



Minutes of the Regular Meeting of the Town Board

Thursday, October 25, 2018

7:00 PM

Town Hall

1. **REGULAR TOWN BOARD MEETING – October 25, 2018 - 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	Present	
Chretien Voerg	Pure Waters Superintendent	Present	
Christine Carey	Senior Resources Director	Present	
Douglas Sippel	General Services Director	Present	
Evelyn Neale	Library Director	Present	
John Cunningham	Public Works Commissioner	Present	
John Frazer Jr	Latham Water District Superintendent	Present	
Jonathan M Teale	Chief of Police	Present	
Joseph LaCivita	Planning and Economic Development Director	Present	
Lisa Travis	MIS Director	Present	
Michael Burick	Personnel Officer	Present	
Nancy Andriano	Community Development Manager	Present	
P. Christopher Kelsey	Accounting Supervisor	Present	
Peter Berry	Emergency Medical Services Chief	Present	
Ronald Monfils	Assessor	Present	
Rosemary Newton	Human Resources Director	Present	

4. **Pledge of Allegiance**
5. **Personnel: Resolution No. 419**

A. Cassidy R. Monfils

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

B. Allan C. Secor

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

C. Jesse A. Kean

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

D. Joshua M. Spenziero

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

E. Glen Roberts, Jr.

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

6. **Public Hearings**

Public Hearing in connection to Article 12A of State of New York Town Law approving the British American Plaza Sewer Improvement Project# 2018-003.

Comments from Crystal R. Peck, Esq. with Bailey, Johnson & Peck, P.C.

Resolution No. 420 of 2018

Resolution pursuant to Article 12A of State of New York Town Law approving the British American Plaza Sewer Improvement Project# 2018-003.

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

Public Hearing in connection to Article 12A of State of New York Town Law approving the Starlite Office Project, Phase 1 Sewer Improvement Project# 2018-002.

Comments from Crystal R. Peck, Esq. with Bailey, Johnson & Peck, P.C.

Resolution No. 421 of 2018

Resolution pursuant to Article 12A of State of New York Town Law approving the Starlite Office Project, Phase 1 Sewer Improvement Project# 2018-002.

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

Public Hearing in connection to a local law overriding the tax levy limit for 2019.

Comments made by Supervisor Mahan and members of the Board in connection with the proposed budget and tax cap figures;

Questions for the Board from resident regarding paving and infrastructure, health care and innovative development;

Comments from resident speaking against the proposed override of the tax cap; and

Comments/Clarification from following department heads:

Human Resources Director Rosemary Newton

Superintendent of Pure Waters Chretien Voerg

Superintendent of Latham Water John Frazer, Jr.

Accounting Supervisor P. Christopher Kelsey

Chief of Police Jon Teale

Assessor Ronald Monfils

Resolution No. 422 of 2018

Resolution adopting/not adopting a local law overriding the tax levy limit for 2019.

RESULT:	ADOPTED [6 TO 1]
MOVER:	David R. Green, Councilman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Rosano, Von Dollen, Murphy, Green, Carey
NAYS:	Jennifer Whalen

Public Hearing in connection with a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 190 of the Town Code.

Comments from Town Attorney Michael Magguilli

Resolution No. 423 of 2018

Resolution adopting/not adopting a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 190 of the Town Code.

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

Public Hearing in connection with a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 190 of the Town Code.

Comments from Town Attorney Michael Magguilli

Resolution No. 424 of 2018

Resolution adopting/not adopting a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 190 of the Town Code.

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

Public Hearings in connection with the Fire Protection District Contracts.

Comments from Town Attorney Michael Magguilli

Resolution No. 425 of 2018

Resolution authorizing a contract with the Fuller Road Fire Department, Inc. for fire protection within the Fuller Road Fire Protection District.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Melissa Von Dollen, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Von Dollen, Murphy, Green, Carey
NAYS:	Jennifer Whalen

Resolution No. 426 of 2018

Resolution authorizing a contract with the Shaker Road-Loudonville Fire Department, Inc. for fire protection within the Shaker Road-Loudonville Fire Protection District.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Christopher Carey, Councilman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Von Dollen, Murphy, Green, Carey
NAYS:	Jennifer Whalen

Resolution No. 427 of 2018

Resolution authorizing a contract with the Maplewood Fire Department, Inc. for fire protection within the Maplewood Fire Protection District.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Mahan, Rosano, Von Dollen, Murphy, Green, Carey
NAYS:	Jennifer Whalen

7. **Resolution No. 428 of 2018**

Resolution authorizing a contract with the S. W. Pitts Hose Company of Latham, N.Y., Inc. for fire protection within the Latham Fire Protection District.

RESULT:	ADOPTED [6 TO 1]
MOVER:	David R. Green, Councilman
SECONDER:	Christopher Carey, Councilman
AYES:	Mahan, Rosano, Von Dollen, Murphy, Green, Carey
NAYS:	Jennifer Whalen

8. Public Comment

Comments made by resident expressing her opinions, experience, and interactions with the Town of Colonie.

9. Resolutions

Resolution No. 429 directing a public hearing upon the Preliminary Budget for the fiscal year 2019.

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

Resolution No. 430 authorizing the Supervisor to enter into an Agreement with Precision Industrial Maintenance in connection with the collection, transport and disposal of liquid and solid waste and to perform pipeline and industrial facility maintenance and repair for the DPW/Division of Pure Waters at 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. 431 authorizing the Supervisor to execute Change Order 1G to Contract 1 with Aktor Corporation 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. 432 authorizing the Supervisor to enter into an agreement with the County of Albany for funding for the Youth Services Advisory Board and Town of Colonie Park Playground under the Youth Development Program.

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

Resolution No. 433 authorizing the Supervisor to enter into an Agreement with Guardian Life Insurance Company of America to provide life insurance to Town employees for the 2019 calendar year.

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

Resolution No. 434 authorizing the Supervisor to enter into a Contract with Capital District Physicians Health Plan in connection with a Medicare Advantage Health Insurance Plan for 2019.

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

Resolution No. 435 adopting the Albany County Hazard Mitigation Plan as the Town of Colonie's Hazard Mitigation Plan.

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

Resolution No. 436 adopting a Sexual Harassment Prevention Policy for the Town of Colonie.

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

Resolution No. 437 authorizing the Supervisor to enter into an Agreement with Doctors Cheng and Lemanski to perform a Fitness for Duty Vision Examination.

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

Resolution No. 438 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. 439 awarding the bid for Janitorial Supplies for the Years 2019 and 2020 to Hill & Markes, Inc.

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

Resolution No. 440 authorizing the Supervisor to waive all fees in connection with the installation of a new pavilion located at the Colonie Mohawk River Park.

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

Resolution No. 441 authorizing the Supervisor to grant permission to New York State to perform the adjustment for the Town of Colonie and agreeing to maintain facilities adjusted via State-let contract relative to the relocation of water and sewer systems in conjunction with the proposed construction, reconstruction or improvement of Northway I-87 Exit 4.

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

Resolution No. 442 authorizing the Supervisor to enter into an Annual Facilities License Agreement with Siena College in connection with the use of the Marcelle Athletic Complex, residence halls and academic facilities for the purpose of physical abilities testing and tactical training for the Police Department.

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

Resolution No. 443 authorizing the Supervisor to enter into an Agreement with Gross Electric, Inc. in connection with the replacement of the Denison Road tower light 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. 444 authorizing the Supervisor to execute Change Order No. 2-001 with RMB Mechanical, Inc. in connection with the Colonie Town Library renovations.

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

Resolution No. 445 authorizing the Supervisor to execute Change Order No. 1-001 with Bonacquisti Brothers Construction, Change Order No. 4-003 with Harold R. Clune, Inc. and Change Order No. 5-001 with Condor Fire Sprinkler Co., LLC in connection with the Colonie Town Library renovations.

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