

December 15, 2011

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of December 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 A. Hornick

ABSENT: Councilman	Daniel J. Dustin
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ALSO PRESENT:	
Town Clerk	Elizabeth A. DeiTorto
Town Attorney	Michael C. Magguilli
Town Comptroller	Craig Blair
Chief of Police	Steven H. Heider
Personnel Officer	Michael Burick
Emergency Medical Services Deputy Chief	Peter Berry
Pure Waters Superintendent	Chretien R. Voerg
Human Resources Director	Rosemary Newton
Management Information Services Director	Lisa M. Travis
Public Works Commissioner and Superintendent of Highways	John Cunningham

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**RESOLUTION NO. 617 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution adopting a proposed local law of the Code of the Town of Colonie, thereof, adding a provision to Chapter 171 of the Town Code entitled "Taxation".**

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

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**RESOLUTION NO. 618 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution pursuant to chapter 950 of the laws of 1972 approving/not approving the Borisenok Subdivision Colonie Sewer Improvement Area – Project 2006-008.**

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

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

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**RESOLUTION NO. 619 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution pursuant to chapter 950 of the laws of 1972 approving/not approving the Sable Woods Subdivision Colonie Sewer Improvement Area – Project 2007-002.**

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

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**RESOLUTION NO. 620 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution pursuant to chapter 950 of the laws of 1972 approving/not approving the Ridgefield Commons Subdivision Phase 2B Colonie Sewer Improvement Area – Project 2009-002.**

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

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**RESOLUTION NO. 621 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution establishing one (1) new position of Heavy Equipment Mechanic/Environmental Services Equipment Maintenance Technician, Grade 26, in the DPW/Division of Highway/Fleet Maintenance and permanently appointing Peter M. Marrale to that position.**

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

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**RESOLUTION NO. 622 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution calling a public hearing pursuant to Article 12A of the Town Law of the State of New York in relation to the establishment of Extension No. 160 to the Latham Water District.**

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

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**RESOLUTION NO. 623 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into a Maintenance Agreement with Metroland Business Machines, Inc. for two (2) Sharp photocopiers for the DPW/Division of Pure Waters.**

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

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**RESOLUTION NO. 624 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 88 Hackett Avenue by ANJO Construction Ltd. and authorizing the Comptroller to expend Emergency Repair Reserve funds for the same.**

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

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**RESOLUTION NO. 625 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution awarding the bid to Traffic Signal Technology in connection with providing annual emergency repair of traffic control devices.**

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

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**RESOLUTION NO. 626 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution rejecting the sole proposal received in connection with an RFP for various animal shelter services for the Police Department, extending current agreements for such services, and authorizing the General Services Director to readvertise the revised RFP.**

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

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**RESOLUTION NO. 627 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding the bids for Industrial Chemicals for the year 2012 to Holland Company, Slack Chemical, Kuehne Chemical and Surpass Chemical.**

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

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**RESOLUTION NO. 628 FOR 2011**

Councilman Becker offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into a renewal agreement with B-Lann Equipment in connection with the inspection and maintenance of fire extinguishers and fire suppression equipment.**

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

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**RESOLUTION NO. 629 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into a renewal agreement with Care Environmental in connection with the Household Hazardous Waste Collection and Disposal.**

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

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**RESOLUTION NO. 630 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an agreement with UniFirst Corporation in connection with supplying, cleaning uniforms, mats, aprons and towels for 2012.**

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

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**RESOLUTION NO. 631 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding the bid for Janitorial Supplies to Lusco Paper Company.**

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

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**RESOLUTION NO. 632 FOR 2011**

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

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**RESOLUTION NO. 633 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding the bid for the Snow Plow for Pure Waters to T&T Sales, Inc. and authorizing the Supervisor to enter into an agreement for the same.**

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

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**RESOLUTION NO. 634 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding the bid for HVAC Preventative Maintenance and Repair to the lowest bidders for various town facilities and authorizing the Supervisor to enter into agreements for the same.**

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

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**RESOLUTION NO. 635 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 settlements in connection with tort litigation.**

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

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**RESOLUTION NO. 636 FOR 2011**

Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution granting Tefra Approval, in connection with the issuance of bonds by the Town of Colonie Local Development Corporation.**

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

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

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**RESOLUTION NO. 637 FOR 2011**

Councilwoman Hernandez 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 Murphy and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 638 FOR 2011**

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

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**RESOLUTION NO. 639 FOR 2011**

Councilwoman Hernandez 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 Councilwoman Murphy and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 640 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution accepting a proposed land swap between the Town of Colonie and Hadi and Havzi Ipek, located at 7 Railroad Avenue.**

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

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**RESOLUTION NO. 641 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to execute a contract renewal with Westlaw in connection with online legal research services for the Town Attorney’s Office.**

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

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**RESOLUTION NO. 642 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution accepting the dedication of Antoinette Lane and accepting the dedication of 67 Consaul Road in the Antoinette Estates Subdivision.**

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

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**RESOLUTION NO. 643 FOR 2011**

Councilman Becker offered the following resolution and moved its adoption:

**Resolution awarding Telecommunications RFP to Carousel Industries for the Town Telecommunications Replacement Project and Tech Valley Communications for the Wireless Project at the Crossings, and authorizing the Supervisor to enter into contracts in connection with both.**

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

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**RESOLUTION NO. 644 FOR 2011**

Supervisor Mahan offered the following resolution and moved its adoption:

**Resolution awarding the bid for EMS Medical Supplies to the lowest bidder with the exception of the attached to the next lowest bidder.**

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

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**RESOLUTION NO. 645 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the renewal of an agreement with Capital Bauer Insurance Agency in connection with the Health Flexible Spending Arrangement and Dependent Care Assistance Program.**

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

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**RESOLUTION NO. 646 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an agreement with Capital Bauer Insurance Agency to provide benefits brokerage, administrative and consulting services for the 2012 calendar year.**

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

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**RESOLUTION NO. 647 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to execute a Professional Services Agreement with OCG Strategy & Organization Consulting for providing a review of the Town of Colonie's evaluations program for the period of January 1, 2012 to December 31, 2012.**

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

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**RESOLUTION NO. 648 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution establishing time and basis of payment to employees.**

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

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**RESOLUTION NO. 649 FOR 2011**

Councilwoman Hernandez 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 2012 and authorizing the Supervisor to make appointments to such positions.**

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

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**RESOLUTION NO. 650 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution rescinding all prior resolutions pertaining to establishing of positions and rates of pay for Parks and Recreation Department 2011 seasonal employees and adopting a new resolution establishing positions and rates of pay for Parks and Recreation Department 2012 seasonal employees for 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. 651 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to reimburse health insurance premiums to various Town employees and retirees for overpayment of health insurance premiums.**

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

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**RESOLUTION NO. 652 FOR 2011**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution designating holidays for Town of Colonie employees.**

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

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**RESOLUTION NO. 653 FOR 2011**

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

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**RESOLUTION NO. 654 FOR 2011**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to enter into an agreement with Clough, Harbour & Associates in connection with a feasibility study for the Colonie Golf Course Clubhouse.**

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

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**RESOLUTION NO. 655 FOR 2011**

Councilman Hornick 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 Councilwoman Murphy and, upon roll call, it was unanimously adopted.

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**RESOLUTION NO. 656 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding the bid for Precast Concrete Manholes, Catch Basins & Drywells for the year 2012.**

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

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**RESOLUTION NO. 657 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding the bid for liquid sodium chlorite to International Dioxide, Inc. and authorizing the Supervisor to enter into an agreement for the maintenance of equipment in connection with same.**

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

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**RESOLUTION NO. 658 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution awarding the bid for Water Meters and Water Meter Reading Systems for the year 2012 to Ti-Sales, Inc.**

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

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**RESOLUTION NO. 659 FOR 2011**

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 160<sup>th</sup> Extension of the Latham Water District.**

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

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**RESOLUTION NO. 660 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to execute an agreement between the Town of Colonie and the Village of Colonie to provide for the sale of water and related services to the Village of Colonie.**

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

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**RESOLUTION NO. 661 FOR 2011**

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 call, it was unanimously adopted.

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**RESOLUTION NO. 662 FOR 2011**

Councilwoman Murphy offered the following resolution and moved its adoption:

**Resolution scheduling Town Board Meetings for the year 2012.**

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

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**RESOLUTION NO. 663 FOR 2011**

Councilwoman Hernandez offered the following resolution and moved its adoption:

**Resolution awarding/not awarding the bid to Capital Bauer Insurance Agency, Inc. in connection with Insurance Broker Services for the Town.**

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

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**RESOLUTION NO. 664 FOR 2011**

Councilman Hornick offered the following resolution and moved its adoption:

**Resolution authorizing the Supervisor to execute various Contractor Agreements for the DPW/Division of Pure Waters for 2012.**

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

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**RESOLUTION NO. 665 FOR 2011**

Councilman Hornick 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, amending Chapter 24 of the Town Code entitled "General Services Department" and Chapter 34 of the Town Code entitled "Public Works, Department Of".**

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

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