



Minutes of the Regular Meeting of the Town Board

Thursday, February 7, 2019

7:00 PM

Town Hall

1. **REGULAR TOWN BOARD MEETING – February 7, 2019 - 7:00 PM**
2. **Agenda Review Session –6:00 PM Supervisor Conference Room**
3. **Call to Order**

Attendee Name	Title	Status	Arrived
Paula Mahan	Town Supervisor	Present	
Paul L. Rosano	Councilman	Present	
Jennifer Whalen	Councilwoman	Present	
Melissa Von Dollen	Councilwoman	Present	
Linda J. Murphy	Councilwoman	Present	
David R. Green	Councilman	Present	
Christopher Carey	Councilman	Present	
Julie Gansle	Town Clerk	Present	
Michael C Magguilli	Town Attorney	Absent	
Rebekah Kennedy	Assistant Town Attorney	Present	

4. **Pledge of Allegiance**
5. **Personnel: Resolution No. 97**

A. Sandra Guerro

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

B. James C. Lauder

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

C. Drew T. Clow

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Christopher Carey, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

D. Dennis M. Landry

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

E. Trevor J. Taranto

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

F. David W. Dupuis, Jr.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

G. Michael J. Ruggiero

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

H. Gregory M. Bauer

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

6. **Public Hearing**

Public Hearing in connection to Article 12A of State of New York Town Law in relation to the establishment of Extension No. 167 to the Latham Water District.

Comments by Crystal Peck, Esq., Special Counsel
Bailey, Johnson & Peck, P. C.

Resolution No. 98 of 2019

Resolution pursuant to Article 12A of the New York State Town Law in relation to the establishment of Extension No. 167 to the Latham Water District.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

7. **Public Comment**

Comments made by a number of residents from the Burns Whitney neighborhood, Commissioner of Public Works Jack Cunningham, and the Board regarding the road conditions, pot holes, funding and the paving program.

8. **Resolutions**

Resolution No. 99 calling a public hearing pursuant to Article 12A of State of New York Town Law in relation to the Lupe Way Subdivision Sewer Improvement Project# 2017-005.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 100 calling a public hearing pursuant to Article 12A of State of New York Town Law in relation to the Donna Drive Conservation Residential Subdivision Sewer Improvement Project# 2013-009.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 101 calling a public hearing pursuant to Article 12A of State of New York Town Law in relation to the On the Farm Estates Sewer Improvement Project# 2018-001.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 102 calling a public hearing pursuant to Section 202b of the New York State Town Law in relation to the Mohawk View Water Pollution Control Plant Clarifier Rehabilitation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 103 Authorizing Supervisor to Execute an Escrow Agreement in relation to the Lupe Way Subdivision Sewer Improvement Project# 2017-005.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 104 Authorizing Supervisor to Execute an Escrow Agreement In Relation to the Donna Drive Conservation Residential Subdivision Sewer Improvement Project# 2013-009.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 105 Authorizing Supervisor to Execute an Escrow Agreement in Relation in relation to the On the Farm Estates Sewer Improvement Project# 2018-001.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 106 appointing or reappointing members to the Facilities Planning Committee.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Jennifer Whalen, Councilwoman
SECONDER:	Melissa Von Dollen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Green, Carey
ABSTAIN:	Linda J. Murphy

Resolution No. 107 appointing or reappointing members to the Freedom of Information Committee.

RESULT:	ADOPTED [5 TO 0]
MOVER:	Christopher Carey, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Murphy, Carey
ABSTAIN:	Melissa Von Dollen, David R. Green

Resolution No. 108 appointing or reappointing members to the Parks & Recreation Rules Committee.

RESULT:	ADOPTED [5 TO 0]
MOVER:	Christopher Carey, Councilman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Carey
ABSTAIN:	Linda J. Murphy, David R. Green

Resolution No. 109 accepting the Albert & Elsbeth Field Memorial Fund Trust 2019 distribution of \$27,500.00 to the Senior Resources Department.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 110 authorizing acceptance of a proposal from Arthur J. Gallagher & Co. to provide Primary and Excess Public Officials Liability and Employment Practices Liability insurance coverage through Atlantic Specialty Insurance Company and Hiscox Insurance Company, Inc., respectively.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Von Dollen, Councilwoman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 111 authorizing acceptance of a proposal from Arthur J. Gallagher Risk Management Services to provide the Emergency Medical Services Department with general liability and professional liability coverage through TDC Specialty Insurance Company.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Von Dollen, Councilwoman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 112 authorizing the Supervisor to enter into an Agreement with Johnson Controls, Inc. in connection with the Colonie Town Library's HVAC system.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 113 pursuant to §219-a of the General Municipal Law, approving the list of all volunteer members of the Shaker Road/Loudonville Fire Department submitted and certified under oath by said Fire Department and identifying those volunteer members who have qualified for credit under the Service Award Program for 2018.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Green, Councilman
SECONDER:	Christopher Carey, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 114 pursuant to §219-a of the General Municipal Law, approving the list of all volunteer members of the Fuller Road Fire Department submitted and certified under oath by said Fire Department and identifying those volunteer members who have qualified for credit under the Service Award Program for 2018.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Green, Councilman
SECONDER:	Christopher Carey, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 115 authorizing the Supervisor to enter into a Service Agreement with Pittsfield Communications System, Inc. in connection with the maintenance of the Public Safety radio system for the Police Department.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Green, Councilman
SECONDER:	Christopher Carey, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 116 authorizing the Supervisor to execute an agreement with Schuyler Meadows Club, Inc. in connection with the annual D.A.R.E. Golf Tournament.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 117 authorizing the General Services Director to advertise for bids for UPS Battery Replacement Service for 240 Batteries in the Colonie Police Communications Division.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Green, Councilman
SECONDER:	Christopher Carey, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 118 authorizing the Supervisor to enter into an Agreement with ABP Builders, LLC in connection with bathroom renovations at the Town of Colonie Golf Course.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 119 authorizing the Supervisor to enter into an Engineering Agreement with Clough Harbour & Associates, LLP in connection with the Design, Bidding and Construction Phase for a new Sand/Salt Shed at the Public Operations Site for the DPW/Division of Highway.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 120 authorizing the Supervisor to reimburse for overestimated water usage at 10 Hayden Avenue.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 121 authorizing the Supervisor to execute a Contractor Service Agreement with T. McElligott, Inc. to increase the expenditure limit for use by various Town facilities.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 122 authorizing the General Services Director to advertise for bids in connection with the Sulfuric Acid Day Tank at the Mohawk View Water Treatment Plant for the DPW/Division of Latham Water.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 123 authorizing the Supervisor to execute Change Order No. 2E to Contract 2 with Brunswick Electric, Inc. in connection with the Mohawk View Water Pollution Control Plant Generator and Building Improvement Project for the DPW/Division of Pure Waters.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 124 authorizing the Supervisor to enter into an Engineering Agreement with Weston & Sampson, PE, LS, LA, P.C. in connection with the Albany Shaker Road Pumping Station Rehabilitation Project for the DPW/Division of Pure Waters.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 125 authorizing the Supervisor to execute agreements for 2019 to allow students from licensed, accredited institutes of higher learning, from local high schools or trade schools and/or programs acceptable to the Town to participate in internships with the Town.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Carey, Councilman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 126 authorizing settlement or discontinuance, subject to judicial approval of the same, pursuant to §68 of the Town Law, of various tax certiorari proceedings.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Von Dollen, Councilwoman
SECONDER:	Jennifer Whalen, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 127 waiving any and all Town fees in connection with work being done for the Town of Colonie on Town projects for 2019.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Carey, Councilman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 128 authorizing the General Services Director to advertise for bids in connection with the purchase of playground mulch at various Town playground sites.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jennifer Whalen, Councilwoman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey

Resolution No. 129 requiring the Planning Board to review and consider the proposed rezoning of a parcel of land located at 1222 Troy Schenectady Road from Single Family Residential (SFR) to Commercial Office Residential (COR).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul L. Rosano, Councilman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Whalen, Von Dollen, Murphy, Green, Carey