

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 June 19, 2014
7:10 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
- DAVID ROWLEY
- DAVID GREEN

ALSO PRESENT:

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

- Liz DelTorto, Town Clerk

1 SUPERVISOR MAHAN: We'll do our personnel
2 items first.

3 MS. DELTORTO: A Resolution appointing Mark
4 DePasquale to the position of Senior Sewer
5 Maintenance Worker, Grade 27, in the DPW Division of
6 Pure Waters.

7 MR. ROSANO: So moved.

8 MS. MURPHY: Second.

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

11 (The roll was called.)

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

14 SUPERVISOR MAHAN: Resolution is adopted.
15 Congratulations, Mark.

16 MS. DELTORTO: A Resolution provisionally
17 appointing Mary O. Garwood to the position of animal
18 Control Officer, part-time in the Police Department.

19 MR. ROSANO: So moved.

20 MR. CARL: Second.

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

23 (The roll was called.)

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

1 SUPERVISOR MAHAN: Resolution is adopted.

2 Congratulations, Mary.

3 Does anyone have anything for public comment?

4 (There was no response.)

5 SUPERVISOR MAHAN: Okay.

6 MS. DELTORTO: A Resolution authorizing the
7 Supervisor to enter into an Agreement with the
8 Colonie Youth Center, Incorporated in connection
9 with providing scholarships for the school-age
10 childcare programs.

11 MS. MURPHY: These scholarships are determined
12 by family sizes and income. They are for before and
13 after school programs. So moved.

14 MR. ROSANO: Second.

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

17 (The roll was called.)

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

20 SUPERVISOR MAHAN: Resolution is adopted.

21 MS. DELTORTO: A Resolution authorizing the
22 Supervisor to enter into an agreement with Colonie
23 Senior Services Center, Incorporated in connection
24 with providing scholarships for the adult day care
25 program.

1 MS. MURPHY: The 2014 Entitlement Action Plan
2 provides scholarships for adults for low, moderate
3 income families so that they may attend the adult
4 day care program provided by Colonie Senior
5 Services. So moved.

6 MR. ROSANO: Second.

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

9 (The roll was called.)

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

12 SUPERVISOR MAHAN: Resolution is adopted.

13 MS. DELTORTO: A Resolution authorizing the
14 Supervisor to enter into a memorandum of
15 understanding with the Village of Colonie in
16 connection with the Village of Colonie Senior
17 Citizen Center Sewer Replacement Project -- Phase 2.

18 MR. ROSANO: So moved.

19 MR. ROWLEY: Second.

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

22 (The roll was called.)

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

25 SUPERVISOR MAHAN: Resolution is adopted.

1 MS. DELTORTO: A Resolution authorizing the
2 transfer of certain Community Development funds.

3 MS. MURPHY: These funds are \$707.00 and they
4 are for a residential rehab project. So moved.

5 MR. CARL: Second.

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

8 (The roll was called.)

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

11 SUPERVISOR MAHAN: Resolution is adopted.

12 MS. DELTORTO: A Resolution calling a public
13 hearing in regard to the recommendation for the open
14 development area known as the Hudson Preserve II
15 located at 122-134 Troy Schenectady Road.

16 MR. ROSANO: The public hearing is scheduled
17 for July 10, 2014. So moved.

18 MR. CARL: Second.

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

21 (The roll was called.)

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

24 SUPERVISOR MAHAN: Resolution is adopted.

25 MS. DELTORTO: A Resolution authorizing the

1 Supervisor to accept a donation of \$31,000 from
2 Norman Massry, Sr. for the purchase of a new DARE
3 vehicle for the Police Department.

4 MR. CARL: So moved.

5 MR. GREEN: Second.

6 SUPERVISOR MAHAN: Supervisor votes aye.

7 Clerk, call the roll.

8 (The roll was called.)

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

11 SUPERVISOR MAHAN: Resolution is adopted.

12 MS. DELTORTO: A Resolution authorizing the
13 Supervisor to enter into an agreement with Thomson
14 Reuters in connection with the Westlaw account for
15 the Town Attorney's Office.

16 MR. ROWLEY: This is for a total amount of
17 \$1,936.35 a month. So moved.

18 MR. GREEN: Second.

19 SUPERVISOR MAHAN: Supervisor votes aye.

20 Clerk, call the roll.

21 (The roll was called.)

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

24 SUPERVISOR MAHAN: Resolution is adopted.

25 MS. DELTORTO: A Resolution authorizing

1 settlement or discontinuance, subject to judicial
2 approval of the same, pursuant to Section 68 of the
3 Town Law, of various tax certiorari proceedings.

4 MR. ROWLEY: This is for settlement of tax
5 assessment challenges on multiple parcels. There
6 are 14 in total. First, 13 Cornell will be
7 \$6,752.23; 31 British American Boulevard - the
8 tentative Town refund will be \$7,352.42; 21 British
9 American Boulevard - the tentative Town refund will
10 be \$3,000.99; 4 Airport Park Boulevard - the
11 tentative Town refund is \$1,500.49; 6 Airport Park
12 Boulevard it will be \$225.07 and for 3 Airport Park
13 Boulevard will be \$7,502.47. All those refunds have
14 been in litigation for four years. It will also be
15 a settlement of cases covering seven properties and
16 will discontinue any impact on the Town's financial
17 situation. So moved.

18 MR. GREEN: Second.

19 SUPERVISOR MAHAN: Supervisor votes aye.

20 Clerk, call the roll.

21 (The roll was called.)

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

24 SUPERVISOR MAHAN: Resolution is adopted.

25 MS. DELTORTO: A Resolution authorizing the

1 Supervisor to enter into three lease amendments with
2 Independent Wireless One Corporation; Sprint.

3 MS. MURPHY: So moved.

4 MR. CARL: Second.

5 SUPERVISOR MAHAN: There is a slight increase
6 in this.

7 Supervisor votes aye. Clerk, call the roll.

8 (The roll was called.)

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

11 SUPERVISOR MAHAN: Resolution is adopted.

12 MS. DELTORTO: A Resolution authorizing the
13 Supervisor to enter into a memorandum of
14 understanding with the Beltrone Center in connection
15 with the conveyance of certain tracts of land to
16 the Town of Colonie for the Maxwell Road Extension
17 Project.

18 MR. ROSANO: So moved.

19 MS. MURPHY: Second.

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

22 (The roll was called.)

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

25 SUPERVISOR MAHAN: Resolution is adopted.

1 MS. DELTORTO: A Resolution approving budget
2 modifications to the General Town-Wide 2014 budget.

3 MS. MURPHY: This is for \$692.00 which is a
4 program at Macy's that is called "I Love my Park."
5 So moved.

6 MR. CARL: Second.

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

9 (The roll was called.)

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

12 SUPERVISOR MAHAN: Resolution is adopted.

13 MS. DELTORTO: A Resolution authorizing the
14 Supervisor to declare an emergency in connection
15 with repair of the sanitary sewer system at 11
16 University Street by J. Ellrott Excavating and
17 authorizing the Comptroller to expend Emergency
18 Repair Reserve funds for the same.

19 MR. ROSANO: The amount will be \$8,957.33. So
20 moved.

21 MR. ROWLEY: Second.

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

24 (The roll was called.)

25 MS. DELTORTO: The ayes have it, Madam

1 Supervisor.

2 SUPERVISOR MAHAN: Resolution is adopted.

3 MS. DELTORTO: A Resolution authorizing the
4 Supervisor to declare an emergency in connection
5 with repair of the sanitary sewer system at 26 Eva
6 Street by J. Ellrott Excavating and authorizing the
7 Comptroller to expend Emergency Repair Reserve funds
8 for the same.

9 MR. ROSANO: The amount is \$3,874.80. So
10 moved.

11 MR. GREEN: Second.

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

14 (The roll was called.)

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

17 SUPERVISOR MAHAN: Resolution is adopted.

18 MS. DELTORTO: A Resolution authorizing the
19 Supervisor to execute Change Order No. 1P to
20 Contract 3 with T. McElligott, Incorporated in
21 connection with the Mohawk View Water Pollution
22 Control Plant Screenings and Grit System Upgrade
23 Project.

24 MR. ROSANO: The amount will increase to
25 \$98,100.00 to \$121,317.49 and still within budget.

1 So moved.

2 MR. ROWLEY: Second.

3 SUPERVISOR MAHAN: Supervisor votes aye.

4 Clerk, call the roll.

5 (The roll was called.)

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

8 SUPERVISOR MAHAN: Resolution is adopted.

9 MS. DELTORTO: A Resolution authorizing the
10 Supervisor to execute a Water Tank and Pump Station
11 agreement with Charlew Builders, Incorporated in
12 connection with the Forest Hills Project.

13 MR. ROSANO: So moved.

14 MR. CARL: Second.

15 SUPERVISOR MAHAN: Supervisor votes aye.

16 Clerk, call the roll.

17 (The roll was called.)

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

20 SUPERVISOR MAHAN: Resolution is adopted.

21 MS. DELTORTO: A Resolution authorizing the
22 General Services Director to award the bid to Calgon
23 Carbon Corporation in connection with the granular
24 activated carbon filter media removal and
25 replacement at the Mohawk View Water Treatment Plant

1 for the DPW/Division of Latham Water.

2 MR. ROSANO: This is a sole bidder;

3 \$215,516.00. So moved.

4 MR. GREEN: Second.

5 SUPERVISOR MAHAN: Supervisor votes aye.

6 Clerk, call the roll.

7 (The roll was called.)

8 MS. DELTORTO: The ayes have it, Madam

9 Supervisor.

10 SUPERVISOR MAHAN: Resolution is adopted.

11 MS. DELTORTO: A Resolution accepting land
12 known as 64 Miller Road in the Borisenok Subdivision
13 at no cost to the Town.

14 MR. CARL: So moved.

15 MR. ROSANO: Second.

16 SUPERVISOR MAHAN: Abstain.

17 (The roll was called.)

18 MS. DELTORTO: The ayes have it, Madam

19 Supervisor.

20 SUPERVISOR MAHAN: Resolution is adopted.

21 MS. DELTORTO: Resolution establishing a
22 Standard Work Day and Reporting Resolution, pursuant
23 to 2 NYCRR 315.4, for elected and appointed
24 officials for membership and service credit in the
25 New York State and Local Retirement System.

1 MR. CARL: So moved.

2 MS. MURPHY: Second.

3 SUPERVISOR MAHAN: Supervisor votes aye.

4 Clerk, call the roll.

5 (The roll was called.)

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

8 SUPERVISOR MAHAN: Resolution is adopted.

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

13 MR. ROWLEY: This is a fee of \$780.00 for an
14 expert witness in a case that was litigated by the
15 Town. So moved.

16 MR. GREEN: Second.

17 SUPERVISOR MAHAN: Supervisor votes aye.

18 Clerk, call the roll.

19 (The roll was called.)

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

22 SUPERVISOR MAHAN: Resolution is adopted.

23 MS. DELTORTO: A Resolution authorizing the
24 Supervisor to enter into an agreement with Francis &
25 Company in connection with appraisal services for

1 2014.

2 MR. ROWLEY: So moved.

3 MR. GREEN: Second.

4 SUPERVISOR MAHAN: Supervisor votes aye.

5 Clerk, call the roll.

6 (The roll was called.)

7 MS. DELTORTO: The ayes have it, Madam

8 Supervisor.

9 SUPERVISOR MAHAN: Resolution is adopted.

10 Thank you all for coming.

11

12

13 (Whereas the proceedings were concluded

14 at 7:35 p.m.)

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATION

1
2
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
12
13

14 Dated June 23, 2014
15
16
17
18
19
20
21
22
23
24
25