



## Minutes of the Regular Meeting of the Town Board

Thursday, September 30, 2021

7:00 PM

Town Hall

1. **REGULAR TOWN BOARD MEETING – September 30, 2021 - 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 |         |
| Jill Penn          | Councilwoman            | Present |         |
| Danielle Futia     | Councilwoman            | Present |         |
| Melissa Jeffers    | Councilwoman            | Present |         |
| Linda J. Murphy    | Councilwoman            | Present |         |
| Brian C. Austin    | Councilman              | Present |         |
| Rick J Field       | Councilman              | Present |         |
| Julie Gansle       | Town Clerk              | Present |         |
| Timothy MacPherson | Assistant Town Attorney | Present |         |

4. **Pledge of Allegiance**

Tentative 2022 budget was distributed to the Town Board pursuant to Town Law section 106(3)

5. **7:00 Presentation of a Proclamation to Julie Gansle for being awarded certification as a Registered Municipal Clerk by the New York State Town Clerks Association**
6. **7:00 Presentation of a Proclamation by the Town of Colonie and Village of Colonie to the Colonie Little League 2021 NYS Champions**
7. **Personnel: Resolution No. 343**

A. Janis M. Finn

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Jill Penn, Councilwoman                            |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                      |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

B. Laura C. Hadsell

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                       |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                            |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

C. Brendan M. Turner

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

D. Raymond R. Elliott

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

8. **Public Comment**

\* Resident spoke in connection with emergency access gates and also inquired as to the status of the improvement to the park on Rt.2

9. **Resolutions**

Resolution No. 344 Calling a Public Hearing Pursuant to §202 of the New York State Town Law Relative to the Annual Estimate of Expense of Improvements and Benefit Assessment Roll for the Town of Colonie Sewer Improvement Area.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 345 Calling a Public Hearing Pursuant to §202-A of the New York State Town Law Relative to the Annual Estimate of Expense of Maintenance and Benefit Assessment Roll for the Town of Colonie Sewer Improvement Area.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 346 amending Resolution No. 327 for 2021 deleting any and all references to Sections 90 and 91 of the New York State Town Law and replace same with references to Section 24 of the Municipal Home Rule Law.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Melissa Jeffers, Councilwoman                      |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                            |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 347 calling public hearings in connection with Fire Protection District contracts.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Brian C. Austin, Councilman                        |
| <b>SECONDER:</b> | Linda J. Murphy, Councilwoman                      |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 348 authorizing the General Services Director to advertise for bids in connection with structural repairs to be done at the Municipal Training Facilities Fire Tower Site.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Brian C. Austin, Councilman                        |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                            |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 349 authorizing the Supervisor to reimburse for overestimated water usage at 384 Loudon Road.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                       |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                            |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 350 authorizing the Supervisor to execute a Contractor Services Agreement with Pollard Excavating in connection with supplying and replacing butterfly valves, actuators and couplings at the Mohawk View Water Treatment Plant and to be used by various Town Facilities.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 351 authorizing the Supervisor to execute a Contractor Service Agreement with HJM Precision, Inc. in connection with the certification of the autoclave at the Mohawk View Water Treatment Plant and to be used by various Town Facilities.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 352 authorizing the Supervisor to execute Change Order No. 1 with Constantine Construction & Farm, Inc. in connection with sludge hauling for the DPW/Division of Latham Water.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Jill Penn, Councilwoman                            |
| <b>SECONDER:</b> | Danielle Futia, Councilwoman                       |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 353 authorizing the Supervisor to execute a Latham Water Repayment Agreement with Jumone Johnson.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Jill Penn, Councilwoman                            |
| <b>SECONDER:</b> | Danielle Futia, Councilwoman                       |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 354 authorizing the Supervisor to enter into a one-year extended warranty coverage with ELSAG North America Selex ES in connection with the maintenance of a F3-4 Camera System at Central Avenue and Covington Avenue.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Brian C. Austin, Councilman                        |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                      |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 355 authorizing the Supervisor to enter into an Agreement with Education Service Center-Region 19 Allied States Cooperative in connection with an additional option for the Town to competitively bid contracts.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Jill Penn, Councilwoman                            |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                      |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 356 authorizing the Supervisor to enter into an Agreement with Landmark Medical, PC in connection with providing in-home medical care by the Emergency Medical Services Department.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 357 authorizing expenditure of funds from the Insurance Reserve Fund for payment of legal fees, expenses and/or settlement in connection with litigation.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Melissa Jeffers, Councilwoman                      |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                            |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 358 authorizing acceptance of a proposal from Arthur J. Gallagher & Co. to provide Commercial Inland Marine/Equipment insurance coverage through Travelers Property Casualty Company of America for the Town of Colonie.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Melissa Jeffers, Councilwoman                      |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                            |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 359 authorizing the Supervisor to execute an Engineering Agreement with Arcadis of New York, Inc. for design and bid phase services in connection with the Mohawk View Water Pollution Control Plant Blower Rehabilitation Project.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 360 authorizing the Supervisor to execute Change Order No. 1 with Stants Capital Combustion, LLC in connection with the Mohawk View Water Pollution Control Plant Boiler #1 Gasket Replacement Project.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 361 authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 58 Gadsen Court by ANJO Construction, Ltd. and authorizing the Comptroller to expend Emergency Repair Reserve funds for the same.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 362 authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 12 Brickley Drive by ANJO Construction, Ltd. and authorizing the Comptroller to expend Emergency Repair Reserve funds for the same.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Linda J. Murphy, Councilwoman                      |
| <b>SECONDER:</b> | Brian C. Austin, Councilman                        |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 363 calling a public hearing in regard to the Planning Board recommendation for the proposed amendment of the Elks Lane PDD.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Brian C. Austin, Councilman                        |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                      |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |

Resolution No. 364 authorizing the Supervisor and Chief of Police to execute a Memorandum of Understanding with Siena College in connection with Siena College's obligations under Article 120-A of the Education Law.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Melissa Jeffers, Councilwoman                      |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                            |
| <b>AYES:</b>     | Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field |