

September 24, 2009

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 24th day of September 2009 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwoman	Nancy R. Hernandez
	Nicole Criscione-Szesnat
Councilmen	Robert D. Becker
	William E. Carl
	J. Brian Hogan
	Thomas F. With

ABSENT: None

ALSO PRESENT:	
Town Clerk	Elizabeth A. DelTorto
Town Attorney	Michael C. Magguilli
Town Comptroller	Craig Blair
Chief of Police	Steven H. Heider
Latham Water District Superintendent	John Frazer, Jr.

RESOLUTION NO. 471 FOR 2009

Councilman With offered the following resolution and moved its adoption:

Resolution adopting a proposed modification of the rezoning of 1035 Loudon Road and 418 Boght Road (Canterbury Crossing).

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

RESOLUTION NO. 472 FOR 2009

Councilwoman Criscione-Szesnat offered the following resolution and moved its adoption:

Resolution adopting a proposed local law amending Chapter 79 of the Code of the Town of Colonie - "Dogs and Other Animals" for the purpose of amending Section 79-6 entitled "Offenses; Penalties".

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

RESOLUTION NO. 473 FOR 2009

Councilman Becker offered the following resolution and moved its adoption:

Resolution determining, for purposes of compliance with SEQR regulations, that adopting a proposed local law establishing Chapter 189 of the Code of the Town of Colonie entitled "Wireless Telecommunications Facilities Siting Law" and repealing existing wireless telecommunications facilities regulations will not have a significant effect on the environment.

This Resolution shall take effect immediately, if adopted; and hereby is, to be continued on October 22, 2009 at 7:00 PM.

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

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RESOLUTION NO. 474 FOR 2009

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution regarding a local law establishing Chapter 189 of the Code of the Town of Colonie - "Wireless Telecommunications Facilities Siting Law" and repealing existing wireless telecommunications facilities regulations.

Continued on October 22, 2009 at 7:00 PM.

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

RESOLUTION NO. 475 FOR 2009

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution determining, for purposes of compliance with SEQR regulations, that amending Chapter 190 of the Code of the Town of Colonie, entitled "Colonie Land Use Law," by adding Subsection 190-119(D) entitled "Wireless Telecommunications Special Use Permits."

This Resolution shall take effect immediately, if adopted and will be continued on October 22, 2009 at 7:00 PM.

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

RESOLUTION NO. 476 FOR 2009

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution regarding a local law amending Chapter 190 of the Code of the Town of Colonie - "Colonie Land Use Law" for the purpose of adding Subsection 190-119(D) entitled "Wireless Telecommunications Special Use Permits".

Continued on October 22, 2009 at 7:00 PM.

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

RESOLUTION NO. 477 FOR 2009

Supervisor Mahan offered the following resolution and moved its adoption:

RAN RESOLUTION DATED SEPTEMBER 24, 2009

Resolution authorizing the issuance of Revenue Anticipation Notes and Renewal Notes of the Town of Colonie, Albany County, New Resolution authorizing the issuance of Revenue Anticipation Notes and Renewal Notes of the Town of Colonie, Albany County, New York in an aggregate principal amount not to exceed \$4,500,000.

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

Supervisor Mahan	Aye
Councilwoman Hernandez	Aye
Councilwoman Criscione-Szesnat	Nay
Councilman Becker	Aye
Councilman Carl	Aye
Councilman Hogan	Nay
Councilman With	Nay

The foregoing resolution was thereupon declared duly adopted.

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RESOLUTION NO. 478 FOR 2009

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a License Agreement with Kubricky Construction Corp. in connection with the use of a portion of the DPW/Division of Highway property at 748 Watervliet Shaker Road.

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

RESOLUTION NO. 479 FOR 2009

Councilman Hogan offered the following resolution and moved its adoption:

Resolution accepting the dedication of a portion of Rene Drive (Extension) in the Frawley subdivision.

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

RESOLUTION NO. 480 FOR 2009

Councilman Hogan offered the following resolution and moved its adoption:

Resolution awarding bid to Curry Supply Co. in connection with the purchase of one (1) used fuel truck for the DPW/Division of Environmental Services.

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

RESOLUTION NO. 481 FOR 2009

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Engineering Agreement with C.T. Male Associates, P.C. to provide engineering services in connection with the 14th Street Realignment of Sanitary Sewer and Forcemain for the DPW/Division of Pure Waters.

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

RESOLUTION NO. 482 FOR 2009

Councilman Becker offered the following resolution and moved its adoption:

Resolution requiring the Planning Board to review and consider the proposed Re-Zoning of land located on Kings Road, Cordell Road, Morris Road, Curry Road and 8 Lupe Way from Single-Family Residential (SFR) and Commercial Office (CO) to Industrial and Airport Business Area (ABA) and review and consider the removal of the Conservation Development Overlay (CDO) in the entire western end of the Town of Colonie.

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

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RESOLUTION NO. 483 FOR 2009

Councilwoman Hernandez offered the following resolution and moved its adoption:

Resolution awarding bid to Crop Production Service in connection with the purchase of liquid snow mold control for the Parks & Recreation Department.

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

RESOLUTION NO. 484 FOR 2009

Councilman With offered the following resolution and moved its adoption:

Resolution calling public hearings in connection with Fire Protection District contracts.

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

RESOLUTION NO. 485 FOR 2009

Councilwoman Hernandez offered the following resolution and moved its adoption:

Resolution authorizing 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 Becker and, upon roll call, it was unanimously adopted.

RESOLUTION NO. 486 FOR 2009

Councilman Becker offered the following resolution and moved its adoption:

Resolution authorizing payment of a damage claim at 11 Deborah Drive for the DPW/Division of Highway.

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

RESOLUTION NO. 487 FOR 2009

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to reimburse water usage charges and penalty fees to Hudson Preserve LLC of 136 Troy Schenectady Road.

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

RESOLUTION NO. 488 FOR 2009

Councilwoman Hernandez offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Walter S. Pratt & Sons for the rental of an air compressor needed for seasonal maintenance of the irrigation lines at the golf course.

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

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RESOLUTION NO. 489 FOR 2009

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, Inc. for one (1) Ricoh Aficio photocopier for the Senior Resources Department.

The resolution was duly seconded by Councilman Becker and, upon roll call, it was unanimously tabled to October 8, 2009.

RESOLUTION NO. 490 FOR 2009

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Project Agreement with Constantine Construction and Farm, Inc. in connection with the Intermediate Cover Project.

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

RESOLUTION NO. 491 FOR 2009

Councilman Becker offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Applied Measurement & Control to provide instrumentation service, calibration and testing of equipment at various locations within the Town of Colonie.

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

RESOLUTION NO. 492 FOR 2009

Councilman Becker offered the following resolution and moved its adoption:

Resolution affirming the Planning Board's decision to retain Clough, Harbour and Associates to review the Boght GEIS Traffic Study.

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

Supervisor Mahan	Aye
Councilwoman Hernandez	Aye
Councilwoman Criscione-Szesnat	Nay
Councilman Becker	Aye
Councilman Carl	Aye
Councilman Hogan	Nay
Councilman With	Nay

RESOLUTION NO. 493 FOR 2009

Councilwoman Criscione-Szesnat offered the following resolution and moved its adoption:

Resolution rescinding all prior resolutions pertaining to adopting a Review Fee Schedule for the Youth Bureau/Community Center and adopting a new Review Fee Schedule for 2009.

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

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RESOLUTION NO. 494 FOR 2009

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to certify the findings of the Notice of Intent submitted to the New York State Department of Agriculture and Markets for the Runway 28 Obstruction Removal Project for the DPW/Division of Latham Water.

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

RESOLUTION NO. 495 FOR 2009

Councilman Hogan offered the following resolution and moved its adoption:

Resolution provisionally appointing Daniel G. Marshall to the position of Water Treatment Plant Operations Engineer in the Department of Public Works, Division of Latham Water.

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

RESOLUTION NO. 496 FOR 2009

Councilman With offered the following resolution and moved its adoption:

Resolution awarding a bid to Tech Valley for Library Communications Services with Tech Valley for the William K. Sanford Town Library for a period of 36 months and authorizing the Supervisor to enter into an agreement for same.

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

Respectfully submitted,
Elizabeth A. DeTorto
Colonie Town Clerk