

April 7, 2011

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 7th day of April 2011 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
Personnel Officer	Michael Burick
Emergency Medical Services Deputy Chief	Peter Berry
Deputy Chief of Police	Jonathan M. Teale
Receiver of Taxes and Assessments	C. Michele Zilgme
Human Resources Director	Rosemary Newton
Town Comptroller	Craig Blair

RESOLUTION NO. 258 FOR 2011

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution adopting a local law of the Code of the Town of Colonie, thereof, amending provisions of the Town Code regarding the Commissioner of Public Works and the Library Director.

The resolution was duly seconded by Councilman Hornick 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

RESOLUTION NO. 259 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution adopting a local law of the Code of the Town of Colonie, thereof, adding provisions regarding stormwater appearance tickets and amending the Land Use Law relating to stormwater enforcement and determining that this is an Unlisted action for SEQR purposes.

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

RESOLUTION NO. 260 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution pursuant to Chapter 950 of the Laws of 1972 approving the Antionette Estates Subdivision proposed Colonie Sewer District Improvement Area – Project 2009-001.

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

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RESOLUTION NO. 261 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Orders 5, 6, 7 and 8 in connection with the Landfill Area #6 Phase 2 Landfill Cell Liner Construction Contract with Kubricky Construction Corporation for the DPW/Division of Environmental Services.

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

RESOLUTION NO. 262 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Amendment No. 4 to Engineering Agreement #408-07 with Malcolm Pirnie in connection with the Area #6 Phase II Engineering Contract for the DPW/Division of Environmental Services.

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

RESOLUTION NO. 263 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to void the unpaid Miscellaneous Water Invoices Receivable for the years 2003 and 2004 for the DPW/Division of Latham Water.

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

RESOLUTION NO. 264 FOR 2011

Councilwoman Murphy offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to accept the modification to the Water Supply Agreement between Susan P. Sofia and the Town of Colonie in connection with the water supply to 196 Shaker Ridge Drive.

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	Aye
	Daniel A. Hornick	Abstained

RESOLUTION NO. 265 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to reimburse water usage charges and penalty fees to various Town residents.

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

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RESOLUTION NO. 266 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution authorizing leave without pay to Bethany Childs for a period of six (6) days for the DPW/Division of Latham Water.

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

RESOLUTION NO. 267 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to reimburse the County of Albany for water service charges relieved onto the 2008 property tax bill for 6 George Street for the DPW/Division of Latham Water.

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

RESOLUTION NO. 268 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution awarding the bid to Foster's Equipment, Inc. in connection with the purchase of one (1) new high pressure vacuum truck for the DPW/Division of Pure Waters.

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

RESOLUTION NO. 269 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution awarding bids to Vellano Bros. Inc. and Franklin Paint Company Inc. in connection with Heavy Duty Frames, Grates and Extension Rings for the DPW/Division of Highway and Division of Pure Waters.

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

RESOLUTION NO. 270 FOR 2011

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor and Comptroller to purchase, invest in, acquire, sell, assign, transfer, or otherwise dispose of securities in connection the Length of Service Award Programs.

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

RESOLUTION NO. 271 FOR 2011

Councilman Carl offered the following resolution and moved its adoption:

Resolution pursuant to §219-a of the General Municipal Law, approving the list of all volunteer members of the Fuller Road Fire Department submitted and certified under oath by said Fire Department and identifying those volunteer members who have qualified for credit under the Service Award Program for 2010.

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

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RESOLUTION NO. 272 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution awarding bid in connection with the purchase of Plastic Bags for 2011 to All American Poly.

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

RESOLUTION NO. 273 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a renewal agreement with Stoltzfus Steel in connection with the heavy duty open top roll off containers for 2011.

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

RESOLUTION NO. 274 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution awarding bid in connection with the purchase of assorted shirts for various departments to Synergy Promotions.

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

RESOLUTION NO. 275 FOR 2011

Councilwoman Hernandez offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute renewal agreements with The Mailworks and Brigar Xpress in connection with various mailings.

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

RESOLUTION NO. 276 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Troy & Banks, Inc. in connection with a utility billing audit.

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

RESOLUTION NO. 277 FOR 2011

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to accept gifts or donations to the Town of Colonie with a value of \$1,000.00 or less.

The resolution was duly seconded by Councilman Carl 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	Nay
	William E. Carl	Aye
	Daniel J. Dustin	Nay
	Daniel A. Hornick	Aye

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RESOLUTION NO. 278 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution appointing John Cunningham as Commissioner of Public Works.

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
	Daniel A. Hornick	Aye

RESOLUTION NO. 279 FOR 2011

Councilwoman Murphy offered the following resolution and moved its adoption:

Resolution appointing Richard Naylor as Library Director.

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

RESOLUTION NO. 280 FOR 2011

Councilwoman Hernandez offered the following resolution and moved its adoption:

Resolution calling a public hearing in connection with a proposed local law of the Code of the Town of Colonie, thereof, adding provisions to the Town Code regarding residency of certain classes of employees.

The resolution was duly seconded by Councilman Becker 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

RESOLUTION NO. 281 FOR 2011

Councilwoman Hernandez offered the following resolution and moved its adoption:

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

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

RESOLUTION NO. 282 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute and submit an Order on Consent to the NYS Department of Environmental Conservation for settlement of violations of state regulations in connection with the Lisha Kill Dredging.

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

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RESOLUTION NO. 283 FOR 2011

Supervisor Mahan offered the following resolution and moved its adoption:

Resolution calling a public hearing in connection with a proposed Lease Agreement with Cellco Partnership d/b/a Verizon Wireless for public utility/personal wireless service at the Osborne Road Water Tank.

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

RESOLUTION NO. 284 FOR 2011

Councilman Hornick offered the following resolution and moved its adoption:

Resolution declaring a Vidar Scanner as surplus and authorizing the General Services Director to trade the surplus scanner into OCE North America, Inc. toward the purchase of a new ColorWave Scanner.

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

Respectfully submitted,
Elizabeth A. DeTorto
Colonie Town Clerk