

December 18, 2008

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 18th day of December 2008 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	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. DeITorto
Town Attorney	Michael C. Magguilli
Emergency Medical Services Chief	Jonathan F. Politis
Town Safety Officer	Michael W. Rayball
Chief of Police	Steven H. Heider
Human Resources Director	Rosemary Newton

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution approving the request of Griffin Greenhouse Supplies, Inc. in regard to receiving benefits under the NYS Empire Zone Program.

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

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution adopting a proposed local law amending the Code of the Town of Colonie, Chapter 190 thereof entitled "Zoning" to extend the Grandfathering provisions thereof.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution establishing one (1) position of Sewage Treatment Plant Operator, Grade 22, in the DPW/Pure Waters Division and appointing Vance M. Jones to that position.

The resolution was duly seconded by Councilman With and, upon roll, the following vote resulted:

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

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Councilman Hogan offered the following resolution and moved its adoption:

Resolution establishing one (1) position of Stormwater Management Inspector (55a), Grade 10, in the DPW/Highway Division and appointing Robert J. Higgins to that position.

The resolution was duly seconded by Councilman With and, upon roll, the following vote resulted:

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

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution establishing one (1) position of Police Records Supervisor, Grade 12 in the Police Department and provisionally promoting Kathleen J. Nash to that position.

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

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

Resolution appointing Mary E. Atchinson, Lyndsay A. Cooper, Danielle L. Gorman and Hannah E. Johnson to the position of Child Care Worker PT in the Youth Bureau.

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

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution calling a Public Hearing pursuant to Article 12 of the Town Law of the State of New York in relation to the establishment of Extension No. 157 to the Latham Water District.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution scheduling Town Board Meetings for the year 2009.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution establishing time and basis of payment to employees.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution designating holidays for Town of Colonie employees.

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

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Councilman Hogan offered the following resolution and moved its adoption:

Resolution adopting a holiday schedule for the DPW/Division of Environmental Services facilities for the Year 2009.

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

Councilman Becker 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 Councilman Carl and, upon roll call, it was unanimously adopted.

Councilman Carl offered the following resolution and moved its adoption:

Resolution authorizing the General Services Director to advertise for bids in connection with various goods and services during 2009.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute agreements with various contractors in connection with the provision of labor and materials to the Town and its facilities, as necessary.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute agreements with various rental companies to enable departments and divisions to rent equipment as needed at various Town facilities for 2009.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution awarding the bid for the purchase of Copy Paper for the Town of Colonie to W. B. Mason Company, Inc. for the year 2009.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an agreement with Schindler Elevator Corp. in connection with elevator maintenance at various locations in the Town of Colonie.

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

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Councilman Hogan offered the following resolution and moved its adoption:

Resolution awarding bids to Surpass Chemical Co., Slack Chemical Co. and Atlantic Coast Polymer in connection with Chemicals for the year 2009.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the renewal of various bids in connection with providing goods and services to the Town for the year 2009 and authorizing the Supervisor to execute any renewal agreements or service agreements for same.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution declaring an emergency in connection with repairs to the Town of Colonie sanitary sewer located at 10 Linton Avenue.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution confirming and designating depositories of Town funds.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to open an account with Pioneer Commercial Bank related to the Town's Flexible Benefit Program.

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

Councilman With offered the following resolution and moved its adoption:

Resolution awarding the bid for Emergency Medical Services Medications for the year 2009 to Albany Memorial Hospital.

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

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an agreement with the New York State Police Lifeguard Helicopter Service for the Emergency Medical Services Department for 2009.

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

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Councilman Hogan offered the following resolution and moved its adoption:

Resolution adopting new revised rates for hired trucks and setting rates for the year 2009 for the DPW/Highway Division.

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

Councilman With offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an agreement with Bollam, Sheedy and Torani in connection with performing an examination in accordance with Section 2019-a of the Uniform Justice Court Act, as requested by the State of New York Unified Court System.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to sign amendment to Lease Agreement with Celco Partnership (d/b/a Verizon Wireless) allowing Verizon to install larger antennas and amending the compensation.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing acceptance of a proposal from the Ten Eyck Group Insurance Agents to provide Excess Workers' Compensation Insurance coverage through the Travelers Insurance Companies.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an agreement with Constitution State Services, LLC for the administration of the Town of Colonie's Self Insurance Retention for Workers' Compensation Insurance Coverage.

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

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Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing acceptance of a proposal from the Ten Eyck Group Insurance Agents to provide Volunteer Firefighter's Benefit Law Policy coverage through the Fire Districts of NY Mutual Insurance Company for the Latham, Maplewood, Fuller Road and Shaker-Road Loudonville Fire Protection Districts.

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

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution rescinding all prior resolutions pertaining to the adoption of Solid Waste Management Facilities Rates and adopting a new Solid Waste Management Facilities Rate Table effective January 1, 2009.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute and transmit a letter of amendment of the Solid Waste Disposal Agreement between the Town and County Waste and Recycling, Inc.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution awarding the bid to County Waste and Recycling, Inc. and Freedman & Sons in connection with the sale of recyclable materials for 2009 for the DPW/Environmental Services Division.

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

Councilman Becker offered the following resolution and moved its adoption:

Resolution awarding the bid to Capitol Cleaners in connection with cleaning and maintenance of clothing for the Police Department for 2009.

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

Councilman Becker offered the following resolution and moved its adoption:

Resolution awarding bid items to Schenectady Rudnick Corporation, Squad-Fitters and Rosen's Uniforms in connection with acquisition of Police Uniforms and Accessories for 2009.

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

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

Resolution establishing date, time and place for a public hearing on the Town of Colonie’s Community Development Block Grant and HOME Programs.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 2-E to Contract 2 – Electrical with Talon Electric, LLC in connection with the 2005 Mohawk View Water Pollution Control Plant Upgrade Project.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Release of Easement in connection with a Town of Colonie easement area at 12 Fielding Lane.

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

Councilman With offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a Technical Service Support Agreement with Medtronic Physio Control in connection with Lifepaks in the Emergency Medical Services Department.

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

Councilman With offered the following resolution and moved its adoption:

Resolution awarding bids for EMS Medical Supplies for the year 2009 to Bound Tree Medical, Midwest Medical, Garrett Medical and Industries for the Blind of New York State.

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

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

Resolution authorizing the Supervisor to execute a Access Release and Authorization form with North Colonie Central School District to allow the Town of Colonie Youth Employment Advisor to access the internet in connection with preparing students for employment.

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

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

Resolution authorizing the Supervisor to execute an amendment to the Memorandum of Agreement with the Retired Senior Volunteer Program of the Capital Region.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution rescinding all prior resolutions pertaining to establishing positions and rates of pay for seasonal employees in various Town departments and adopting a new resolution establishing positions and rates of pay for seasonal employees in various Town Departments for 2009.

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

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Professional Services Agreement with Behavioral Health Specialists, PLLC in connection with providing professional psychological services to Town employees.

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

Councilwoman Hernandez offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement for Services as Independent Contractor with Dr. Robert Wishnoff d/b/a Human Resource Associates in connection with providing substance abuse professional services.

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

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Professional Services Agreement with OCG Strategy and Organization Consulting in connection with providing a review of the Town's job evaluations program.

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

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with ValueOptions, Inc. in connection with providing the Employee Assistance Program.

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

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Supervisor Mahan offered the following resolution and moved its adoption:

Resolution rescinding all prior resolutions pertaining to adopting a Fee Schedule for the Fire Services Department and adopting a new Fire Services Department Fee Schedule for 2009.

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

Councilman Becker offered the following resolution and moved its adoption:

Resolution adopting a Police Department Fee Schedule for 2009.

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

Councilman Becker offered the following resolution and moved its adoption:

Resolution authorizing the Zoning Board of Appeals Training Session.

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

Councilman Hogan 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, 2009.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the General Services Director to advertise for bids in connection with the Latham Tank Removal Project – Phase II for the DPW/Latham Water Division.

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

Councilman Hogan 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 Councilman Carl and, upon roll call, it was unanimously adopted.

Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute the New York State Department of Environmental Conservation “Water Conservation Program Form” as part of the 157th Extension of the DPW/Latham Water District.

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

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Councilman Hogan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a Sale & Purchase Agreement with North Colonie Central School District in connection with the supply of salt for use during the winter.

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

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Amendment #2 to Engineering Agreement #442-08 with Creighton Manning Engineering, LLP in connection with the Boght Road-Columbia Street Area GEIS Transportation Consulting Services 2008.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution rescinding all prior resolutions pertaining to Roll-Off Container Fees and Town Highway Permits and adopting a new Fee Schedule for Residential Use Of Department of Public Works/Highway Division Roll-Off Containers and a new Fee Schedule for Town Highway Permits.

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

Councilman Hogan offered the following resolution and moved its adoption:

Resolution rescinding the 2008 DPW/Pure Waters Division fee schedule and adopting a new Department of Public Works/Pure Waters Division Fee schedule for 2009.

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

Councilman Becker offered the following resolution and moved its adoption:

Resolution authorizing payment under protest of Election Charges for 2006.

The resolution was duly seconded by Councilman With and, upon roll, the following vote resulted:

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

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Supervisor Mahan offered the following resolution and moved its adoption:

Resolution authorizing payment of a property damage claim at 1 Chestnut Hill Road North for the DPW/Division of Highway.

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

Respectfully submitted,
Elizabeth A. DelTorto
Colonie Town Clerk