



## Minutes of the Regular Meeting of the Town Board

Thursday, November 18, 2021

7:00 PM

Town Hall

1. **REGULAR TOWN BOARD MEETING – November 18, 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      | Absent  |         |
| Michael C Magguilli | Town Attorney   | Present |         |
| Julie Gansle        | Town Clerk      | Present |         |

4. **Pledge of Allegiance**
5. **Personnel: Resolution No. 421**

A. Lucas J. Weis

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

B. Nicholas J. Renko

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

6. **Public Comment**

\* No comments received

## 7. **Resolutions**

Resolution No. 422 calling a public hearing pursuant to Section 202b of the New York State Town Law in relation to the proposed River Road Storage & Mohawk View Water Treatment Plant Mixing Upgrades.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 423 authorizing settlement or discontinuance, subject to judicial approval of the same, pursuant to §68 of the Town Law, of various tax certiorari proceedings.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 424 determining that the finalized plan at 28 Everett Road Extension are consistent with the conceptual plan used when the parcel was rezoned to a 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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 425 determining that the finalized plan at 11 Elks Lane are consistent with the conceptual plan used when the parcel was rezoned to a PDD.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

\* Planning & Economic Development Department Director provided update on the cell tower and invasive species concerns

Resolution No. 426 Approving an Open Development Area at 560 Boght Road.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 427 authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 5 Elizabeth Street 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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 428 authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 104 Braintree Street (a/k/a 74 Braintree Street) 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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 429 awarding the bid for Bunker Sand and Top Dressing for the Year 2022 to RJ Valente Gravel, Inc.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 430 authorizing the General Services Director to advertise for Request for Proposals in connection with a Point of Sale System at the Town of Colonie Golf Course.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 431 awarding the bids for Industrial Chemicals to Holland Chemical, Surpass Chemical, Univar USA, JCI Jones Chemical and Polydyne.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 432 declaring items as surplus and authorizing the General Services Director to advertise the surplus auction and dispose of these items through Auctions International and authorizing the Supervisor to enter into an Agreement for same.

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

Resolution No. 433 amending Resolution No. 388-J for 2021.

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

Resolution No. 434 authorizing the Supervisor to reimburse for overestimated water usage at 75 Cascade Terrace.

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

Resolution No. 435 authorizing the Supervisor to execute a Software Agreement with Cogsdale in connection with software services related to the Customer Services Management System for the DPW/Division of Latham Water.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 436 authorizing the Supervisor to execute a Professional Engineering Service Agreement with Advanced Engineering & Surveying PLLC to increase the expenditure limit.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 437 accepting the dedication of Northwestern Boulevard in the British American Plaza Subdivision.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 438 rejecting all bids in connection with the Aluminum Sign Blanks for the year 2022 and authorizing the General Services Director to rebid Item #3.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 439 authorizing the Supervisor to execute a Professional Service Agreement with Creighton Manning Engineering, LLP in connection with the Albany Shaker Road Safety Improvements Project.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 440 authorizing the Supervisor to enter into a Memorandum of Understanding with the New York State Police in connection with the Lifeguard Helicopter Service for 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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 441 authorizing the Supervisor to enter into a Repayment Agreement with Martels at the T of C Golf Course, LLC.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 442 amending Resolution No. 388-D for 2021.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |

Resolution No. 443 accepting the donation from Twin Bridges Waste & Recycling for two weeks of leaf pickup in the Town.

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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 |
| <b>ABSENT:</b>   | Rick J Field                                |