

December 9, 2010

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of December 2010 at 7:00 PM.

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

ABSENT: None

ALSO PRESENT:

Town Clerk	Elizabeth A. DeITorto
Town Attorney	Michael C. Magguilli
Human Resources Director	Rosemary Newton
Personnel Officer	Michael Burick
Town Comptroller	Craig Blair
Director of Community Services	Alicia Osur
Latham Water District Superintendent	John Frazer, Jr.
Deputy Chief of Police	John M. VanAlstyne
Public Works Commissioner and Superintendent of Highways	John Cunningham

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**RESOLUTION NO. 697 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution pursuant to Chapter 950 of the Laws of 1972 approving the Canterbury Crossing Planned Unit Development proposed Colonie Sewer District Improvement Area –Project 2009-005.**

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

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**RESOLUTION NO. 698 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution appointing Rosemary G. Shannon to the position of Child Care Worker PT in the Parks & Recreation/Youth Services Division.**

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

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**RESOLUTION NO. 698 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution permanently appointing Daniel G. Marshall to the position of Water Treatment Plant Operations Engineer in the DPW/Division of Latham Water.**

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

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**RESOLUTION NO. 698 FOR 2010**

Councilman Carl offered the following resolution and moved its adoption:

**Resolution appointing Timothy P. Trance to the position of Laborer, Grade 7, in the DPW/Division of Latham Water.**

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

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**RESOLUTION NO. 698 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution permanently appointing Michael J. Hennessey, Jr. to the position of Public Safety Dispatcher in 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. 698 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution permanently promoting Frank A. Lawyer IV to the position of Sr. Public Safety Dispatcher in 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. 699 FOR 2010**

Councilman Becker offered the following resolution and moved its adoption:

**Resolution scheduling Town Board Meetings for the year 2011.**

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

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**RESOLUTION NO. 700 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Town Clerk to accept the resignation of Police Officer, Edward Weber, and authorizing the Supervisor to execute a Stipulation of Settlement.**

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

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**RESOLUTION NO. 701 FOR 2010**

Councilman Becker offered the following resolution and moved its adoption:

**Resolution calling a public hearing in connection with a proposed local law amending Chapter 79 of the Code of the Town of Colonie, thereof, entitled "Dogs and Other Animals".**

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

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**RESOLUTION NO. 702 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing reimbursement to Frank Fontana in connection with damage to his property on July 28, 2010.**

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

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**RESOLUTION NO. 703 FOR 2010**

Councilman Hornick 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 high pressure vacuum truck for the DPW/Division of Pure Waters.**

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

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**RESOLUTION NO. 704 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the General Services Director to advertise for bids in connection with the Wolf Road and Old Niskayuna Road Pump Station Fuel Cell Removal and Standby Generator Replacement Project for the DPW/Division of Pure Waters.**

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

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**RESOLUTION NO. 705 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution declaring an emergency in connection with repair to the Town of Colonie sanitary sewer located at 14 Morone Place.**

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

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**RESOLUTION NO. 706 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to execute Amendment No. 1 to Engineering Agreement #512-10 with C.T. Male Associates, P.C. in connection with the Wolf Road and Old Niskayuna Road Pump Station Fuel Cell Removal and Standby Generator Replacement Project for the DPW/Division of Pure Waters.**

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

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**RESOLUTION NO. 707 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the abandonment of a portion of the existing sanitary sewer main and easement located at 6 Majestic Court.**

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

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**RESOLUTION NO. 708 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to reimburse water usage charges to Mark Baldwin and Ariana Swint of 46 Plaske Drive.**

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

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**RESOLUTION NO. 709 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution declaring an emergency in connection with repair to the Mohawk View Water Treatment Plant High Lift Pump Station-Pump #3 for the DPW/Division of Latham Water.**

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

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**RESOLUTION NO. 710 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding a bid to Holland Company, Inc. in connection with the purchase of Liquid Polyaluminum Chloride the DPW/Division of Latham Water.**

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

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**RESOLUTION NO. 711 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to void water bills of property owners filing for bankruptcy during the year 2010 for the DPW/Division of Latham Water.**

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

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**RESOLUTION NO. 712 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to execute Change Orders No.s 3A and 3B with Albany County Airport Authority and C.T. Male Associates, P.C. in connection with the Latham Tank Removal Project Phase 5-Electrical for Brunswick Electric, Inc. for the DPW/Division of Latham Water.**

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

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**RESOLUTION NO. 713 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to execute Change Orders No.s 4A and 4B with Albany County Airport Authority and C.T. Male Associates, P.C. in connection with the Latham Tank Removal Project Phase 5-General for W.M. Schultz Construction, Inc. for the DPW/Division of Latham Water.**

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

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**RESOLUTION NO. 714 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to reimburse the Village of Colonie the amount of \$4,392.26 for adjusted gallons of water usage charges.**

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

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**RESOLUTION NO. 715 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to execute the Water Conservation Program Form to be submitted to the New York State Department of Environmental Conservation in connection with the 159<sup>th</sup> Extension of the Latham Water District.**

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

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**RESOLUTION NO. 716 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution 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.**

The resolution was duly seconded by Councilwoman Murphy 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
	Daniel A. Hornick	Aye

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**RESOLUTION NO. 717 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding a bid to Waste Management of NY LLC in connection with the Maplewood Trash Collection for the year 2011 and authorizing the Supervisor to execute an agreement for same.**

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

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**RESOLUTION NO. 718 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an agreement with Gerhart Systems & Controls in connection with the Scale Calibration and Inspection for the year 2011.**

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

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**RESOLUTION NO. 719 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding a bid to Lee Supply Company, Inc. in connection with the High Density Polyethylene Piping and appurtenances for the DPW/Division of Environmental Services.**

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

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**RESOLUTION NO. 720 FOR 2010**

Councilman Carl offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into a Service Agreement with Medtronic Physio Control in connection with the yearly maintenance for AEDs and Lifepak 15s for the Emergency Medical Services Department.**

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

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**RESOLUTION NO. 721 FOR 2010**

Supervisor Mahan offered the following resolution and moved its adoption:

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

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

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**RESOLUTION NO. 722 FOR 2010**

Councilman Becker offered the following resolution and moved its adoption:

**Resolution adopting the standardization of power assist stretchers and bariatric stretchers and authorizing the General Services Director to advertise for bids for the same.**

The resolution was duly seconded by Councilman Hornick and, upon roll call, it was unanimously tabled until December 16, 2010.

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**RESOLUTION NO. 723 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding a bid to Joseph R. Wunderlich in connection with the Sand for Ice Control for the DPW/Division of Highway and authorizing the Supervisor to execute an agreement for same.**

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

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**RESOLUTION NO. 724 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 Service Agreement with National Business Equipment & Supply for one (1) Kyocera Mita photocopier for the Planning & Economic Development Department.**

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

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**RESOLUTION NO. 725 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an agreement with Carpet Master of Latham in connection with the carpet replacement at The Crossings.**

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

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**RESOLUTION NO. 726 FOR 2010**

Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an agreement with the County of Albany in connection with the Albany County STOP DWI Program.**

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

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**RESOLUTION NO. 727 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution for the Town Board to approve budget modifications to the DPW/Division of Highway budget and DPW/Division of Pure Waters budget.**

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

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**RESOLUTION NO. 728 FOR 2010**

Councilman Becker offered the following resolution and moved its adoption:

**Resolution awarding the Request for Proposals in connection with Audit and Accounting Services to Bollam, Sheedy, Torani & Co. LLP and authorizing the Supervisor to enter into an agreement for same.**

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

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**RESOLUTION NO. 729 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the General Services Director to provide contract renewals in connection with various goods and services and authorize the Supervisor to enter into any service agreements for same.**

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

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**RESOLUTION NO. 730 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an agreement with Rand Window Fashions in connection with the replacement of window blinds at the Town of Colonie Community Center.**

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

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**RESOLUTION NO. 731 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an agreement with Alleymore, Inc., DBA Pestmaster, in connection with providing Pest Control Services at various Town locations for 2011.**

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

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**RESOLUTION NO. 732 FOR 2010**

Councilman Becker offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to accept a donation of a mobile home to be placed at the Department of Fire Services training facility.**

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

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**RESOLUTION NO. 733 FOR 2010**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution rescinding all previous resolutions pertaining to Building Department Permit Fee Schedules and adopting new Building Department Permit Fee Schedules, effective January 1, 2011.**

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

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**RESOLUTION NO. 734 FOR 2010**

Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution calling a public hearing in connection with a proposed local law amending Chapter 20 of the Code of the Town of Colonie, thereof, entitled "Fire Services Division and Acceptance of Standards".**

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

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**RESOLUTION NO. 735 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution calling a public hearing in connection with a proposed local law amending Chapter 62 of the Code of the Town of Colonie, thereof, entitled "Building Construction Administration".**

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

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**RESOLUTION NO. 736 FOR 2010**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution approving the application of F. Joseph O'Connor and Santo Associates to create an Open Development Area in accord with Town Law Section 280-a (4) for 95 Old Niskayuna Road.**

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

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