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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, on May 14, 2015 7:06 p.m. at Memorial Town
Hall, 534 Loudon Road, Newtonville, New York 12128

BOARD MEMBERS:

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

ALSO PRESENT:

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

1 SUPERVISOR MAHAN: Good evening. We have a
2 presentation tonight.

3 I'd like to ask Rebekah Kennedy to come forward.

4 On behalf of the Town Board, Mike Magguilli our
5 Town Attorney and members of the Attorney's office,
6 would like to congratulate you Rebekah.

7 Rebekah will be installed for the 2016 - 2017 year
8 as President of the Capital District Women's Bar
9 Association. Oh behalf of all the work that you've done
10 and all the accomplishments that you've made and being
11 voted in to this position for 2016 - 2017, we want to
12 recognize you with this proclamation. So, on behalf of
13 all of us, congratulations.

14 MS. KENNEDY: Thank you, very much. I appreciate
15 this.

16 SUPERVISOR MAHAN: That's just a little token of
17 our appreciation.

18 We'll do personnel first.

19 MS. DELTORTO: A Resolution appointing Christine
20 L. Horton to the position of Civil Service Aide 1,
21 part-time in the Civil Service Department.

22 MR. ROSANO: So moved.

23 MS. MURPHY: Second.

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

1 (The roll was called.)

2 MS. DELTORTO: The ayes have it, Madam Supervisor.

3 SUPERVISOR MAHAN: The Resolution is adopted.

4 Christine is not here this evening.

5 MS. DELTORTO: A Resolution appointing Amy L.

6 Hodson to the position of Civil Service Aide, 1, Grade

7 7 in the Civil Service Department.

8 MR. ROSANO: So moved.

9 MS. MURPHY: Second.

10 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,

11 call the roll.

12 (The roll was called.)

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

14 SUPERVISOR MAHAN: The Resolution is adopted.

15 Congratulations, Amy.

16 We will go onto our public hearings.

17 (Whereas the meeting was adjourned to address the
18 evening's public hearings and recommenced immediately
19 after.)

20 That's it for our public hearings. Does anyone
21 have any public comment?

22 (There was no response.)

23 We'll go onto our regular agenda.

24 MS. DELTORTO: A Resolution authorizing the Town

25 Supervisor to execute an addendum to the water tank and

1 Pump station agreement between Charlew Builders,
2 Incorporated and the Town of Colonie.

3 MR. ROSANO: 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 Supervisor.

9 SUPERVISOR MAHAN: The Resolution is adopted.

10 Congratulations, Amy.

11 MS. DELTORTO: A Resolution calling a public
12 hearing pursuant to Section 202b of the Town Law of the
13 State of New York in relation to the Osborne Road 0.5
14 million gallons elevated water tank rehabilitation
15 project.

16 MS. MURPHY: So moved.

17 MR. HAAK: Second.

18 SUPERVISOR MAHAN: This is for June 11th.

19 Supervisor votes aye. Clerk, call the roll.

20 (The roll was called.)

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

22 SUPERVISOR MAHAN: The Resolution is adopted.

23 MS. DELTORTO: A Resolution calling a public
24 hearing pursuant to Section 202b of the Town Law of the
25 State of New York in relation to the water main

1 replacement on Vista Avenue and Park Avenue in the Town
2 of Colonie.

3 MR. HAAK: This public hearing is also June 11,
4 2015 at 7:00 p.m. here at Town Hall. So moved.

5 MS. MURPHY: Second.

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

8 (The roll was called.)

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

10 SUPERVISOR MAHAN: The Resolution is adopted.

11 MS. DELTORTO: A Resolution authorizing
12 acceptance of a proposal from Capital Bauer/Arthur J.
13 Gallagher Risk Management Services to provide
14 commercial crime insurance coverage through Travelers
15 Insurance.

16 MR. HAAK: This is at an annual premium of
17 \$7,558.00 for the period of June 1, 2015 to June 1,
18 2016. So moved.

19 MS. MURPHY: 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 Supervisor.

24 SUPERVISOR MAHAN: The Resolution is adopted.

25 MS. DELTORTO: A Resolution authorizing the

1 acceptance of a proposal from Arthur J. Gallagher Risk
2 Management Services to provide a camp accident and
3 sickness policy through United States Fire Insurance.

4 MR. HAAK: This is in the amount of \$3,941.00 for
5 the period of June 25, 2015 to June 15, 2016. So
6 moved.

7 MR. ROWLEY: 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 Supervisor.

12 SUPERVISOR MAHAN: The Resolution is adopted.

13 MS. DELTORTO: Resolution Authorizing Use of Funds
14 Collected Pursuant to the.

15 Statement of Findings for the Boght Road/Columbia
16 Street Area Generic Environmental Impact Statement for
17 recreational improvements.

18 MR. ROSANO: So moved.

19 MS. MURPHY: 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 Supervisor.

24 SUPERVISOR MAHAN: The Resolution is adopted.

25 MS. DELTORTO: A Resolution authorizing use of

1 funds collected pursuant to the Statement of Findings
2 for the Lisha Kill/Kings Road Area Generic
3 Environmental Impact Statement for recreational
4 improvements.

5 MR. ROSANO: So moved.

6 MS. MURPHY: 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 Supervisor.

11 SUPERVISOR MAHAN: The Resolution is adopted.

12 MS. DELTORTO: Resolution 274 was adjourned to the
13 meeting of May 28th.

14 Resolution 275 is a Resolution authorizing the
15 Supervisor to execute an agreement with the South
16 Colonie Central School District for providing a Town
17 Police officer to act as a school resource officer.

18 MS. MURPHY: So moved.

19 MR. HAAK: This is for a period of one year for
20 the up-coming school year and the school district will
21 reimburse the town \$40,000.00. Second.

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

24 (The roll was called.)

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

1 SUPERVISOR MAHAN: The Resolution is adopted.

2 MS. DELTORTO: A Resolution authorizing settlement
3 or discontinuance, subject to judicial approval of the
4 same, pursuant to Section 68 of the Town Law, of
5 various tax certiorari proceedings.

6 MR. ROWLEY: This is for property located at 401
7 and 421 Old Niskayuna Road. The reduction on the 401
8 Old Niskayuna Road is \$200,000.00 of assessed value
9 which will be resulting in a Town refund of \$774.92.
10 The 421 Old Niskayuna Road property is not being
11 revised at all. So, there will be no cost to the Town.
12 So moved.

13 MR. GREEN: Second.

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

16 (The roll was called.)

17 MS. DELTORTO: The ayes have it, Madam Supervisor.

18 SUPERVISOR MAHAN: The Resolution is adopted.

19 MS. DELTORTO: A Resolution authorizing the
20 Supervisor to reimburse overpayment of estimated water
21 usage charges to various Town residents.

22 MR. ROWLEY: So moved.

23 MS. MURPHY: Second.

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

1 MS. DELTORTO: Councilman Green?

2 MR. GREEN: I recuse myself from this one.

3 MS. DELTORTO: Councilman Rowley?

4 MR. ROWLEY: Aye.

5 MS. DELTORTO: Murphy?

6 MS. MURPHY: Aye.

7 MS. DELTORTO: Haak?

8 MR. HAAK: Aye.

9 MS. DELTORTO: Rosano?

10 MR. ROSANO: Aye.

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

12 SUPERVISOR MAHAN: The Resolution is adopted.

13 MS. DELTORTO: A Resolution authorizing the
14 Supervisor to execute Change Order No. 2 with Layne
15 Christensen Company in connection with the well 1
16 redevelopment project.

17 MR. ROSANO: So moved. The increase in this will
18 be \$985.00.

19 MR. HAAK: 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 Supervisor.

24 SUPERVISOR MAHAN: The Resolution is adopted.

25 MR. ROSANO: A Resolution awarding the bid to

1 Ferguson Waterworks, H.D. Supply and Ti-Sales for pipe,¹⁰
2 fittings and hydrants for 2015.

3 MR. ROSANO: All low bidder. 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 Supervisor.

9 SUPERVISOR MAHAN: The Resolution is adopted.

10 MS. DELTORTO: A Resolution rescinding Resolution
11 20 for 2015 and adopting a new Resolution confirming
12 and designating depositories of Town Funds and
13 authorizing the Supervisor to transfer accounts as
14 deemed necessary.

15 MR. ROWLEY: So moved.

16 MR. GREEN: 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 Supervisor.

21 SUPERVISOR MAHAN: The Resolution is adopted.

22 MS. DELTORTO: A Resolution authorizing the
23 Supervisor to enter into an agreement with Stanley
24 Convergent Security Solutions, Incorporated in
25 connection with a service maintenance agreement for the

1 EMS Station 3 door system.

2 MR. HAAK: This is at a cost of \$40.00 per month
3 to cover labor and any materials. So moved.

4 MS. MURPHY: 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 Supervisor.

9 SUPERVISOR MAHAN: The Resolution is adopted.

10 MS. DELTORTO: A Resolution accepting the
11 dedication of Gabby Court, Tamarack Lane, Branchwood
12 Way and accepting land known as 12 Gabby Court, 27A
13 Tamarack Lane, 61 Tamarack Lane and 85A Tamarack Lane
14 in the Forest Hills Subdivision.

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 Supervisor.

21 SUPERVISOR MAHAN: The Resolution is adopted.

22 MS. DELTORTO: A Resolution calling a public
23 hearing in regard to the recommendation for the open
24 development area known as the Newcomer Funeral Home
25 located at 181 Troy Schenectady Road.

1 MR. ROSANO: The public hearing will be May 28,
2 2015. 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 Supervisor.

8 SUPERVISOR MAHAN: The Resolution is adopted.

9 MS. DELTORTO: Resolution declaring a portion of
10 Grandview Drive also known as 51A Grandview Drive to be
11 surplus property and authorizing the sale of same
12 subject to Section 90 of the New York State Town Law.

13 MR. HAAK: This is at the full market value of
14 \$1,033.00. So moved.

15 MR. ROWLEY: 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 Supervisor.

20 SUPERVISOR MAHAN: The Resolution is adopted.

21 MS. DELTORTO: A Resolution declaring a portion of
22 200A Onderdonk Avenue to be surplus property and
23 accepting a proposed land swap between the Town and the
24 Shaker Bay Homeowners Association subject to permissive
25 referendum.

1 MR. ROSANO: So moved.

2 MR. ROWLEY: This property has been deemed to be
3 of equal value. 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 Supervisor.

8 SUPERVISOR MAHAN: The 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 settlement
12 in connection with tort litigation.

13 MR. ROWLEY: This is in the amount of \$7,500.00
14 for the retention of an expert. 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 Supervisor.

20 SUPERVISOR MAHAN: The Resolution is adopted.

21 MS. DELTORTO: A Resolution aAuthorizing the Use
22 of Funds Collected pursuant to Generic Environmental
23 Impact Statements and Statements of Findings for the
24 purchase of a swing set for the Colonie Mohawk River
25 Park and design of a pavilion for the golf course.

1 MS. MURPHY: So moved.

2 MR. MAGGUILLI: It's not the Colonie Mohawk River
3 Plan - it should be the Colonie Mohawk River Park. I
4 apologize.

5 MS. DELTORTO: Is there a motion to make the
6 amendment?

7 MR. HAAK: So moved.

8 MR. GREEN: Second.

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

11 (The roll was called.)

12 MS. DELTORTO: The ayes have it, Madam Supervisor.
13 Now we have a motion by Councilwoman Murphy. We
14 need a second.

15 MR. ROSANO: 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 Supervisor.

20 SUPERVISOR MAHAN: The Resolution is adopted.

21 MS. DELTORTO: A Resolution authorizing the
22 Supervisor to enter into an agreement with the New York
23 State Division of Homeland Security and Emergency
24 Services in connection with access and use of certain
25 areas of the state preparedness training center.

1 MR. HAAK: So moved.

2 MR. GREEN: 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 Supervisor.

7 SUPERVISOR MAHAN: The Resolution is adopted.

8 MS. DELTORTO: A Resolution calling a public
9 hearing in regard to the Planning Board recommendation
10 for the proposed amendment in the Northern Pass PDD.

11 MR. ROSANO: This is scheduled for May 28, 2015.

12 So moved.

13 MR. HAAK: Second.

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

16 (The roll was called.)

17 MS. DELTORTO: The ayes have it, Madam Supervisor.

18 SUPERVISOR MAHAN: The Resolution is adopted.

19 MS. DELTORTO: A Resolution authorizing the
20 Supervisor to execute an agreement with August Bohl
21 Contracting Company, Incorporated, J.J.P. Slip Forming
22 Incorporated Bonded Concrete, Incorporated, and C.T.
23 Male Associates in connection with the removal and
24 replacement of deteriorated sidewalks along Sand Creek
25 Road.

1 MS. MURPHY: 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 Supervisor.

7 SUPERVISOR MAHAN: The Resolution is adopted.

8 MS. DELTORTO: A Resolution amending Resolution
9 No. 159 for 2014 requiring the Planning Board to review
10 and consider the proposed rezoning of land and proposed
11 open development area located at Elks Lane, Colonie
12 Senior Service Center Housing Project from single
13 family residential to planned development district to
14 include 12.37 acres of land as shown on Exhibit A
15 attached hereto.

16 MR. ROSANO: So moved.

17 MS. MURPHY: 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 Supervisor.

22 SUPERVISOR MAHAN: The Resolution is adopted.

23 Thank you all for attending.

24 (Whereas the above entitled proceeding was
25 concluded at 7:31 p.m.)

CERTIFICATION

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I, NANCY STRANG-VANDEBOGART, 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.

NANCY STRANG-VANDEBOGART

Dated June 30, 2015