



# Town of Clifton Park

One Town Hall Plaza | Clifton Park, New York 12065 | (518) 371-6651 | FAX: (518) 371-1136

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November 21, 2023

To: Dahn Bull  
From: Supervisor Barrett  
Re: Highway Garage Project

I was advised last week that you had submitted a resolution request asking that the Town Board approve a resolution retaining Prime Engineering to begin the design work on an 80' x 160' Garage Building to replace the old Garage building which was destroyed by fire over two years ago.

The fire occurred in August of 2021, and the Board adopted a resolution on January 10, 2022, declaring the former Garage Building to be a total loss and resolved to replace the building, and authorized you to continue working with Prime on both the demolition of the old, and the design of a new, garage building.

The Board did not receive another resolution request authorizing further steps on the project until September of 2023, when a submission was received relative to retaining Prime for preparation of a conceptual design for the building. That submission indicated that you had solicited "a bid" from Prime, and was for concept design only, in the amount of \$21,400. At that time, I had asked that the resolution be removed from the agenda so that I could review the timeline of the project and determine how best to proceed considering other problems with your department relative to procurements, inaction on vital projects despite funding and authorization by the Town Board being in place, record keeping, and communication issues.

The request that was re-submitted last week was not made using the resolution request link, meaning that the other Council members would not have seen the item until it appeared on the agenda distributed on Thursday. Therefore, I asked that it be withdrawn from the draft agenda once again to allow for a determination on proceeding forward.

As you are no doubt aware, this very expensive project, will be entirely paid for through the General Fund, for which the Town Board is solely responsible.

Since the date of the fire in the old garage building, I have seen the following problems in completing projects and working with you:

- The Town Attorney and Comptroller, who are charged with overseeing procurement for the Town have experienced unnecessary problems with you when trying to get accurate and complete information on procurement submissions, including the inappropriate and unprofessional emails and other communications, as documented by a law firm conducting a workplace investigation which was completed in December of 2022.

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PHILIP C. BARRETT  
Supervisor

LYNDA M. WALOWIT  
Councilwoman

CHRISTOPHER E. O'HARA  
Councilman

AGATHA REID  
Councilwoman

ANTHONY F. MORELLI  
Councilman



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- Your record keeping and adherence to Town Codes relative to the permitting and fee collection for street opening permits was found to be non-existent and haphazard at best, as documented by the audit report conducted by Cusack & Co completed on February 10, 2023.
- The unnecessary and deliberate delays to the 2023 paving program, including your intransigence in arriving at a Hwy Law 284 agreement, and then ignoring that agreement as you unlawfully diverted funds to repave a road that was not included in the agreement.
- Your lack of responsiveness to the Board in almost all aspects of the day-to-day functioning of the Town.
- Not fully spending funds for road repairs and stormwater maintenance in recent years, when clearly there were needs in both important segments of your responsibilities

The new Garage project is estimated to be well into 7 figures. Since the project is a general fund expense and based on these documented problems that the Board and its appointed officers have had in trying to work with you in the many months since the fire at the old building, I believe that this project should be managed by Town staff who have much more experience and expertise in these matters than you.

The amount of time that has elapsed since the fire and your inaction is also extremely concerning. This is very similar to another recent example of inaction when we realized after two years following the Town Board's allocation of \$60,000 to begin the process of replacing the Highway Department's fuel island, gas pumps and underground tanks you had taken no action.

There will be multiple decisions and determinations that must be made along the course of bringing this project to a successful conclusion, on time and on budget, and based on your historical performance there is no confidence in your willingness or ability to complete the necessary tasks associated with this project.

If you do have any information related to this project that may be helpful, forward to me by the end of the week.

Sincerely,

Phil Barrett  
Clifton Park Town Supervisor

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