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TOWN BOARD  
TOWN OF COLONIE

COUNTY OF ALBANY

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TOWN BOARD MEETING

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THE STENOGRAPHIC MINUTES of the  
above-entitled matter reported by JEANNE O'CONNELL,  
Registered Professional Reporter, held on March 12,  
2015, commencing at 7:00 p.m. at the Memorial Town Hall,  
534 Loudon Road, Newtonville, New York 12128

BOARD MEMBERS:

- PAULA A. MAHAN, SUPERVISOR
- LINDA MURPHY
- DAVID ROWLEY
- DAVID GREEN
- BRIAN HAAK

ALSO PRESENT:

- Rebekah Kennedy, Esq.
- Town Attorney's Office
- Elizabeth DelTorto, Town Clerk

1 SUPERVISOR MAHAN: Stand for the pledge.

2 (Pledge of Allegiance recited.)

3 We have a little special presentation  
4 this evening. I wish we had a little bigger  
5 audience, but we will pretend. For those of  
6 you that are here, thank you.

7 We had some recent awards from the  
8 American Public Works Association. So, the  
9 Town of Colonie recently won two awards from  
10 the American Public Works Association Capital  
11 Branch.

12 One was the Sand Creek Road  
13 rehabilitation project. It was named the  
14 transportation project of the year. And the  
15 emergency repair of three water treatment  
16 filters at the Latham water treatment plant was  
17 named emergency disaster repair project of the  
18 year.

19 I want to especially thank everyone who  
20 was involved with these projects. And when I  
21 call your name, if you wouldn't mind coming up.

22 First, Jack Cunningham, Commissioner of  
23 Public Works.

1 (Applause)

2 Joe Nealy, our Public Works Operations  
3 supervisor.

4 (Applause)

5 Latham Water Superintendent John Frazer.

6 (Applause)

7 Dan Marshall, who is our Chief Water  
8 Treatment Operator, was also involved.

9 And all of our town employees. We want  
10 to thank all those who made these projects  
11 possible to accomplish. They were a great  
12 success.

13 And I also want to express my  
14 appreciation to Craig Blair, our Pure Waters  
15 Superintendent. His work submitted projects  
16 for the American Public Works Association.

17 Come on up, Craig.

18 MR. CUNNINGHAM: I will mention that the  
19 American Public Works Association also awarded  
20 Paula the elected official's award this year  
21 for her commitment to our infrastructure and  
22 making sure that we keep things going for the  
23 town.

1           So, we appreciate your support, Paula.  
2           This was for you as well.

3           (Applause.)

4           SUPERVISOR MAHAN: I just want to  
5           emphasize for the town board, for all of us,  
6           and the budget committee, these projects are so  
7           important to the town and they are very costly.

8           We know that there are always other  
9           things on people's wish lists, but we made a  
10          commitment and a priority to really put the  
11          focus on infrastructure.

12          These guys have worked so hard to come  
13          up with long term 5- to 10-year plans, whether  
14          it be for paving or storm water or pure waters  
15          or Latham water. All of these systems have  
16          long term plans in place to not only keep up  
17          with the maintenance and improvements today,  
18          but also to make sure they are in excellent  
19          shape for the future.

20          Really, this award here that they so  
21          graciously nominated me for, and lucky enough  
22          to get it, they really deserve all the credit.  
23          They are the ones who put everything together

1 and do all the work, but I really appreciate  
2 being a part of it.

3 So, thank you, guys.

4 (Applause.)

5 We will do personnel.

6 MS. DEL TORTO: A resolution  
7 provisionally appointing Angelo S. Guadio to  
8 the position of sanitary engineer, grade 21, in  
9 DPW/Division of Pure Waters.

10 (Motion moved and seconded.)

11 SUPERVISOR MAHAN: Supervisor votes aye.

12 Clerk will call the roll.

13 (Roll is called.)

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

16 SUPERVISOR MAHAN: The resolution is  
17 adopted. Congratulations.

18 (Applause.)

19 MS. DEL TORTO: A resolution  
20 provisionally promoting Michael J. Ruggiero to  
21 the position of automotive repair foreman,  
22 grade 29, DPW/Highway Division/Fleet  
23 Maintenance Department.

1 (Motion moved and seconded.)

2 SUPERVISOR MAHAN: Supervisor votes aye.

3 Clerk will call the roll.

4 (Roll is called.)

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

7 SUPERVISOR MAHAN: The resolution is  
8 adopted.

9 Congratulations, Mike.

10 (Public hearing held.)

11 MS. DEL TORTO: A resolution adopting a  
12 proposed local law amending Chapter 181 of the  
13 code of the Town of Colonie, entitled "Vehicle  
14 and Traffic Codification" by amending schedule  
15 ten, no parking certain hours.

16 (Motion moved and seconded.)

17 SUPERVISOR MAHAN: Supervisor votes aye.

18 Clerk will call the roll.

19 (Roll is called.)

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

22 SUPERVISOR MAHAN: The resolution is  
23 adopted.

1                   Any public comment? Quiet night  
2                   tonight.

3                   Go on to regular resolutions.

4                   MS. DEL TORTO: A resolution authorizing  
5                   the supervisor to execute a New York State  
6                   Department of Environmental Conservation Waste  
7                   Water Treatment Facility Design, Planning and  
8                   Flow Management Annual Certification Form for  
9                   2014 for the Mohawk View Water Pollution  
10                  Control Plant.

11                  (Motion moved and seconded.)

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

14                  (Roll is called.)

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

17                  SUPERVISOR MAHAN: The resolution is  
18                  adopted.

19                  MS. DEL TORTO: A resolution authorizing  
20                  the supervisor to declare an emergency in  
21                  connection with repair of the sanitary sewer  
22                  system at 27 Hackett Avenue by ANJO  
23                  Construction and authorizing the comptroller to

1           expend emergency repair reserve funds for the  
2           same.

3                   MS. MURPHY: Cost is \$5168.39 from the  
4           emergency repair reserve fund.

5                   (Motion moved and seconded.)

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

8                   (Roll is called.)

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

11                   SUPERVISOR MAHAN: The resolution is  
12          adopted.

13                   MS. DEL TORTO: A resolution  
14          establishing date, time and place for a public  
15          hearing on the Town of Colonie's Community  
16          Development Block Grant for HOME Programs.

17                   MR. HAAK: This is part of a two-stage  
18          process which we go through each year.  
19          Recently was the first public hearing where the  
20          committee heard, or actually the advisory  
21          committee heard from individuals and groups  
22          about the needs in the community and the  
23          funding needs.

1           And they will now develop the plan which  
2           ultimately we will hear from the public on, and  
3           the public hearing is set for Thursday  
4           April 30, 2015 at 7:00 p.m.

5           (Motion moved and seconded.)

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

8           (Roll is called.)

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

11          SUPERVISOR MAHAN: The resolution is  
12          adopted.

13          MS. DEL TORTO: A resolution rescinding  
14          all prior resolutions in connection with the  
15          adoption of water usage rates and water service  
16          application fees and establishing new water  
17          usage rates and water service application fees  
18          to be paid by customers of the Latham Water  
19          District.

20          MR. HAAK: This adds one property  
21          classification that had been previously left  
22          out.

23          (Motion moved and seconded.)

1 SUPERVISOR MAHAN: Supervisor votes aye.

2 Clerk will call the roll.

3 (Roll is called.)

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

6 SUPERVISOR MAHAN: The resolution is  
7 adopted.

8 MS. DEL TORTO: A resolution authorizing  
9 the supervisor to enter into a contractor  
10 service agreement with Matco Electric  
11 Corporation in connection with the intersection  
12 of the High Yard transformer at the Mohawk View  
13 Water Treatment Plant.

14 MR. ROWLEY: This is at a cost not to  
15 exceed \$5,000.

16 (Motion moved and seconded.)

17 SUPERVISOR MAHAN: Supervisor votes aye.

18 Clerk will call the roll.

19 (Roll is called.)

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

22 SUPERVISOR MAHAN: The resolution is  
23 adopted.

1 MS. DEL TORTO: A resolution authorizing  
2 the supervisor to execute Change Order No. 1  
3 with Amstar of Western New York, Inc., in  
4 connection with the Miller water tank 1.0  
5 million gallon project.

6 MR. HAAK: This is in the amount of  
7 \$75,887, and this is to cover a variety of  
8 subsequent issues that were developed,  
9 including more damage that would be in the tank  
10 than it was originally anticipated.

11 (Motion moved and seconded.)

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

14 (Roll is called.)

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

17 SUPERVISOR MAHAN: The resolution is  
18 adopted.

19 MS. DEL TORTO: A resolution authorizing  
20 the supervisor to execute an engineering  
21 service agreement with C.T. Male Associates in  
22 connection with the Osborne Road elevated  
23 .5 million gallon water tank rehabilitation

1 project.

2 MR. HAAK: This is at a cost not to  
3 exceed \$61,400. This puts us back into our  
4 practice of rehabbing one tank per year. This  
5 tank is in the second worst condition after the  
6 Miller Road tank.

7 (Motion moved and seconded.)

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

10 (Roll is called.)

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

13 SUPERVISOR MAHAN: The resolution is  
14 adopted.

15 MS. DEL TORTO: A resolution authorizing  
16 the supervisor to execute an engineering  
17 service agreement with C.T. Male Associates in  
18 connection with the Vista and Park Avenue water  
19 main project.

20 MR. HAAK: This is at a cost not to  
21 exceed \$71,950. It's a replacement of water  
22 mains and it's part of our capital plan.

23 (Motion moved and seconded.)

1 SUPERVISOR MAHAN: Supervisor votes aye.

2 Clerk will call the roll.

3 (Roll is called.)

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

6 SUPERVISOR MAHAN: The resolution is  
7 adopted.

8 MS. DEL TORTO: A resolution authorizing  
9 the supervisor to execute a New York State  
10 Thruway Canal Corporation permit renewal update  
11 form for the DPW/Division of Latham Water.

12 (Motion moved and seconded.)

13 SUPERVISOR MAHAN: Supervisor votes aye.

14 Clerk will call the roll.

15 (Roll is called.)

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

18 SUPERVISOR MAHAN: The resolution is  
19 adopted.

20 MS. DEL TORTO: A resolution authorizing  
21 the supervisor to execute a renewal of a  
22 license agreement with Environmental Systems  
23 Research Institute, Inc. in connection with GIS

1 software.

2 MS. MURPHY: This agreement will be  
3 extended for a period of three years at the  
4 current rate of \$50,000 per year.

5 (Motion moved and seconded.)

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

8 (Roll is called.)

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

11 SUPERVISOR MAHAN: The resolution is  
12 adopted.

13 MS. DEL TORTO: A resolution awarding  
14 the bid for Turf Products for the year 2015 for  
15 parks and recreation department.

16 MS. MURPHY: A variety of the bidders  
17 were judged to be low bidders on specific  
18 projects.

19 (Motion moved and seconded.)

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

22 (Roll is called.)

23 MS. DEL TORTO: The ayes have it, Madam

1 Supervisor.

2 SUPERVISOR MAHAN: The resolution is  
3 adopted.

4 MS. DEL TORTO: A resolution awarding  
5 the bid for vehicle and equipment parts for the  
6 DPW/Highway/Fleet Maintenance Departments and  
7 authorizing the general services director to  
8 re-advertise for bids for John Deere and  
9 Caterpillar parts.

10 (Motion moved and seconded.)

11 SUPERVISOR MAHAN: Supervisor votes aye.

12 Clerk will call the roll.

13 (Roll is called.)

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

16 SUPERVISOR MAHAN: The resolution is  
17 adopted.

18 MS. DEL TORTO: A resolution awarding  
19 the bid for copy paper and bond paper to W. B.  
20 Mason Company, Inc.

21 MS. MURPHY: W. B. Mason was the low  
22 bidder for the base bid for a total of  
23 \$17,646.59.

1 (Motion moved and seconded.)

2 SUPERVISOR MAHAN: Supervisor votes aye.

3 Clerk will call the roll.

4 (Roll is called.)

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

7 SUPERVISOR MAHAN: The resolution is  
8 adopted.

9 MS. DEL TORTO: A resolution authorizing  
10 the supervisor to execute the Albany County  
11 mutual aid and assistance agreement for  
12 disasters and other related emergencies.

13 MR. HAAK: This allows the Town of  
14 Colonie to work with the other municipalities  
15 within Albany County should the need for  
16 cooperation during a disaster occur.

17 (Motion moved and seconded.)

18 SUPERVISOR MAHAN: Supervisor votes aye.

19 Clerk will call the roll.

20 (Roll is called.)

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

23 SUPERVISOR MAHAN: The resolution is

1           adopted.

2                   MS. DEL TORTO: A resolution authorizing  
3           settlement or discontinuance, subject to  
4           judicial approval of the same, pursuant to  
5           Section 68 of the town law of various tax  
6           certiorari proceedings.

7                   MR. ROWLEY: This is a settlement of two  
8           tax assessment cases against the town. One is  
9           a tentative town refund of \$278.55 and the  
10          second one has a tentative town refund of  
11          \$1,084.89.

12                   (Motion moved and seconded.)

13                   SUPERVISOR MAHAN: Supervisor votes aye.

14                   Clerk will call the roll.

15                   (Roll is called.)

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

18                   SUPERVISOR MAHAN: The resolution is  
19          adopted.

20                   MS. DEL TORTO: A resolution appointing  
21          or re-appointing members of the Industrial  
22          Development Agency.

23                   MR. ROWLEY: This is appointing John

1           Kearney as the chairman and Ben Syden, Eric  
2           Phillips on the IDA board.

3                   (Motion moved and seconded.)

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

6                   (Roll is called.)

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

9           SUPERVISOR MAHAN: The resolution is  
10          adopted.

11          MS. DEL TORTO: A resolution authorizing  
12          the expenditure of funds from the insurance  
13          reserve fund for payment of legal fees,  
14          expenses and/or settlement in connection with  
15          tort litigation.

16          MR. ROWLEY: The total amount here is  
17          \$10,478.06.

18                   (Motion moved and seconded.)

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

21                   (Roll is called.)

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

1 SUPERVISOR MAHAN: The resolution is  
2 adopted.

3 MS. DEL TORTO: A resolution calling a  
4 public hearing in regard to the recommendations  
5 for the open development area known as Life  
6 Church, Inc. located at 685 Watervliet-Shaker  
7 Road.

8 MR. HAAK: This public hearing is  
9 scheduled for March 26, 2015 at 7 p.m. and the  
10 matter has been studied by the planning board  
11 which has made certain recommendations.

12 (Motion moved and seconded.)

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

15 (Roll is called.)

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

18 SUPERVISOR MAHAN: The resolution is  
19 adopted.

20 MS. DEL TORTO: A resolution awarding  
21 the bid for roof replacement at the public  
22 operations building to Titan Roofing, Inc. and  
23 authorizing the supervisor to enter into an

1 agreement for same.

2 MS. MURPHY: Titan Roofing is the low  
3 bidder at \$298,000.

4 (Motion moved and seconded.)

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

7 (Roll is called.)

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

10 SUPERVISOR MAHAN: The resolution is  
11 adopted.

12 MS. DEL TORTO: A resolution requiring  
13 the planning board to review and consider the  
14 proposed amendment to the Northern Pass PDD.

15 MR. HAAK: The town board asked the  
16 planning board to take a look at this, and then  
17 the planning board will make recommendations  
18 for the town board's consideration.

19 (Motion moved and seconded.)

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

22 (Roll is called.)

23 MS. DEL TORTO: The ayes have it, Madam

1 Supervisor.

2 SUPERVISOR MAHAN: The resolution is  
3 adopted.

4 MS. DEL TORTO: A resolution adopting  
5 review fees for the DPW/Bureau of Engineering  
6 for the year 2015.

7 MR. HAAK: This makes a slight  
8 alteration to the permit escrow amount that is  
9 paid in and held in escrow during this project.

10 (Motion moved and seconded.)

11 SUPERVISOR MAHAN: Supervisor votes aye.

12 Clerk will call the roll.

13 (Roll is called.)

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

16 SUPERVISOR MAHAN: The resolution is  
17 adopted.

18 MS. DEL TORTO: A resolution awarding  
19 the bid for vehicle and equipment parts and  
20 tires for DPW/Highway/Division Fleet  
21 Maintenance Department and authorizing the  
22 general services director to re-advertise for  
23 bids for KPAC hook lift parts.

1 MR. HAAK: This bid is awarded to the  
2 low bidder and then re-advertised.

3 (Motion moved and seconded.)

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

6 (Roll is called.)

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

9 SUPERVISOR MAHAN: The resolution is  
10 adopted.

11 MS. DEL TORTO: A resolution requiring  
12 the planning board to review and consider the  
13 proposed rezoning of land located at 2069,  
14 2079, 2090, 2092 Central Avenue, 24 Lishakill  
15 Road, and 20 Atwood Avenue from commercial  
16 office residential to industrial.

17 MS. MURPHY: The planning board will  
18 review the proposed rezoning and then make a  
19 recommendation to the town board with their  
20 findings.

21 (Motion moved and seconded.)

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

1 (Roll is called.)

2 MS. DEL TORTO: The ayes have it, Madam  
3 Supervisor.

4 SUPERVISOR MAHAN: The resolution is  
5 adopted.

6 MS. DEL TORTO: A resolution authorizing  
7 the supervisor to enter into an agreement to  
8 sell surplus millings and tailings to L & T  
9 Construction in connection with the Northway  
10 bridge replacement at exit four.

11 MR. HAAK: As we know, the bridge at  
12 exit four is being repaired and replaced, and  
13 the town has extra surplus millings and  
14 tailings which we are, in this resolution,  
15 authorizing to be sold to the contractor on the  
16 bridge replacement, bringing in some needed  
17 revenue to the town and helping this project  
18 along.

19 (Motion moved and seconded.)

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

22 (Roll is called.)

23 MS. DEL TORTO: The ayes have it, Madam

1 Supervisor.

2 SUPERVISOR MAHAN: The resolution is  
3 adopted.

4 Thank you very much for coming.

5 (Meeting concluded at 7:19 p.m.)

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C E R T I F I C A T I O N

I, Jeanne O'Connell, Registered Professional Reporter  
and Notary Public in and for the State of New York, do  
hereby certify that the foregoing to be a true and  
accurate transcription of the stenographic notes as  
taken by me of the aforesaid proceedings.

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Date

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Jeanne O'Connell