

September 23, 2010

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of September 2010 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Nancy R. Hernandez
Councilmen	Robert D. Becker
	Linda J. Murphy
	William E. Carl
	Daniel J. Dustin

ABSENT: Councilman	Daniel A. Hornick
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ALSO PRESENT:	
Town Clerk	Elizabeth A. DeTorto
Town Attorney	Michael C. Magguilli
Human Resources Director	Rosemary Newton
Personnel Officer	Michael Burick
Town Comptroller	Craig Blair
Deputy Chief of Police	John M. VanAlstyne
Environmental Engineer	Matthew McGarry
Management Information Services Director	Lisa M. Travis
Public Works Commissioner and	
Superintendent of Highways	John Cunningham

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**RESOLUTION NO. 564 FOR 2010**

Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution appointing Jennifer Jones to the position of Custodial Worker, Grade 3, in the General Services Department.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 564 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution appointing Shaun Soucy to the position of Custodial Worker, Part Time, in the General Services Department.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 565 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution calling a Public Hearing in relation to the Fuel Cell Removal and Generator Replacement Project.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 566 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution calling a Public Hearing pursuant to §202 of the Town Law relative to the Annual Estimate of Construction Expense of the Improvement and Benefit Assessment Roll for the Town of Colonie Sewer Improvement Area.**

The resolution was duly seconded by Councilwoman Hernandez and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 567 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution calling a Public Hearing pursuant to §202-a of the Town Law relative to the Annual Estimate of Expense of the Maintenance and Benefit Assessment Roll for the Town of Colonie Sewer Improvement Area.**

The resolution was duly seconded by Councilwoman Hernandez and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 568 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to accept the resignation of F. Joseph Stockbridge and execute an agreement to settle the Disciplinary Proceeding authorized by Resolution No. 82 for 2010.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 569 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution requiring the Planning Board to review and consider an open development area at 95 Old Niskayuna Road.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 570 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution accepting the dedication of Sand Creek Road Roundabout.**

The resolution was duly seconded by Councilwoman Murphy and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 571 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution accepting the dedication of Legacy Court, Matthews Court, 2 Legacy Court and 2 Matthews Court in the Cornerstone Meadows Phase I Subdivision.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 572 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing an expenditure from the Insurance Reserve Fund for payment of legal fees, stenographic fees, expenses and/or settlement amounts, in connection with tort litigation.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 573 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into a Service Agreement with L-I/Comnetix in connection with the digital imaging arrest system for the Police Department.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 574 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to accept a donation of thirty (30) Dell computers from SEMATECH for the Police Department.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 575 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into a 36 month Lease Agreement and Maintenance Agreement with Quality Retail Systems for three (3) photocopiers for the Police Department.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 576 FOR 2010**

Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution reappointing Betsi McGoldrick as a member of the Town of Colonie Board of Assessment Review.**

The resolution was duly seconded by Councilwoman Hernandez and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 577 FOR 2010**

Councilman Dustin offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an agreement with the City of Schenectady in connection with the HOME Investment Partnership Program.**

The resolution was duly seconded by Councilwoman Hernandez and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 578 FOR 2010**

Councilman Becker offered the following resolution and moved its adoption:

**Resolution authorizing the General Services Director to advertise for bids for the purchase of one (1) new 2010 Cargo Van for the Police Department.**

The resolution was duly seconded by Councilwoman Murphy and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 579 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution awarding the Request for Proposals for Merchant Credit Card Services to M & T Bank and authorizing the Supervisor to enter into an agreement for same.**

The resolution was duly seconded by Councilwoman Hernandez and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 580 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution awarding a bid to First Niagara Leasing, Inc. for a Lease Line of Credit for 2011 and authorizing the Supervisor to enter into a master lease agreement and to execute any necessary equipment schedules for same.**

The resolution was duly seconded by Councilwoman Hernandez and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 581 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into a 36 month Lease Agreement and Maintenance Agreement with National Business Equipment & Supply for one (1) Kyocera Mita photocopier for the Human Resources Department.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 582 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution scheduling a public hearing in connection with a proposed local law amending Chapter 181 of the Code of the Town of Colonie – “Vehicle & Traffic Codification” by amending Schedule II – “One-Way Streets”.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 583 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution awarding a bid to Vantage Equipment in connection with the purchase of one (1) 2010 or newer truck mounted vacuum street sweeper/catch basin cleaner for the Department of Public Works.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 584 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution for the Town Board to approve budget modifications to the Latham Water District budget.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 585 FOR 2010**

Councilman Becker offered the following resolution and moved its adoption:

**Resolution authorizing the General Services Director to issue a Request for Proposals for professional services in connection with the Town of Colonie’s independent audit and accounting services.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 586 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into a Memorandum of Understanding with the Albany County Department of Social Services for the Senior Resources Department.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 587 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to waive the sixty (60) day notice period and terminate the Services Agreement with Innovative Energy Systems.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 588 FOR 2010**

Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution authorizing the acceptance of a parcel of land located at the end of Catherine Place and granting an access (ingress/egress) easement over said parcel to Our Lady of Assumption Catholic Church or assigns.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 589 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an Agreement with National Grid/Niagara Mohawk.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 590 FOR 2010**

Councilman Becker offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an agreement with Gt Gith LLC in connection with professional services related to planning and developing telecommunications infrastructure for Town of Colonie phone and data services.**

The resolution was duly seconded by Councilwoman Murphy and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 591 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to execute an Intermunicipal Agreement with the Town of Niskayuna for the discharge of wastewater to the Town of Colonie sanitary sewer.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 592 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to execute and submit a New York State Department of Environmental Conservation State Pollutant Discharge Elimination System Permittee Enrollment Form.**

The resolution was duly seconded by Councilwoman Hernandez and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 593 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution authorizing an increase in the expenditure limit for the contractor agreement with Northeast Petroleum Technologies in connection with the Petroleum Bulk Storage Tank Inspection, maintenance and repair, for various Town departments.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 594 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to reimburse the Sprinkler Permit Fee to AJ Lawn Sprinkler Co., Inc. in connection with 6 Roman Court.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 595 FOR 2010**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to reimburse Richard H. List, Inc. for two (2) Latham Water Permit fees in connection with 297 Boght Road and 299 Boght Road.**

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 596 FOR 2010**

Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution calling a public hearing amending Chapter 171 of the Town Code to allow Veterans who receive an exemption on property and purchase another property within the Town of Colonie to have such exemption transferred and prorated by the Town's Sole Assessor for the remainder of the fiscal year.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 597 FOR 2010**

Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into a Memorandum of Understanding with the Micheli Contracting Corp. and C.T. Male Associates, P.C. regarding the Stormwater Retrofit Project in Archmont Knolls Phase 3.**

The resolution was duly seconded by Councilman Carl and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 598 FOR 2010**

**Executive session** of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of September 2010 at 6:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Nancy R. Hernandez
	Linda J. Murphy
Councilmen	Robert D. Becker
	William E. Carl
	Daniel J. Dustin

ABSENT: Councilman	Daniel A. Hornick
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ALSO PRESENT:

Town Clerk	Elizabeth A. DelTorto
Town Attorney	Michael C. Magguilli

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Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to engage Roemer, Wallens, Gold & Mineaux, LLP to examine the circumstances described in a letter to the Supervisor dated September 20, 2010.**

The resolution was duly seconded by Councilwoman Hernandez and, upon roll, the following vote resulted:

Supervisor	Paula A. Mahan	Aye
Councilwoman	Nancy R. Hernandez	Aye
	Linda J. Murphy	Aye
Councilmen	Robert D. Becker	Aye
	William E. Carl	Aye
	Daniel J. Dustin	Abstained

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**RESOLUTION NO. 599 FOR 2010**

**Agenda session** of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of September 2010 at 6:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Nancy R. Hernandez
	Linda J. Murphy
Councilmen	Robert D. Becker
	William E. Carl
	Daniel J. Dustin

ABSENT: Councilman	Daniel A. Hornick
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ALSO PRESENT:

Town Clerk	Elizabeth A. DelTorto
Town Attorney	Michael C. Magguilli
Human Resources Director	Rosemary Newton
Personnel Officer	Michael Burick
Town Comptroller	Craig Blair

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Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to retain Roemer, Wallens, Gold & Mineaux, LLP to continue to investigate the allegations contained in an e-mail dated August 16, 2010.**

The resolution was duly seconded by Councilwoman Hernandez and, upon roll, the following vote resulted:

Supervisor	Paula A. Mahan	Aye
Councilwoman	Nancy R. Hernandez	Aye
	Linda J. Murphy	Aye
Councilmen	Robert D. Becker	Aye
	William E. Carl	Aye
	Daniel J. Dustin	Nay

Respectfully submitted,  
*Elizabeth A. DelTorto*  
Colonie Town Clerk