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TOWN BOARD COUNTY OF ALBANY

TOWN OF COLONIE

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TOWN BOARD MEETING

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THE STENOGRAPHIC MINUTES of the above entitled matter by NANCY L. STRANG, a Shorthand Reporter commencing on June 18, 2020 at 7:19 p.m. at Memorial Town Hall, 534 New Loudon Road, Latham, New York

BOARD MEMBERS:

- PAULA MAHAN, SUPERVISOR
- LINDA MURPHY, DEPUTY SUPERVISOR
- MELISSA JEFFERS-VONDOLLEN
- RICK FIELD
- JILL PENN
- DANIELLE FUTIA

ALSO PRESENT:

- Michael C. Magguilli, Esq, Town Attorney
- Julie Gansle, Town Clerk

1 MS. GANSLE: We have a Resolution pursuant to  
2 Article 12A of the Town Law of the State of New York  
3 rescheduling the public hearing in connection with the  
4 21 Green Mountain Drive Sewer Improvement Area -SIA  
5 #2019-003.

6 MR. MAGGUILLI: This matter was originally  
7 scheduled for March 26, 2020. However, due to the  
8 pandemic, it was necessary to adjourn. We are merely  
9 rescheduling the public hearing to July 23, 2020 at  
10 7:00. Hopefully, we will be open to the public by then.

11 MS. MURPHY: So moved.

12 MS. JEFFERS-VONDOLLEN: Second.

13 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
14 call the roll.

15 (The roll was called.)

16 MS. GANSLE: The ayes have it, Madam  
17 Supervisor.

18 SUPERVISOR MAHAN: The Resolution is adopted.

19 MS. GANSLE: We have a Resolution authorizing  
20 the Supervisor to execute an agreement with the South  
21 Colonie Central School District for providing a Town  
22 Police Officer to act as a School Resource Officer.

23 MS. PENN: So moved.

24 MS. JEFFERS-VONDOLLEN: Second.

25 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,

1 call the roll.

2 (The roll was called.)

3 MS. GANSLE: The ayes have it, Madam  
4 Supervisor.

5 SUPERVISOR MAHAN: The Resolution is adopted.

6 MS. GANSLE: We have a Resolution authorizing  
7 the Supervisor to execute an Agreement with the North  
8 Colonie Central School District for providing a Town  
9 Police Officer to act as a School Resource Officer.

10 MS. PENN: So moved.

11 MS. JEFFERS-VONDOLLEN: Second.

12 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
13 call the roll.

14 (The roll was called.)

15 MS. GANSLE: The ayes have it, Madam  
16 Supervisor.

17 SUPERVISOR MAHAN: The Resolution is adopted.

18 MS. GANSLE: We have a Resolution authorizing  
19 the Supervisor to enter into an agreement with Colonie  
20 Senior Services Center, Inc. in connection with  
21 providing scholarships for the adult day care program.

22 MS. MURPHY: This is the adult daycare program  
23 and it runs from July 1, 2020 June 30, 2021. So moved.

24 MS. PENN: Second.

25 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,

1 call the roll.

2 (The roll was called.)

3 MS. GANSLE: The ayes have it, Madam  
4 Supervisor.

5 SUPERVISOR MAHAN: The Resolution is adopted.

6 MS. GANSLE: We have a Resolution authorizing  
7 the Supervisor to enter into an Agreement with the  
8 Colonie Youth Center, Inc. in connection with providing  
9 scholarships for the School-Age childcare programs.

10 MS. MURPHY: These scholarships - these  
11 programs will also run from July 1, 2020 to June 30,  
12 2021. So moved.

13 MS. PENN: Second.

14 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
15 call the roll.

16 (The roll was called.)

17 MS. GANSLE: The ayes have it, Madam  
18 Supervisor.

19 SUPERVISOR MAHAN: The Resolution is adopted.

20 MS. GANSLE: We have a Resolution authorizing  
21 the Supervisor to execute an amendment to the existing  
22 contractor agreement with Troy Belting to increase the  
23 expenditure limit for the DPW/Division of Pure Waters.

24 MS. MURPHY: The expenditure limit for Troy  
25 Belting will be increased to \$20,000. So moved.

1 MS. JEFFERS-VONDOLLEN: Second.

2 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
3 call the roll.

4 (The roll was called.)

5 MS. GANSLE: The ayes have it, Madam  
6 Supervisor.

7 SUPERVISOR MAHAN: The Resolution is adopted.

8 MS. GANSLE: We have a Resolution modifying the  
9 2020 Pure Waters fee schedule.

10 MS. MURPHY: The Pure Waters Division would  
11 like to modify their 2020 Pure Waters fee schedule to  
12 allow for a 90-day extension without penalty to all  
13 permits which expired beginning March 20, 2020 to June  
14 16, 2020. So moved.

15 MS. PENN: Second.

16 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
17 call the roll.

18 (The roll was called.)

19 MS. GANSLE: The ayes have it, Madam  
20 Supervisor.

21 SUPERVISOR MAHAN: The Resolution is adopted.

22 MS. GANSLE: We have a Resolution authorizing  
23 the Supervisor to execute an Engineering Agreement with  
24 Weston & Sampson, PE, LS, LA, PC in connection with the  
25 Pure Waters Collection Operational Facility for the

1 DPW/Division of Pure Waters.

2 MS. MURPHY: This engineering agreement shall  
3 not exceed the amount of \$577,000. So moved.

4 MS. PENN: Second.

5 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
6 call the roll.

7 (The roll was called.)

8 MS. GANSLE: The ayes have it, Madam  
9 Supervisor.

10 SUPERVISOR MAHAN: The Resolution is adopted.

11 MS. GANSLE: We have a Resolution authorizing  
12 the Supervisor to execute Amendment No. 2 to the  
13 Engineering Agreement with Weston & Sampson in  
14 connection with the 2019 Sanitary Sewer Rehabilitation  
15 Project.

16 MS. MURPHY: So moved.

17 MS. JEFFERS-VONDOLLEN: Second.

18 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
19 call the roll.

20 (The roll was called.)

21 MS. GANSLE: The ayes have it, Madam  
22 Supervisor.

23 SUPERVISOR MAHAN: The Resolution is adopted.

24 MS. GANSLE: We have a Resolution authorizing  
25 the Supervisor to execute Amendment No. 2 to the

1 Engineering Agreement with Weston & Sampson in  
2 connection with the Albany Shaker Road Pumping Station  
3 Rehabilitation Project.

4 MS. MURPHY: This agreement shall not exceed  
5 the amount of \$7,500. So moved.

6 MS. FUTIA: Second.

7 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
8 call the roll.

9 (The roll was called.)

10 MS. GANSLE: The ayes have it, Madam  
11 Supervisor.

12 SUPERVISOR MAHAN: The Resolution is adopted.

13 MS. GANSLE: We have a Resolution authorizing  
14 the Supervisor to reimburse for overestimated water  
15 usage at 3 Walnut Lane East.

16 MS. PENN: So moved.

17 MS. JEFFERS-VONDOLLEN: Second.

18 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
19 call the roll.

20 (The roll was called.)

21 MS. GANSLE: The ayes have it, Madam  
22 Supervisor.

23 SUPERVISOR MAHAN: The Resolution is adopted.

24 MS. GANSLE: We have a Resolution authorizing  
25 the Supervisor to execute a Service Agreement with

1 Spectrum Enterprise in connection with High Speed  
2 Internet and Static IP at 269a Osborne Road.

3 MS. JEFFERS-VONDOLLEN: So moved.

4 MS. FUTIA: Second.

5 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
6 call the roll.

7 (The roll was called.)

8 MS. GANSLE: The ayes have it, Madam  
9 Supervisor.

10 SUPERVISOR MAHAN: The Resolution is adopted.

11 MS. GANSLE: We have a Resolution authorizing  
12 the Supervisor to enter into a Professional Services  
13 Agreement with Barton & Loguidice in connection with the  
14 construction contract administration phase for the new  
15 pavilion at Mohawk River Park.

16 MS. JEFFERS-VONDOLLEN: So moved.

17 MS. PENN: Second.

18 SUPERVISOR MAHAN: The cost is not to exceed  
19 \$2,400.

20 Supervisor votes aye. Clerk, call the roll.

21 (The roll was called.)

22 MS. GANSLE: The ayes have it, Madam  
23 Supervisor.

24 SUPERVISOR MAHAN: The Resolution is adopted.

25 MS. GANSLE: We have a Resolution awarding the

1 bid to Care Environmental Corp. in connection with  
2 household hazardous waste collection and disposal for  
3 2020 and authorizing the Supervisor to enter into an  
4 Agreement for same.

5 MS. JEFFERS-VONDOLLEN: This was the low  
6 bidder. So moved.

7 MS. PENN: Second.

8 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
9 call the roll.

10 (The roll was called.)

11 MS. GANSLE: The ayes have it, Madam  
12 Supervisor.

13 SUPERVISOR MAHAN: The Resolution is adopted.

14 MS. GANSLE: We have a Resolution requiring the  
15 Planning and Economic Development Director to review and  
16 consider the proposed amendment of the Canterbury  
17 Crossings PDD to install an in-ground pool at 41  
18 Buckingham Lane.

19 MS. JEFFERS-VONDOLLEN: So moved.

20 MS. MURPHY: Second.

21 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
22 call the roll.

23 (The roll was called.)

24 MS. GANSLE: The ayes have it, Madam  
25 Supervisor.

1 SUPERVISOR MAHAN: The Resolution is adopted.

2 MS. GANSLE: We have a Resolution requiring the  
3 Planning and Economic Development Director to review and  
4 consider the proposed amendment of the Canterbury  
5 Crossings PDD to install a deck roof at 43 Buckingham  
6 Lane.

7 MS. JEFFERS-VONDOLLEN: So moved.

8 MS. PENN: Second.

9 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
10 call the roll.

11 (The roll was called.)

12 MS. GANSLE: The ayes have it, Madam  
13 Supervisor.

14 SUPERVISOR MAHAN: The Resolution is adopted.

15 MS. GANSLE: We have a Resolution authorizing  
16 the General Services Director to advertise for bids in  
17 connection with the purchase of a multi-breach training  
18 door and an explosive breaching door frame for the  
19 Police Department.

20 MS. JEFFERS-VONDOLLEN: So moved.

21 MS. FUTIA: Second.

22 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
23 call the roll.

24 (The roll was called.)

25 MS. GANSLE: The ayes have it, Madam

1 Supervisor.

2 SUPERVISOR MAHAN: The Resolution is adopted.

3 MS. GANSLE: We have a Resolution reappointing  
4 Peter Stuto as a Member and Chairman of the Planning  
5 Board.

6 MR. MAGGUILLI: Peter is planning on retiring  
7 from public service effective June 30 from his job as  
8 airport counsel, so, he could spend more time with his  
9 family. In order to qualify for retirement, you have to  
10 be off the public payroll completely. While he does not  
11 want to go back to the airport counsel job, he would  
12 like, however, to stay on as Chairman of the Planning  
13 Board and a Member of the Planning Board and therefore  
14 we require this Resolution for the next Planning Board  
15 meeting on July 1 and we wish Peter good luck. He was a  
16 great airport counsel.

17 MS. JEFFERS-VONDOLLEN: So moved.

18 MS. MURPHY: Second.

19 SUPERVISOR MAHAN: I just want to clarify that  
20 Peter is not going to be working for the airport which  
21 was sent in by the Save group. This is no cost to the  
22 Town. I just want to be clear on that so that no one is  
23 confused.

24 Supervisor votes aye.

25 MS. FUTIA: Can I ask one question?

1 SUPERVISOR MAHAN: Sure.

2 MS. FUTIA: So, he has to resign from the  
3 Planning Board in order to -

4 MR. MAGGILLI: Correct. He cannot be in any  
5 form of public service for one day under the New York  
6 State Retirement rules. So, therefore, he had to resign  
7 not only from his airport authority job, but his  
8 position as Chairperson and Member of our Planning  
9 Board. We would like to have him back. He's a great  
10 Chairperson.

11 SUPERVISOR MAHAN: Danielle, this is the legal  
12 way to do it. In order to get their pension from the  
13 legislature and other places, this is the way we had to  
14 do it. This is no cost to the Town and anyone as far as  
15 the Town goes - has been no cost to the Town and a  
16 savings to the Town. In this case, he is retiring from  
17 the airport and not going back to work there. We would  
18 simply like to keep him as Chair. He does a great job.  
19 That's basically what this Resolution does.

20 MS. GANSLE: Councilwoman Penn?

21 MS. PENN: Aye.

22 MS. GANSLE: Futia?

23 MS. FUTIA: No.

24 MS. GANSLE: VonDollen?

25 MS. JEFFERS-VONDOLLEN: Aye.

1 MS. GANSLE: Murphy?

2 MS. MURPHY: Aye.

3 MS. GANSLE: Field?

4 MR. FIELD: No.

5 MS. GANSLE: The ayes have it, Madam  
6 Supervisor.

7 SUPERVISOR MAHAN: The Resolution is adopted.

8 MS. GANSLE: We have a Resolution authorizing  
9 the Supervisor to execute an amendment to the  
10 Hydro-Electrical Operating Agreement with Gravity  
11 Renewables, Inc.

12 MS. MURPHY: So moved.

13 MS. JEFFERS-VONDOLLEN: Second.

14 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
15 call the roll.

16 (The roll was called.)

17 MS. GANSLE: The ayes have it, Madam  
18 Supervisor.

19 SUPERVISOR MAHAN: The Resolution is adopted.

20 MS. GANSLE: We have a Resolution authorizing  
21 the Supervisor to enter into an Agreement with RBM  
22 Guardian Fire Protection in connection with the Fire  
23 Sprinkler Systems Testing and Inspections for various  
24 Town locations.

25 MS. MURPHY: This was awarded to the low

1 bidder. So moved.

2 MS. PENN: Second.

3 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
4 call the roll.

5 (The roll was called.)

6 MS. GANSLE: The ayes have it, Madam  
7 Supervisor.

8 SUPERVISOR MAHAN: The Resolution is adopted.

9 MS. GANSLE: We have a Resolution creating the  
10 Colonie Comprehensive Police Practices Review Committee  
11 pursuant to Executive Order No. 203 and appointing the  
12 members thereto.

13 MS. MURPHY: So moved.

14 MS. PENN: Second.

15 SUPERVISOR MAHAN: As it says, Executive Order  
16 number 203 requires us to have a committee put together  
17 which will eventually get to the Governor's office. It  
18 has to do with future funding for our Police  
19 Departments. So, we have put together a  
20 multidisciplinary team and they are very diversified and  
21 we hope to get to work on it soon.

22 MS. FUTIA: Has the public decided who would be  
23 on the committee?

24 SUPERVISOR MAHAN: Chief Teale, myself and a  
25 couple of other recommendations from the Police

1 Department, some recommendations from North Colonie  
2 schools. It was recommended - someone from the DA's  
3 Office and the Albany County Public Defender's Office.  
4 So, that's basically how the committee was put together.

5 MR. MAGGUILLI: It was dictated in part by the  
6 - the terms itself of Executive Order 203.

7 MS. FUTIA: Okay, thank you.

8 MS. PENN: I have to say in working with Dr.  
9 Perry for a number of years both as the Assistant  
10 Principal at Sand Creek and now as a Superintendent, he  
11 will do an excellent job in not only being open-minded,  
12 but certainly in being a very productive and responsible  
13 member of this committee and we will see a very positive  
14 outcome; I definitely agree.

15 SUPERVISOR MAHAN: This is something that all  
16 departments should be doing and our department has a  
17 great reputation. We have a lot to offer. Certainly we  
18 are open to new ideas for expanding the good things that  
19 we do and we have a lot of community involvement-  
20 community policing has been increasing. We have an  
21 excellent relationship with our school districts, as  
22 well. We are confident that we can put together a good  
23 plan to turn over to Governor Cuomo.

24 MS. GANSLE: We have a mover and a second.

25 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,

1 call the roll.

2 MS. GANSLE: Councilwoman Penn?

3 MS. PENN: Aye.

4 MS. GANSLE: Futia?

5 MS. FUTIA: Aye.

6 MS. GANSLE: VonDollen?

7 MS. JEFFERS-VONDOLLEN: Aye.

8 MS. GANSLE: Murphy?

9 MS. MURPHY: Aye, and I think we put together  
10 very nice diverse group that should be very successful.

11 MS. GANSLE: Field?

12 MR. FIELD: Aye.

13 MS. GANSLE: The ayes have it, Madam  
14 Supervisor.

15 SUPERVISOR MAHAN: The Resolution is adopted.

16 MS. GANSLE: We have a Resolution authorizing  
17 the Supervisor to enter into an Agreement with John P.  
18 Furlong, P.E. in connection with expert property damage  
19 appraisal services in the matter of Fusco v. Town of  
20 Colonie.

21 MS. JEFFERS-VONDOLLEN: So moved.

22 MS. MURPHY: Second.

23 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
24 call the roll.

25 (The roll was called.)

1 MS. GANSLE: The ayes have it, Madam  
2 Supervisor.

3 SUPERVISOR MAHAN: The Resolution is adopted.

4 MR. MAGGUILLI: Just so you know, we were  
5 notified that we have eight trial date certain starting  
6 Monday, October 19. The demand has been the same  
7 throughout and we expect this matter to go to trial on  
8 the 19th.

9 MS. MURPHY: Is that going in-house, Mike?

10 MR. MAGGUILLI: Parts of it. With the recent  
11 changes in the staffing, we have had to make some  
12 adjustments.

13 MS. GANSLE: We have a Resolution authorizing  
14 the undertaking of various highway and street  
15 reconstruction and paving projects in the Town of  
16 Colonie, authorizing the issuance of serial bonds in an  
17 aggregate principal amount not to exceed \$900,000 of the  
18 Town of Colonie, Albany County, New York, pursuant to  
19 the Local Finance Law to finance said purpose and  
20 delegating the power to issue bond anticipation notes in  
21 anticipation of the sale of such bonds to the Town  
22 Supervisor.

23 MS. MURPHY: So moved.

24 JEFFERS-VONDOLLEN: Second.

25 SUPERVISOR MAHAN: This is for the paving

1 program - the CHIPS money that we get. They are not  
2 quite sure if we're going to get or how much were going  
3 to get or a portion of it or whatever. We are moving  
4 forward with our paving plan. This allows us to do that.

5 Supervisor votes aye. Clerk, call the roll.

6 (The roll was called.)

7 MS. GANSLE: The ayes have it, Madam

8 Supervisor.

9 SUPERVISOR MAHAN: The Resolution is adopted.

10 MS. GANSLE: We have a Resolution establishing  
11 a standard work day and reporting Resolution, pursuant  
12 to 2 NYCRR 315.4, for elected and appointed officials  
13 for membership and service credit in the New York State  
14 and Local Retirement System.

15 MS. JEFFERS-VONDOLLEN: So moved.

16 MS. PENN: Second.

17 SUPERVISOR MAHAN: New Board Members, If you  
18 have any questions on this - - you do have to fill this  
19 out, unless your Tier 1 and I don't believe any of you  
20 are Tier 1. If you have any questions, Rosemary Newton  
21 will be happy to help out.

22 Supervisor votes aye. Clerk, call the roll.

23 (The roll was called.)

24 MS. GANSLE: The ayes have it, Madam

25 Supervisor.

1 SUPERVISOR MAHAN: The Resolution is adopted.

2 MR. MAGGILLI: Fred Altman is old enough, so  
3 he might be - just so you know.

4 SUPERVISOR MAHAN: Hold on a second. I'm the  
5 only one that's Tier 1. I think me and JJ; that's it.

6 Fred might be.

7 (Whereas the above entitled proceeding was  
8 concluded at 7:45 p.m.)

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CERTIFICATION

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I, NANCY L. STRANG, Shorthand Reporter and  
Notary Public in and for the State of New York, hereby  
CERTIFY that the record taken by me at the time and  
place noted in the heading hereof is a true and  
accurate transcript of same, to the best of my ability  
and belief.

Dated: \_\_\_\_\_

NANCY L. STRANG  
LEGAL TRANSCRIPTION  
2420 TROY SCHENECTADY RD.  
NISKAYUNA, NY 12309