by a
14 grant of \$48,000 to upgrade all of our
15 stretcher mounting devices to actually do the
16 lift for the paramedics and EMTs. This will
17 reduce injuries.

18 MS. MURPHY: Are these recent and that's
19 why we are requesting these?

20 MR. KOSTYUN: No, they've been out for a
21 while. It's just the cost increase per
22 vehicle of about \$26,000 or \$28,000. It's
23 challenging.

24 MR. MAGGUILLI: Resolution 353 - Nancy
25 Adriano's department is going to receive a

1 community Block grant from the US Department
2 of Housing and Urban Development with respect
3 to the Covid 19 pandemic. The agreement that
4 we signed with HUD will run from September
5 15th to September 15, 2021. This will provide
6 \$12,000 in scholarships for 14 before school
7 and after school programs.

8 MR. KELSEY: Mike, that is not through
9 Nancy's program.

10 MR. MAGGUILLI: No, it does say
11 Community Development.

12 SUPERVISOR MAHAN: This is under the
13 Block grant program.

14 MR. MAGGUILLI: There's another US
15 Department of Housing and Urban Development
16 Covid grant. What this does is - it's not to
17 exceed \$50,000 and it's for counseling and
18 financial assistance for low to moderate
19 income persons in the Town that will become
20 delinquent with their mortgages as a result
21 of the loss of income due to Covid.

22 Resolution 355 is an agreement with the
23 Community Loan Fund of the Capital District.
24 This is providing Covid small business grants
25 to the Town not to exceed \$100,000. This is,

1 again, a financial assistance award to small
2 business owners who have been impacted by the
3 Covid pandemic. Again, this is from the US
4 Department of Housing and Urban Development.

5 MS. JEFFERS VONDOLLEN: Is this separate
6 from the one that the IDA has received?

7 MR. MAGGUILLI: This is all new stuff.
8 We have never done this before.

9 SUPERVISOR MAHAN: This is the extra
10 Covid money. That's why the sounds like it's
11 different. The government said we could use
12 the Covid money for Nancy's program.

13 MR. KELSEY: I realize that, but she
14 never told me this.

15 SUPERVISOR MAHAN: She figured out where
16 it would be best needed and gave those
17 recommendations.

18 MR. KELSEY: She told me about the other
19 three, but she didn't tell me about the
20 before and after school programs.

21 MR. MAGGUILLI: Next is Resolution 356 -
22 another HUD Covid grant not to exceed \$16,000
23 administered through Nancy's department
24 again. This is to provide up to \$16,000 in
25 free legal advice to low income persons for

1 illegal Covid evictions.

2 Resolution 357 is changing the models of
3 the unit heaters inside air versus outside air
4 units at the new highway self-storage
5 building. It is an increase of \$1,136.70.

6 Resolution 358 is a Resolution calling a
7 public hearing on September 24, 2020 for the
8 Crisafulli senior living planned development
9 district. This is on 11 Duffy Street and 12
10 Duffy Sreet; approximately 10 acres of land.
11 He wants to build a 139,000 square-foot
12 building that will contain approximately 113
13 Senior living apartments.

14 MR. FIELD: How old do you have to be?

15 MR. MAGGUILLI: 55 or older.

16 MS. FUTIA: How many units?

17 MR. MAGGUILLI: There are 113. The
18 Planning Board has recommended approval on
19 the PDD on the condition that the applicant
20 contribute \$357,500 to the Town to benefit
21 surrounding areas in West Albany.
22 Essentially, it is to help with the flooding
23 problems that we have down there, plus
24 improving sidewalks and other things.

25 MR. FIELD: Do they include garages or

1 not?

2 MR. MAGGUILLI: I do not know.

3 MR. MAGUIRE: Yes, the current plan has
4 provided them on the outer parts of the
5 property. They reduced some of that.

6 SUPERVISOR MAHAN: They are looking at a
7 little bit lower rents than the ones on
8 Aviation.

9 MR. MAGUIRE: Correct. This will be a
10 little bit more affordable than other senior
11 housing projects in Town.

12 SUPERVISOR MAHAN: I don't believe there
13 are any other newer options in the west
14 Albany area.

15 MR. MAGUIRE: Yes, it will be a new
16 option on that side of Town.

17 MS. JEFFERS VONDOLLEN: Because I know
18 there was someone who came to one of our
19 Board meetings last year - maybe last summer.
20 He was saying that they didn't have
21 developments of that kind in the west Albany
22 area and that it is all in north Colonie.

23 SUPERVISOR MAHAN: Yes, he didn't want
24 to come all the way over to this side. He
25 didn't like this side. He wanted to be right

1 near everything else that he was use to.

2 MR. MAGGUILLI: Resolution 359
3 authorizes a professional engineering
4 services agreement with RAMBOLL with respect
5 to the River Road storage in Mohawk View
6 Water Treatment Plant. This is a \$404,920
7 contract which would buy the Town 1,280 hours
8 of construction observation.

9 Resolution 360 is authorizing Paula to
10 reimburse \$7,222.93 to Paul McKinney for
11 overestimated water use at 30 Anthony Lane.

12 That's all I have on that. I do have a
13 couple of things to report. I really don't
14 think we need to go into Executive Session.

15 Today at 2 o'clock we had a conference
16 with Judge Michael Mackey of the Supreme Court
17 on the Fusco versus Colonie case. That is the
18 case where they are alleging that the Town
19 caused slope slippage on Mr. Fusco's property.
20 He has demanded \$2 million from the Town and
21 the like. We have taken a no-pay position.

22 The trial, as you might recall, is
23 scheduled for October 19th. We have requested
24 and the Court granted our application to put
25 the trial back for two reasons. One, I don't

1 want to try a case during the Covid pandemic.
2 I don't want to pick a jury with masks on, for
3 one thing. How can you see their faces and the
4 like? It's a very long and complicated case.
5 There are thousands of documents involved and
6 thousands of pages of depositions already.
7 Plus, we have brought a third-party action
8 against the pool company. We did that 10 days
9 before the noted issue was filed. The
10 plaintiff, Mr. Fusco, went crazy about that.
11 So, that has now been postponed at least until
12 May or June of next year.

13 Mike Mackey was a real good trial lawyer.
14 He knew our position. Plus, I don't want to
15 expose people -- this is going to be a very
16 long trial. The courtrooms in Albany County
17 are better, but they are not the best. So, he
18 was gracious enough to grant our application.
19 That was good news.

20 MR. FIELD: The overage on the water
21 that we pay back - how does that all happen?

22 MR. CUNNINGHAM: We ask people to record
23 their meter readings and when they don't
24 record their meter reading, we do estimates.
25 The longer it goes, the higher the estimates

1 come. It creates larger bills so we can get
2 their attention so we can get in and read the
3 meter. Once we get that accomplished, we find
4 out that we clearly overestimated and that's
5 what these refunds are. So, these people
6 finally responded to our request.

7 MR. FIELD: They actually pay \$7,000?

8 MR. CUNNINGHAM: They have paid us and
9 we are reimbursing them.

10 MR. KELSEY: When we do refunds, we go
11 back 12 billing cycles, which is six years.
12 Some numbers have gotten quite high.

13 MR. MAGGUILLI: This is money
14 essentially that they loaned the Town and its
15 interest-free. We have to look at it that
16 way. These people didn't have to pay that
17 money. When we do these refunds, we pay no
18 interest on it.

19 MR. KELSEY: We are talking with Latham
20 Water and the Commissioner about capping that
21 figure so that these refunds are gone as well
22 as the burden to taxpayers resulting from
23 their lack of response - which is somewhat
24 more reasonable.

25 MR. FIELD: Are these generally

1 non-owner occupied properties?

2 MR. CUNNINGHAM: No. They either ignore
3 this stuff where they don't want to do it, or
4 if we need to read the meter, they don't want
5 us in the house. There's a myriad of reasons
6 why people don't want to cooperate with this
7 stuff. They don't want to pay the bill.

8 SUPERVISOR MAHAN: Sometimes we even get
9 elderly people that lose track, or they don't
10 remember or whatever it is. Doesn't have to
11 be elderly - it could be someone disabled
12 that has some type of impairment that just
13 doesn't understand it.

14 The program for putting the meters in
15 that you can read from the road - that
16 resolves the issues. They are the problems
17 that you can't get resolved so we know to
18 avoid this again that they automatically have
19 the new meter put in.

20 We've been working on this meter program
21 since 2008, I think. Originally, it was to
22 change all the meters all over Town, it was
23 over a \$6 million project. At the time in
24 2008, there was no way or no money to work
25 with so we couldn't do that. We did reach a

1 point at some point - I don't remember which
2 year - where we were starting to do so many
3 meters per year.

4 MR. KELSEY: We built it into the
5 capital plan. We are also about \$350,000 a
6 year in the capital plan. I think we're about
7 one-third or half-way through all of the
8 meters to be replaced.

9 MR. FIELD: Are those the meters that
10 you have to have the light on -

11 MR. KELSEY: No, these are ones where
12 they are like National Grid where they just
13 drive down and park and it's within a mile so
14 many mile radius. There is no more reading by
15 the individuals.

16 A lot of people ignore the bill and let
17 it roll to their tax bill and then let their
18 escrow pay it so they don't see it until their
19 escrow jumps ridiculously because the tax bill
20 has gone up so high. It really comes back to
21 people just ignoring the water billing system.
22 This is one of the only recourses that Latham
23 Water has been able to get to get people to
24 let them in their house to do it.

25 MR. MAGGUILLI: The Town Board only sees

1 the larger refund because some years ago we
2 passed Resolutions - I think we started out
3 at \$500 and then jumped to \$1,000 that any
4 claims for reimbursement below those amounts
5 were handled in-house by John Frazer and Jack
6 Spath of my office where they meet with the
7 people and compromise because we were getting
8 tons of these Resolutions every month.

9 MR. KELSEY: I think we are at \$2,500
10 now, right, Mike?

11 MR. MAGGUILLI: I thought it was \$1,000.

12 MR. KELSEY: I think it's a \$2,500.

13 SUPERVISOR MAHAN: Because you would
14 have these every single meeting.

15 MR. KELSEY: We are at the point now
16 where we don't refund less than \$100. We were
17 getting deluged by all of these small ones.

18 SUPERVISOR MAHAN: It's just too much
19 paperwork and it's not worth it.

20 MR. KELSEY: We had \$10 refunds that
21 never got cashed. I still have one that we
22 put back in that's \$1,200. They never
23 processed the check. We reached out and I
24 finally put it back on the account because we
25 couldn't get them to process the check.

1 SUPERVISOR MAHAN: Depending on the
2 Stony Creek plan with the new backup water
3 system - depending upon how that comes out,
4 that could be a big help to really advancing
5 that meter program.

6 MS. MURPHY: Are they doing a section at
7 a time?

8 MR. KELSEY: They just buy so many
9 meters a year they go through them. I don't
10 think there's any rhyme or reason to it
11 because there is the new construction. In
12 other words, the people that call and request
13 them along with all of these various
14 refunds -

15 SUPERVISOR MAHAN: It has been a long
16 process.

17 MR. KELSEY: There are still a lot of
18 people that don't want them in. The older
19 homes are the people who have worried about
20 the water lines disintegrating if they are
21 touched -- those are the ones that go out
22 soonest.

23 MR. MAGGUILLI: The only other
24 announcement I have - so you don't hear it
25 anyplace else first- we actually executed a

1 search warrant today at Karl's motel on Route
2 9. It was the Building Department - Tim
3 MacPhereson in my office obtained a search
4 warrant and the Building Department. We had
5 complaints about unresolved sewage going
6 directly from the toilets into the ground
7 where they essentially disconnected the sewer
8 system. They had been notified to repair it
9 and never did.

10 We have had trouble with Karl's motel for
11 years.

12 So, finally we had enough and we got the
13 search warrant and executed it today. They
14 found sufficient Building Code and Health Code
15 violations where we were able to shut it down.
16 We gave the people - the guy that was in the
17 worst place had to move out right away. We
18 couldn't let them stay there to live. We have
19 pictures documenting all of this. It is pretty
20 disgusting. The other places - we gave the
21 people two weeks to find a new place to live.
22 We will be working with the Red Cross to help
23 them find a different location and this
24 includes the owner. She has to go to.

25 SUPERVISOR MAHAN: Is she aware of

1 what's going on here?

2 MR. MAGGUILLI: She seemed to be.

3 MR. FIELD: Is that condemning the
4 building now?

5 MR. MAGGUILLI: We will probably end up
6 condemning the building. We have certainly
7 read taped it as of today. We've had a lot of
8 trouble with them over the years with animal
9 abuse cases.

10 SUPERVISOR MAHAN: There were animals
11 there that were starving to death and all
12 kinds of things.

13 MR. MAGGUILLI: That's all I've got

14 SUPERVISOR MAHAN: Anybody else?

15 (There was no response.)

16 No questions?

17 (There was no response.)

18 MR. MAGGUILLI: The Police Department
19 put on a great demonstration last night for
20 the Police Review Board to allow them to know
21 better what they face and what equipment they
22 have and how they use it.

23 SUPERVISOR MAHAN: Useful things like
24 and things you wouldn't think of using
25 different types of equipment. A lot of the

1 equipment is definitely used and they have
2 different types that they can move through,
3 but it is used to resolve the situation - the
4 officer or the criminal - so nobody gets
5 hurt. A lot of things like the drones - they
6 are mainly used for missing persons -
7 locating missing persons, car crashes and
8 things like that. They are very helpful.

9 MS. JEFFERS VONDOLLEN: It was very
10 impressive to see. I've heard a lot about of
11 the stuff that has come through our packets
12 and our Resolutions and grants -

13 SUPERVISOR MAHAN: It's all grant money.

14 MS. JEFFERS VONDOLLEN: But just to see
15 it and see that we have the ability to be
16 able to deal with these things. A lot of it
17 is more preventative in nature, so they don't
18 have to use force and wind up in situations
19 that are happening. That was pretty
20 interesting.

21 I think the thing that I didn't know
22 about was- the thing that they throw under the
23 door - it has a camera on the other side so
24 they don't have to force their way in. They
25 can get intelligence that way.

1 SUPERVISOR MAHAN: You get domestic
2 calls or things like that - they are super
3 dangerous calls. You never know what's behind
4 the door or whatever. The robot and the thing
5 that goes under and the info they can get --
6 they did a really nice job on it. They showed
7 us all their techniques and how to safely
8 take people down and de-escalating the
9 situation.

10 MR. FIELD: We haven't had problems
11 around here - as far as what has happened
12 nationally.

13 SUPERVISOR MAHAN: We don't have the
14 same problems. This is a whole different
15 environment compared to the cities and what
16 they have and the problems that they have.
17 Because we are in the middle of the three
18 cities, Schenectady, Albany, Troy and then
19 over the bridges Saratoga County - in order
20 for people to get anywhere, they have to go
21 through the Town. If you have troublemakers
22 in Schenectady that want to go to Albany,
23 they have to go through the Town. They want
24 to go from Schenectady to Troy or vice a
25 versa, they have to go through the Town. So,

1 logistically where we are placed puts us in a
2 vulnerable spot.

3 The big part of their program and
4 everything that we have been working towards
5 is a proactive approach - community
6 involvement, community in policing. They have
7 the rapport and trust with the people. The
8 types of training that they have is extensive.
9 It's really extensive. That's really good
10 because a lot of these things that are
11 happening are a result of a lack of proper
12 training. So, that's critical for our
13 department. It's very consistent and it
14 happens all the time. There are still those
15 situations where something could happen.

16 As far as a shooting or having to use
17 guns or things like that - there is no
18 comparison. The cities - every single night
19 there is something going on.

20 If you could see - like what we
21 experienced - they did something for us to
22 show us what it would be like if somebody is
23 standing in the door - to figure out whether
24 or not they have a gun or they're going to
25 come at us with a knife or whatever, three

1 seconds - if we had three seconds to figure
2 that out - and they showed us. Three people -
3 you have to figure out does one have a gun?
4 One is holding a baby and somebody's doing
5 this - is somebody in back? When you think
6 about three seconds to do that, there's not
7 enough time. The reality is they have to do it
8 in a second and a half. That's probably more
9 realistic for them. Those are life and death
10 situations. They have methods of doing things
11 rather than rushing in and being able to -
12 because of the equipment and the training -
13 surround and wait and try to de-escalate. Or
14 the big man post - it's a piece of military
15 equipment. You can't get through that thing.
16 That thing is anywhere near coming near you
17 and the capabilities of what it can do - if
18 you're smart, you going to give up. It's a big
19 machine that's capable of doing so much. What
20 is more important than that is that it gives
21 them coverage to wait and to try to
22 de-escalate and do what they have to do.

23 They have to prepare for everything;
24 active shooters, school shootings. The other
25 part of it that we put in is many years ago -

1 EMS plays a role where they are staged. So, if
2 there is a shooting and somebody gets injured,
3 if you have to wait until the whole thing is
4 resolved before you can get EMS care, the
5 person could die. They are staged to a point
6 where the police try to secure situation in
7 what they would call a warm spot, versus a
8 hotspot where everything is going on and have
9 them treat the patient and then get them out
10 safely.

11 MR. KOSTYUN: They have the same body
12 armor, but they don't have weapons of force.
13 They work once or twice a month with the
14 special services team for drills and
15 everybody knows everybody. It's a really
16 beneficial thing.

17 SUPERVISOR MAHAN: The more training
18 that you have, the more prepared you are and
19 the more types - the types of training have
20 to be different because if you're used to the
21 same thing all the time, it's good but you
22 can always predict that's the way the
23 situation is going to be.

24 The new FBI building up by the landfill
25 that is going to be used as a training

1 facility - which I think the FBI is only going
2 to use it so many days of the year and the
3 rest of the year we can use it and other
4 agencies can use it, as well. They have
5 movable walls. So, you can change the scenario
6 all the time. So, it's not like okay, we have
7 a shooting. Well, the man is going to be
8 behind door 1. Well, he might not be. He might
9 be someplace else. So, you have to get used to
10 that and how to enter safely. Everything they
11 do - they try to do as cautiously with the
12 best thought out decisions based on their
13 training and the car chases.

14 Car access is probably one of the worst
15 things that they could get hurt in or somebody
16 else could get hurt in. It doesn't make sense
17 to do a car chase and go flying through
18 intersections like say for example they were
19 talking about Central Avenue. If they go
20 flying down Central Avenue at 80 miles an
21 hour, it's a good chance somebody's going to
22 get killed. Are you going after somebody for
23 vehicle and traffic ticket, or for shoplifting
24 and put them in a situation where people can
25 be killed? It doesn't make sense. If it's a

1 murder suspect, or homicide, or a rape, or
2 something like that, then they have to figure
3 out a way to do what they need to do. They
4 have an excellent rapport with all of the
5 surrounding police departments and agencies.
6 So, you will often hear that there will be
7 more than just the Colonie Police deployed. A
8 lot of times we are deployed to help other
9 places, as well. You will hear more than one
10 because of the - again, the proximity. If
11 someone is looking for someone or whatever,
12 they work in a collaborative way to have a
13 better chance of catching a criminal. It was
14 really a very interesting session. We saw a
15 lot of the equipment that they use.

16 We are at a point of beginning to
17 formulate the draft. Once that is put
18 together, then we will get that out to
19 everybody so you can have time to review it
20 and at some point when the panel is done with
21 that draft, we will know at some point when we
22 can call for the public hearing - the public
23 comment session and the public will be
24 involved. That will most likely be on a
25 separate day from a Town Board meeting - like

1 when we do the Comprehensive Plan or other
2 things like that and it will probably be on a
3 Wednesday. That's when we have our meetings.
4 Eventually, when the final draft is done,
5 that's what we will present to the public and
6 go back and forth with comments and the Town
7 Board and everybody. At some point, it gets
8 voted into either Local Law or Resolution and
9 then the certification goes to the state.
10 That's how that is all going to flow. So, it's
11 moving along nicely.

12 The next meeting - because we have been
13 meeting every two weeks, but we're not going
14 to meet for another month because it's going
15 to take a while to assemble all of the
16 information that we have been talking about.
17 Melissa from the Police Department is doing a
18 great job on all of the minutes and stuff. So,
19 we've got all that. It is coming along.

20 MS. MURPHY: That has to be turned in by
21 April?

22 SUPERVISOR MAHAN: Yes, by April 1st
23 everything has to be done. I think it's April
24 1st.

25 We've got a new Executive Order that we

1 just learned about today - a new project to
2 do. This is by April, again. We've got to put
3 together an emergency plan which we have the
4 majority of the information already, but we
5 have to formulate that emergency plan as to
6 what would we do if another situation - like
7 if Mike falls on his face, what do we do?

8 MR. MAGGUILLI: You know that we had a
9 death at the landfill?

10 SUPERVISOR MAHAN: Anyway, that's what
11 we have to do. So, when Rosemary gets back
12 from vacation -- like I say, I think we have
13 most of the information, but in the event
14 that there is another virus or medical
15 emergency or something of this type or
16 whatever, they want to see the plan.

17 MR. KOSTYUN: We wrote the contingency
18 plan after Lisa's virus.

19 SUPERVISOR MAHAN: And now we have to
20 with this whole thing because it's a lot of
21 the same information and the same data that
22 has to go into it. So, we've got more
23 homework.

24 MR. MAGGUILLI: A 72-year old guy - he
25 was a contractor for Malloy - a laborer for

1 Malloy - they were putting in 12-inch PVC
2 pipe. They had a length of PVC pipe on a
3 forklift that they had raised to cut it. He
4 was cutting it with a chainsaw and something
5 happened and caused the chainsaw to kick back
6 and cut his jugular and he died within
7 minutes.

8 MS. MURPHY: EMS was called?

9 MR. KOSTYUN: He was gone just like
10 that. He never knew what happened.

11 MR. MAGGUILLI: It was really sad.

12 SUPERVISOR MAHAN: Then we had a couple
13 of kids from Colonie - Loudonville in the
14 Town of Colonie - one guy whose last name was
15 Foreman - 21 years old. The other one is in
16 pretty tough shape. They were on dirt bikes
17 over by Karner Road.

18 MS. MURPHY: I was coming down Sand
19 Creek Road to get here and there were some
20 kids that were on bikes doing wheelies -
21 those big bikes with the big thick wheels.
22 They were four across the lane going the same
23 way I was, but they were in the lane of the
24 cars that were coming up and they waited a
25 long time to get off the road. I could see

1 the cars coming and they were still going in
2 the lane. I was like God, those kids are
3 going to get killed doing that.

4 SUPERVISOR MAHAN: Not to change the
5 subject, but the budget - we have a little
6 bit of a ways to go on that so we may have to
7 call a special meeting.

8 MR. KELSEY: We have to provide it to
9 Julie by close of her business day on the
10 30th of September and then Julie has until
11 October 5th to provided to the Town Board. In
12 the last couple of years, because of the time
13 of the Board meetings, we have been able to
14 get it done by the last Board meeting in
15 September. I don't think we're going to be
16 ready by the 24th. We will have it to Julie
17 by the 30th and you probably will have to
18 have a special meeting. It's a five-minute
19 meeting. It's literally a five minute meeting
20 to come in, Julie hands you guys the budget
21 and it's done. Then, we have the public
22 hearing.

23 SUPERVISOR MAHAN: So, we have quite a
24 long time to review it.

25 MR. KELSEY: We have until November 20th

1 to adopt it.

2 SUPERVISOR MAHAN: Anything that you see
3 - it could be a typo, or could be something
4 that Gee, that looks weird -- somebody could
5 accidentally put in an extra number. So, if
6 anything looks weird like that - we see typos
7 in the language.

8 MR. KELSEY: We have appointments where
9 Board Members can come in and we can go over
10 and answer any questions that you have right
11 up into that timetable.

12 SUPERVISOR MAHAN: It's pretty easy to
13 read. We change the budget format a long time
14 ago to line by line. So, if you're looking to
15 see something line by line, rather than just
16 having a chunk of a number -- you don't know
17 where the money is being spent. This is a
18 line item budget, so you know exactly where
19 it goes.

20 MR. KELSEY: To be more precise, we have
21 listed the positions in each requirement
22 where if there's more than one, we put two.
23 If it is a half-year position, we used to put
24 two. This year we talked about it and we are
25 putting 1.5, or 1.75, or one and a third.

1 SUPERVISOR MAHAN: That helps to
2 understand the number.

3 It's easy to follow, but it's a lot of
4 information.

5 MS. MURPHY: And we didn't get any
6 federal money.

7 SUPERVISOR MAHAN: Doesn't look like
8 anything is coming. You can see the impacts
9 on the schools and they are starting.

10 MR. KELSEY: We don't get a lot of state
11 aid. We got almost no federally funded
12 grants. The only place where we get state aid
13 is in the form of chips for the highway
14 program. We've already taken steps. We passed
15 a Board Resolution back in June to allow for
16 additional borrowing so we can continue with
17 the paving program to fill that gap just in
18 case for this year. That's really it.

19 SUPERVISOR MAHAN: We really don't get
20 anything.

21 A lot of the states, when they look at
22 the community, look at the demographics. They
23 look at what's the median salary of people and
24 what's the price of a home and things like
25 that. When you compare us to the cities, we

1 don't fall into that category where we get the
2 money.

3 MR. KELSEY: The city schools are really
4 feeling this.

5 SUPERVISOR MAHAN: The city schools are
6 getting killed.

7 According to the Health Department, if
8 you have a headache or the kids have a
9 headache -- if you're a teacher and you have a
10 headache, you can't go in and you have to go
11 get tested.

12 MR. KELSEY: If it's an allergy, you
13 have to go home, see an allergist, see a
14 primary, go get a Covid test and maybe you
15 can go back to school.

16 SUPERVISOR MAHAN: The only thing that's
17 not on the list, I think, is sneezing.

18 MS. PENN: No, that is on the list. The
19 list is ridiculous.

20 SUPERVISOR MAHAN: My grandson has so
21 many different allergies -

22 MS. PENN: He will never get to stay.
23 The nurse said to the staff, I can't diagnose
24 so if you send kids down and they have
25 anything at all -

1 SUPERVISOR MAHAN: How about all these
2 kids going home? Who is going to watch them?
3

4 (Whereas the above entitled proceeding
5 was concluded at 6:45 PM)
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CERTIFICATION

I, NANCY L. STRANG, Shorthand Reporter and Notary Public in and for the State of New York, hereby CERTIFIES 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.

Date: _____

Nancy L. Strang
Legal Transcription
2420 Troy Schenectady Road
Niskayuna, NY 12309

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