



Minutes of the Regular Meeting of the Town Board

Thursday, December 2, 2021

7:00 PM

Town Hall

1. **REGULAR TOWN BOARD MEETING – December 2, 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	Absent	
Linda J. Murphy	Councilwoman	Present	
Brian C. Austin	Councilman	Absent	
Rick J Field	Councilman	Present	
Michael C Magguilli	Town Attorney	Present	
Julie Gansle	Town Clerk	Present	

4. **Pledge of Allegiance**
5. **Personnel: Resolution No. 444**

A. Justin W. Carl

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

B. Anthony Barsoum

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

C. David J. Derry, Jr.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

D. Nicholas J. Caladim

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

E. Razario L. Minarchi

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

F. Christopher J. Carey, Jr.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

G. Joseph P. Fitzsimmons, Jr.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

H. Louis N. DiNuzzo

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

6. **Public Hearing**

Public Hearing in connection to Section 202b of the New York State Town Law approving/not approving the Schuyler Road Pump Station Rehabilitation Project.

* Special counsel, Crystal Peck, provided a summary of the recommended rehabilitation and associated rates;

* Public hearing was closed

Resolution No. 445 of 2021

Resolution pursuant to Section 202b of the New York State Town Law approving the Schuyler Road Pump Station Rehabilitation Project.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

7. **Public Comment**

* No comments received

8. **Resolutions**

Resolution No. 446 authorizing expenditure of funds from the Insurance Reserve Fund for payment of legal fees, expenses and/or settlement in connection with litigation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 447 approving the re-appointment by the Town Clerk of the Deputy Town Clerk.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 448 re-appointing a Registrar, Deputy Registrar and Sub-Registrar of Vital Statistics.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 449 authorizing the re-appointment of Bingo Inspectors for the 2022 calendar year.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 450 rescinding all prior resolutions pertaining to the fee schedule for the Town Clerk's office and adopting a new fee schedule for the Town Clerk's office.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 451 rescinding all prior resolutions pertaining to the fee schedules for the Town of Colonie Town Hall and Public Operations buildings and adopting new fee schedules for room rentals at both buildings by outside organizations.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 452 authorizing the General Services Director to advertise for bids/RFP's in connection with goods and services during 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 453 authorizing the Supervisor to execute rental agreements to enable various departments and divisions to rent equipment during 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 454 awarding the bid to Talco Printing, Inc. in connection with Town Printing Groups 2 and 5 for the year 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 455 authorizing the Supervisor to enter into agreements with various companies in connection with the provision of maintenance and/or repair of equipment and facilities for various departments as needed in 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 456 authorizing the General Services Director to approve contract renewals and authorizing the Supervisor to enter into service agreements with diverse vendors in connection with various goods and services for 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 457 awarding the bid to Unipak in connection with trash can liners for the year 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 459 authorizing the Supervisor to enter into an Agreement with Munistat Services, Inc. in connection with municipal financial advisor services for 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 458 authorizing the Supervisor to enter into an Agreement with Hodgson Russ LLP in connection with bond counsel services for 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 460 authorizing the Supervisor to enter into an Agreement with Armory Associates, LLC in connection with actuarial services.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 461 recognizing the Town of Colonie Professional Employees Alliance.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 462 awarding the bid to Neenah Foundry and Franklin Paint in connection with Heavy Duty Frames, Grates and Extension Rings for the year 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 463 authorizing the General Services Director to advertise for bids in connection with hiring a professional vendor to design a Tree Inventory & Community Forest Management Plan.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 464 awarding the bid in connection with HVAC Preventative Maintenance and Repair for the year 2022 for various Town facilities and authorizing the Supervisor to enter into an Agreement for same.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 465 authorizing the Supervisor to enter into an Agreement with Martels at the T of C Golf Course, LLC in connection with the golf course food concession.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 466 awarding the bid for EMS Medical Supplies for the year 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 467 declaring a 2015 Chevrolet Tahoe (Fleet #1515) as surplus in the Emergency Medical Services Department and authorizing the sale of same to Car Max.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 468 authorizing the Supervisor to execute a Professional Service Agreement with C.T. Male Associates in connection with engineering services associated with the 170th Extension Engineer's Report.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 469 rescinding all prior resolutions in connection with the adoption of water usage rates and water service application fees and establishing new water usage rates and water service application fees to be paid by customers of the Latham Water District.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 470 authorizing the Supervisor to reimburse for overestimated water usage at 3 Berkshire Drive.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 471 authorizing the Supervisor to execute an Agreement with Azteca Systems, LLC in connection with Cityworks update and support.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 472 adopting a new fee schedule for the Division of Pure Waters for the year 2022.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 473 calling a public hearing in connection with a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 17 of the Town Code entitled “Conflicts of Interest”.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 474 authorizing the undertaking of the construction, reconstruction, renovation and installation of improvements for the Pruyn House, authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$50,000 of the Town of Colonie, Albany County, New York, pursuant to the Local Finance Law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 475 authorizing the undertaking of improvements to various Town facilities, authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$392,500 of the Town of Colonie, Albany County, New York, pursuant to the Local Finance Law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 476 authorizing the acquisition of various Town highway and facilities machinery and apparatus, authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$1,175,000 of the Town of Colonie, Albany County, New York, pursuant to the Local Finance Law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

* Motion was made to adopt all bond Resolutions (476 of 2021 through 482 of 2021) in a single vote

Resolution No. 477 authorizing the construction, reconstruction, renovation and installation of improvements to the Pure Waters District, authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$7,095,000 of the Town of Colonie, Albany County, New York, pursuant to the Local Finance Law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 478 authorizing the construction, reconstruction, renovation and installation of improvements to various storm sewer systems in the Town of Colonie, authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$600,000 of the Town of Colonie, Albany County, New York, pursuant to the Local Finance Law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 479 authorizing the undertaking of improvements to various Town facilities and the acquisition of various equipment, authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$1,144,000 of the Town of Colonie, Albany County, New York, pursuant to the Local Finance Law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 480 authorizing the acquisition of various Town equipment for emergency services, authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$590,000 of the Town of Colonie, Albany County, New York, pursuant to the Local Finance Law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 481 authorizing the construction, reconstruction, renovation and installation of improvements to the Latham Water District, authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$8,753,500 of the Town of Colonie, Albany County, New York, pursuant to the Local Finance Law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 482 authorizing the undertaking of various highway and street reconstruction and paving projects in the Town of Colonie, authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$2,500,000 of the Town of Colonie, Albany County, New York, pursuant to the Local Finance Law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 483 authorizing the Supervisor to enter into a Right-of-Way Agreement with Cellco Partnership d/b/a Verizon Wireless.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 484 calling a public hearing in connection with a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 29 of the Town Code entitled "Officers and Employees" increasing the term of office of the Town Supervisor and Town Clerk.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Danielle Futia, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin

Resolution No. 485 rescinding Resolution No. 266 of 2018 and establishing a new Water Bill Review Committee and authorizing the Supervisor to execute any and all Agreements for payment plans in connection with outstanding water bills for the DPW/Division of Latham Water.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Murphy, Field
ABSENT:	Melissa Jeffers, Brian C. Austin