

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, on September 1, 2016 7:00 p.m. at Memorial Town Hall 534 Loudon Road, Newtonville, New York 12128

BOARD MEMBERS:

- PAULA A. MAHAN, SUPERVISOR
- DAVID ROWLEY, DEPUTY SUPERVISOR
- PAUL ROSANO
- LINDA MURPHY
- DAVID GREEN
- CHRISTOPHER CAREY
- JENNIFER WHALEN

ALSO PRESENT:

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

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1 MS. DELTORTO: We're going to start with  
2 Resolution 406 which is a Resolution re-appointing  
3 Dorothy Esposito as a member of the Town of Colonie  
4 Board of Assessment Review.

5 MR. ROWLEY: So moved.

6 MS. WHALEN: 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 (Whereas the meeting was adjourned to address the  
13 public hearing and public comment session of the  
14 evening, and recommenced immediately after.)

15 MS. DELTORTO: A Resolution authorizing a change  
16 in Parks and Recreation Department's Rules and  
17 Regulations to permit certain flotation devices.

18 MS. MURPHY: So moved.

19 MS. WHALEN: Second.

20 SUPERVISOR MAHAN: This is an update on new types  
21 of devices that are long over due.

22 Supervisor votes aye. Clerk, call the roll.

23 (The roll was called.)

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

25 SUPERVISOR MAHAN: The Resolution is adopted.

1 MS. DELTORTO: A Resolution authorizing  
2 expenditure of funds from the Insurance Reserve Fund  
3 for payment of legal fees, expenses and/or settlement  
4 in connection with tort litigation.

5 MR. ROWLEY: This is payment in the amount of  
6 \$12,599.96 to the firm of Friedman Herschen. So moved.

7 MR. GREEN: 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: The Resolution authorizing the  
14 Supervisor to execute Deduct Change Order No. 1 with  
15 Peter Luizzi & Brothers Contracting, Incorporated. in  
16 connection with the Mohawk View Water Pollution Control  
17 Plant Paving and Drainage Improvement Project.

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 the

1 Supervisor to enter into an Agreement with Adirondack  
2 Cabling, Incorporated in connection with providing  
3 installation, repair, maintenance and testing of voice  
4 and data systems at various Town locations.

5 MR. GREEN: So moved.

6 MS. WHALEN: Second.

7 SUPERVISOR MAHAN: This is not to exceed  
8 \$5,000.00.

9 Supervisor votes aye. Clerk, 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: A Resolution authorizing the  
14 Supervisor to execute an amended Agreement with Barton  
15 & Loguidice in connection with the Wolf Road Pump  
16 Station Project.

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 Supervisor.

23 SUPERVISOR MAHAN: The Resolution is adopted.

24 MS. DELTORTO: A Resolution authorizing the  
25 General Services Director to award the bid to ANJO

1 Construction in connection with the 2016 Sanitary Sewer  
2 Repair Program and authorizing the Supervisor to enter  
3 into an Agreement for same.

4 MR. ROSANO: The sole bidder. So moved.

5 MR. GREEN: Second.

6 SUPERVISOR MAHAN: This is \$99,810.00.

7 Supervisor votes aye. Clerk, 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 the  
12 Supervisor to enter into an Agreement with Davis Ulmer  
13 Sprinkler Company in connection with the Fire Sprinkler  
14 Systems Testing and Inspections for various Town  
15 locations.

16 MS. WHALEN: So moved.

17 MR. CAREY: 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 MS. DELTORTO: A Resolution accepting the  
24 recommendation of the Comprehensive Plan Review  
25 Committee to retain Barton & Loguidice as consultants.

1 MR. ROSANO: So moved.

2 MS. MURPHY: Second.

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

5 MS. DELTORTO: Councilman Green?

6 MR. GREEN: My vote is aye. I just want to put a  
7 quick asterisk next to my aye vote. I have been  
8 thinking about this for the better part of two weeks  
9 and all the concerns that were raised. I also had the  
10 luxury of having read the report and I think that some  
11 of the frustrating things from the public's perspective  
12 is that they don't have that same privilege and that's  
13 why we are the voted officials and we have to be  
14 trusted that we are going to do the right things. This  
15 is a very impressive proposal and I think that when you  
16 see it, you're going to be very happy.

17 Just a couple of quotes from it:

18 The driving force in this process will be the  
19 shared knowledge and commitment of the citizens of  
20 Colonie. Furthermore the most successful Comprehensive  
21 Plans are those that are citizens involved in which they  
22 achieve a common vision.

23 Everyone here wants what is best for Colonie. This  
24 particular firm has the greatest expertise and the  
25 greatest knowledge of the Town of Colonie and

1 transparency is going to be huge going forward. Joe hit  
2 the nail on the head tonight and said that everything is  
3 going to be on the website almost instantaneously as  
4 it's approved or becomes available and through the  
5 public involvement with these, no less than 10 committee  
6 groups and other public works groups and focus groups  
7 and everything that goes on, I think that we can get  
8 there. If we all work together, I'm happy with what is  
9 in place right now. Going forward, I think that we have  
10 to scrutinize it very closely to make sure that we stay  
11 on target and we don't lose focus of what that target  
12 is. Right now I think that the target it, once you read  
13 the proposal, is a great target. At the end of the day,  
14 once the Comprehensive Plan is updated, it is still just  
15 a vision. It's not mandatory. It's not the law. It's  
16 something that still has to be put into place and  
17 reviewed with the Land Use Law and all the other  
18 developments. At the end of the day, I think that we  
19 have something good there that we're starting with.  
20 Hopefully, everyone can see that common goal.

21 With that, my vote is aye.

22 MS. DELTORTO: Councilman Rowley?

23 MR. ROWLEY: I'd like to echo Dave's comments and  
24 indicate that the community outreach portion of the  
25 proposal is quite extensive. It's what they are going

1 to be doing. They have several community meetings  
2 planned. They have public workshops. They have  
3 interviews with community leaders. They have round  
4 table focus group meetings. The proposals are optional  
5 but it sounds like we may want to pursue them which is  
6 a written survey and online survey and a community  
7 image preference survey. So, there are a lot of  
8 vehicles here for the public to comment and to help  
9 draft what has come up by the Town. For that reason,  
10 and what David just said, I also vote yes.

11 MS. DELTORTO: Councilwoman Murphy?

12 MS. MURPHY: I, too, vote aye. I want you all to  
13 understand that we all live in the Town of Colonie and  
14 we all want it to go in the right direction. We want  
15 to hear people. We want to cooperate with everybody  
16 and try to make it move forward as best as we can.

17 MS. DELTORTO: Councilwoman Whalen.

18 MS. WHALEN: I also have thought a lot about this  
19 as per being given this job and was worried somewhat  
20 about the conflict, but I did speak to Joe about it in  
21 the meeting upstairs and the TDE that we have in  
22 Colonie -- it's not the same person who is driving this  
23 effort. It's a totally different person. So, within  
24 the same company, sure -- but I don't think that there  
25 is such a risk of conflict because they are



1 professionals and they have been around a long time.  
2 They have done a lot of work for a lot of other  
3 municipalities. They don't represent developers. They  
4 only represent municipalities. I feel like there is a  
5 big enough degree of separation between the person who  
6 will be working on this more directly than the TDE from  
7 the same firm that works with our Planning Department.  
8 I'm satisfied that they will be able to transcend any  
9 real conflict and do a great job for us. We certainly  
10 do have a lot of knowledgeable people working with  
11 them. I will vote yes for this.

12 MS. DELTORTO: Councilman Carey.

13 MR. CAREY: I feel the same way as the other Board  
14 Members do. I have been at every Planning Board  
15 meeting this year. I think that I've missed two  
16 meetings. I was at both of the Comprehensive Planning  
17 meetings with you guys. Anytime that you guys have  
18 asked a question, it's been answered. I have never  
19 heard anybody on the committee shut anyone down.  
20 Sometimes I say to myself I don't know how Joe LaCivita  
21 does it because he's very patient. He gives people his  
22 business card. He asks people to call him, email me --  
23 he does whatever he needs to do to try to answer the  
24 questions and I think that as a Board, we have a great  
25 Board and we have a great Supervisor and I think that

1 if we all work together for a common goal, we'll  
2 continue to make Colonie the great Town that it is.

3 My vote is yes.

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

5 SUPERVISOR MAHAN: The Resolution is adopted.

6 MS. DELTORTO: A Resolution authorizing a refund  
7 to the Capital District Cricket Association in the  
8 amount of \$1,132.00.

9 MS. MURPHY: So moved.

10 MS. WHALEN: 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 Supervisor.

15 SUPERVISOR MAHAN: The Resolution is adopted.

16 MS. DELTORTO: A Resolution authorizing the  
17 Supervisor to reimburse for overestimated water usage  
18 at 108 Dunsbach Ferry Road and 106 Fonda Road.

19 MR. ROSANO: So moved.

20 MR. GREEN: Second.

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

23 (The roll was called.)

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

25 SUPERVISOR MAHAN: The Resolution is adopted.

1 MS. DELTORTO: A Resolution reappointing Dorothy  
2 Esposito as a member of the Town of Colonie Board of  
3 Assessment Review.

4 MR. ROWLEY: 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 accepting the  
12 dedication of a portion of Walnut Lane West in the  
13 Walnut Lane West Minor Subdivision.

14 MR. ROSANO: 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.

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23 (Whereas the above entitled proceeding was  
24 concluded at 8:3 p.m.)

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CERTIFICATION

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.

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NANCY L. STRANG

Dated \_\_\_\_\_