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TOWN BOARD COUNTY OF ALBANY

TOWN OF COLONIE

TOWN BOARD MEETING

THE STENOGRAPHIC MINUTES of the above
entitled matter by NANCY STRANG-VANDEBOGART, a
Shorthand Reporter, commencing on November 20,
2014 7:23 p.m. at Memorial Town Hall, 534 Loudon
Road, Newtonville, New York 12128

BOARD MEMBERS:

- PAULA A. MAHAN, SUPERVISOR
- WILLIAM CARL, DEPUTY SUPERVISOR
- LINDA MURPHY
- PAUL ROSANO
- BRIAN HAAK
- DAVID ROWLEY
- DAVID GREEN

ALSO PRESENT:

- Michael C. Magguilli, Esq., Town Attorney's
Office
- Elizabeth DelTorto, Town Clerk

1 SUPERVISOR MAHAN: Is there any public
2 comment?

3 (There was no response.)

4 We'll go onto the regular agenda.

5 MS. DELTORTO: A Resolution of the Town of
6 Colonie consenting to transfer of control of the
7 cable franchise.

8 SUPERVISOR MAHAN: This has to do with Time
9 Warner and Comcast. As part of our contract we have
10 to consent to any of the mergers.

11 Any more you want to add to that?

12 MR. MAGGUILLI: They need our consent to a
13 merger before they go to the Public Service
14 Commission. In return for our consent, Time Warner
15 Cable and Comcast agreed to provide the Town with
16 one high speed internet service to any municipal
17 facility for free along with having free high speed
18 internet service to all the elementary and secondary
19 schools in the Town and the public libraries in the
20 Town. They agreed to repay the Town of Colonie
21 \$1,850.00 for the services of the Town Attorney's
22 office for reviewing the paperwork and negotiating
23 this deal.

24 MS. MURPHY: So moved.

25 MR. GREEN: Second.

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

3 (The roll was called.)

4 MS. DELTORTO: The ayes have it, Madam
5 Supervisor.

6 SUPERVISOR MAHAN: The Resolution is adopted.

7 MS. DELTORTO: A Resolution authorizes
8 settlement or discontinuance subject to judicial
9 approval of the same pursuant to Section 68 of the
10 Town Law of various tax certiorari proceedings.

11 MR. ROWLEY: This is a settlement of a case
12 brought by Plaza and Associates at 602 Loudon Road.
13 The assessment is being reduced from \$800,000.00 to
14 \$685,000.00 at no cost to the Town. So moved.

15 MR. GREEN: Second.

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

18 (The roll was called.)

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

21 SUPERVISOR MAHAN: The Resolution is adopted.

22 MS. DELTORTO: A Resolution authorizing the
23 Supervisor to enter into an agreement with Monahan
24 and Laughlin, Incorporated in connection with the
25 inspection and repair of roofs at various locations

1 in the Town of Colonie.

2 MR. ROSANO: Not to exceed \$5,000.00. So
3 moved.

4 MR. ROWLEY: Second.

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

7 (The roll was called.)

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

10 SUPERVISOR MAHAN: The Resolution is adopted.

11 MS. DELTORTO: A Resolution authorizing the
12 Superintendent of Pure Waters to waive sewer permit
13 and discharge fees in connection with the Town of
14 Colonie Mercury Spill Remediation Highlift Pump
15 Station at the Mohawk View Water Treatment plant for
16 DPW, division of Latham Water.

17 MR. ROSANO: So moved.

18 MS. MURPHY: Second.

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

21 (The roll was called.)

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

24 SUPERVISOR MAHAN: The Resolution is adopted.

25 MS. DELTORTO: A Resolution authorizing the

1 Supervisor to execute a public owned treatment works
2 notification application in connection with the
3 Sewage Pollution Right to Know Act for DPW Division
4 of Pure Waters.

5 MR. ROSANO: So moved.

6 MR. CARL: Second.

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

9 (The roll was called.)

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

12 SUPERVISOR MAHAN: The Resolution is adopted.

13 MS. DELTORTO: A Resolution authorizing the
14 Supervisor to execute various contractor agreements
15 for the year 2015 for the DPW Division of Pure
16 Waters.

17 MR. ROSANO: So moved.

18 MR. HAAK: Second.

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

21 (The roll was called.)

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

24 SUPERVISOR MAHAN: The Resolution is adopted.

25 MS. DELTORTO: A Resolution authorizing the

1 Supervisor to enter into an agreement with Lisle
2 Hughes.

3 MR. ROWLEY: So moved.

4 MR. CARL: Second.

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

7 (The roll was called.)

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

10 SUPERVISOR MAHAN: The Resolution is adopted.

11 MS. DELTORTO: A Resolution authorizing the
12 General Services Director to advertise for bids for
13 Mercury Spill Remediation High Lift Pump Station at
14 the Mohawk View Water Treatment Plant.

15 MR. ROSANO: So moved.

16 MR. HAAK: Second.

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

19 (The roll was called.)

20 MS. DELTORTO: The ayes have it, Madam
21 Supervisor.

22 SUPERVISOR MAHAN: The Resolution is adopted.

23 MS. DELTORTO: A Resolution authorizing the
24 Supervisor to execute a Dam Safety Annual
25 Certification form with the New York State

1 Department of Environmental Conservation for the
2 Stony Creek Reservoir Dam.

3 MR. ROWLEY: So moved.

4 MR. GREEN: Second.

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

7 (The roll was called.)

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

10 SUPERVISOR MAHAN: The Resolution is adopted.

11 MS. DELTORTO: A Resolution authorizing the
12 Supervisor to reimburse for over-estimated water
13 usage at 4 Oak Tree Lane, 1 Newcomb Drive and 40
14 Shaker Bay Road.

15 MR. ROSANO: So moved.

16 MR. CARL: Second.

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

19 (The roll was called.)

20 MS. DELTORTO: The ayes have it, Madam
21 Supervisor.

22 SUPERVISOR MAHAN: The Resolution is adopted.

23 MS. DELTORTO: A Resolution awarding the bid to
24 3-D Rigging and Construction in connection with the
25 24-inch butterfly valve replacement for DPW Division

1 of Latham Water and authorizing the Supervisor to
2 enter into an agreement for the same.

3 MR. ROSANO: This is \$650.00. So moved.

4 MR. HAAK: Second.

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

7 (The roll was called.)

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

10 SUPERVISOR MAHAN: The Resolution is adopted.

11 MS. DELTORTO: A Resolution authorizing the
12 Supervisor to execute amendment 1 supplementary
13 investigation and update of engineering assessment
14 engineering service agreement with CT Male
15 Associates in connection with the Stony Creek
16 Reservoir 2013 and 2014 safety inspection.

17 MR. ROSANO: Not to exceed \$18,773.00. So
18 moved.

19 MR. CARL: Second.

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

22 (The roll was called.)

23 MS. DELTORTO: The ayes have it, Madam
24 Supervisor.

25 SUPERVISOR MAHAN: The Resolution is adopted.

1 MS. DELTORTO: A Resolution authorizing the
2 Supervisor to amend the flexible spending account
3 administrative agreement with CDPHP.

4 MR. HAAK: Next year pursuant to IRS
5 regulations the amount that can be contributed to
6 health spending accounts will increase by \$50.00 for
7 the next year to amount to \$2,550.00. This amends
8 our paperwork to bring our program into line with
9 the regulations. So moved.

10 MS. MURPHY: Second.

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

13 (The roll was called.)

14 MS. DELTORTO: The ayes have it, Madam
15 Supervisor.

16 SUPERVISOR MAHAN: The Resolution is adopted.

17 MS. DELTORTO: A Resolution authorizing the
18 Supervisor to approve changes to the flexible
19 spending account maximum when the IRS changes the
20 maximum.

21 MR. HAAK: This gives the Board and the
22 Supervisor the authority to assign these without
23 further Resolutions so we don't have a Resolution
24 that we just said. So moved.

25 MR. CARL: Second.

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

3 (The roll was called.)

4 MS. DELTORTO: The ayes have it, Madam
5 Supervisor.

6 SUPERVISOR MAHAN: The Resolution is adopted.

7 MS. DELTORTO: A Resolution authorizing
8 expenditure of funds from the Insurance Reserve fund
9 for payment of legal fees, expenses and/or
10 settlement in connection with tort litigation.

11 MR. ROWLEY: This is to pay attorney's fees for
12 defense of the Loudon House case; \$4,704.21 and also
13 a court reporter fee of \$400.50. So moved.

14 MR. GREEN: Second.

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

17 (The roll was called.)

18 MS. DELTORTO: The ayes have it, Madam
19 Supervisor.

20 SUPERVISOR MAHAN: The Resolution is adopted.

21 MS. DELTORTO: A Resolution awarding the bid to
22 Traffic Signal Technology in connection with the
23 traffic light repairs and authorizing the Supervisor
24 to enter into agreement for the same.

25 MR. ROSANO: This is a sole bidder; \$56,000.00.

1 So moved.

2 MR. ROWLEY: Second.

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

5 (The roll was called.)

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

8 SUPERVISOR MAHAN: The Resolution is adopted.

9 MS. DELTORTO: A Resolution authorizing the
10 Supervisor to enter into a lease agreement with
11 Metroland Business Machines, Incorporated in
12 connection with the postage meter mail machine.

13 MS. MURPHY: So moved.

14 MR. CARL: Second.

15 SUPERVISOR MAHAN: It's \$320.50 per month for
16 48 months.

17 Supervisor votes aye. Clerk call the roll.

18 (The roll was called.)

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

21 SUPERVISOR MAHAN: The Resolution is adopted.

22 MS. DELTORTO: A Resolution awarding the bid to
23 Baker & Taylor, Incorporated in connection with
24 supplying books and audio visual materials to the
25 William K. Sanford Library for 2015.

1 MS. MURPHY: This bid is awarded to the low
2 bidder for a grand total of \$120,075.00. So moved.

3 MR. GREEN: Second.

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

6 (The roll was called.)

7 MS. DELTORTO: The ayes have it, Madam
8 Supervisor.

9 SUPERVISOR MAHAN: The Resolution is adopted.

10 MS. DELTORTO: A Resolution for the Town Board
11 to approve budget modifications to the General Town
12 Wide, General Town outside villages and Highway Town
13 budgets.

14 MR. HAAK: These budget modifications are
15 budget neutral either in-fund or across the budget.
16 So moved.

17 MR. CARL: Second.

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

20 (The roll was called.)

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

23 SUPERVISOR MAHAN: The Resolution is adopted.

24 MS. DELTORTO: A Resolution accepting the
25 dedication of Tattenkill Road in the Shaker Bay

1 Phases III subdivision.

2 MR. ROSANO: So moved.

3 MS. MURPHY: Second.

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

6 (The roll was called.)

7 MS. DELTORTO: The ayes have it, Madam
8 Supervisor.

9 SUPERVISOR MAHAN: The Resolution is adopted.

10 MS. DELTORTO: A Resolution accepting the
11 dedication of Londonerry Way and High Croft Court
12 formerly known as Norwich Court renaming an existing
13 street from Wassail Lane to Londonderry Way
14 accepting lands known as 21 High Croft Court
15 formally known as 21 Norwich Court and 29
16 Londonderry Way in the Londonderry Ridge
17 Subdivision.

18 MR. ROSANO: So moved.

19 MR. CARL: Second.

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

22 (The roll was called.)

23 MS. DELTORTO: The ayes have it, Madam
24 Supervisor.

25 SUPERVISOR MAHAN: The Resolution is adopted.

1 MS. DELTORTO: A Resolution calling a public
2 hearing in connection with a proposed Local Law of
3 the Code of the Town of Colonie thereof amending
4 Chapter 190 Article 27 of the Town Code.

5 MR. ROSANO: So moved.

6 MR. ROWLEY: Second.

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

9 (The roll was called.)

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

12 SUPERVISOR MAHAN: The Resolution is adopted.

13 MS. DELTORTO: A Resolution calling a public
14 hearing in connection with several proposed Local
15 Laws of the Code of the Town of Colonie thereof
16 amending Chapters 119 and 190 of the Town Code.

17 MR. ROSANO: Those will be held on December
18 18th. So moved.

19 MR. GREEN: Second.

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

22 (The roll was called.)

23 MS. DELTORTO: The ayes have it, Madam
24 Supervisor.

25 SUPERVISOR MAHAN: The Resolution is adopted.

1 MS. DELTORTO: A Resolution awarding the bid
2 for road materials to Craneville Block, Colonie
3 Block and Town and Country Bridge and Rail,
4 Incorporated for DPW Division of Highway.

5 MR. ROSANO: These are all low bidders. So
6 moved.

7 MR. HAAK: Second.

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

10 (The roll was called.)

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

13 SUPERVISOR MAHAN: The Resolution is adopted.

14 MS. DELTORTO: A Resolution authorizing the
15 Supervisor to enter into a service agreement with
16 Jay Crowe in connection with heavy duty diagnostic
17 software.

18 MR. ROSANO: So moved.

19 MR. CARL: Second.

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

22 (The roll was called.)

23 MS. DELTORTO: The ayes have it, Madam
24 Supervisor.

25 SUPERVISOR MAHAN: The Resolution is adopted.

1 Thank you very much. Have a good evening.

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4 (Whereas the Board meeting was concluded at
5 7:42 p.m.)
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CERTIFICATION

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3 I, NANCY STRANG-VANDEBOGART, Shorthand
4 Reporter and Notary Public in and for the State of
5 New York, hereby CERTIFY that the record taken by
6 me at the time and place noted in the heading
7 hereof is a true and accurate transcript of same,
8 to the best of my ability and belief.
9

10 _____
11 NANCY STRANG-VANDEBOGART
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14 Dated December 22, 2014
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