

TOWN BOARD

COUNTY OF ALBANY

TOWN OF COLONIE

TOWN BOARD SESSION

THE STENOGRAPHIC MINUTES of the above entitled matter by NANCY L. STRANG, a Shorthand Reporter, on September 22, 2016 7:01 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
- JENNIFER WHALEN

ALSO PRESENT:

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

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1 SUPERVISOR MAHAN: At this time, Liz Deltorto to
2 mold present to the Town Board the 2017 proposed
3 budget. At this time, this is called the tentative
4 budget.

5 Please stand for the pledge.

6 (The Pledge was recited.)

7 We will address the personnel.

8 MS. DELTORTO: A Resolution appointing Jason C.
9 Mura to the position of Paramedic in the Emergency
10 Medical Services Department.

11 MS. MURPHY: So moved.

12 MS. WHALEN: Second.

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

15 (The roll was called.)

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

17 SUPERVISOR MAHAN: The Resolution is adopted.

18 We'll have Peter Berry say a few words and
19 congratulations, also, Jason.

20 MR. BERRY: Thank you, Supervisor Mahan.

21 I'd like to thank you and the entire Town Board,
22 again, for your continued support of Public Safety.
23 This helps keep our full staff at full strength.

24 Jason comes to us with 10 year experience as a
25 paramedic. He was worked basically full-time hours for

1 us for many years. Now, he is transitioning over to a
2 full-time rank. Again, I really appreciate your support.
3 Thank you.

4 SUPERVISOR MAHAN: Thank you very much.

5 MS. DELTORTO: A Resolution appointing Anthony M.
6 Gogan to the position of Laborer, Grade 7, in the
7 DPW/Division of Latham Water.

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, Anthony.

16 MS. DELTORTO: A Resolution provisionally
17 appointing Vance M. Jones to the position of Water
18 Treatment Plant Maintenance Mechanic, Grade 25, in the
19 DPW/Division of Latham Water.

20 MR. ROSANO: So moved.

21 MR. ROWLEY: 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 Congratulations, Vance.

3 MS. DELTORTO: A Resolution permanently appointing
4 Diane E. Hoeffner to the position of Typist, Grade 6,
5 in the Justice Department.

6 MR. ROWLEY: So moved.

7 MS. MURPHY: 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 Congratulations, Diane.

14 That's it for personnel. We have no public
15 hearings, so does anyone have any public comment?

16 MR. SORENSON: I live at 342 Old Loudon Road.

17 I paid my water bill this month and it says there
18 is an administrative charge on this. Has there been
19 some unexpected expense requiring an administrative
20 charge or is it a \$10.00 charge just to pay my bill?
21 What is that?

22 SUPERVISOR MAHAN: John, when did we start this?

23 MR. FRAZER: In 2015.

24 SUPERVISOR MAHAN: This is the second year.

25 MR. SORENSON: I'm curious. What is that

1 administrative charge for?

2 SUPERVISOR MAHAN: John, will you explain that
3 please?

4 MR. FRAZER: The administrative charge is to cover
5 the cost of mailing and preparing water bills and the
6 cards that we mail out. What we did in 2015 as well is
7 we're charge for residential bills. So, now your bill
8 is based more on what you use versus the minimum charge
9 that we had in the old days prior to January 1, 2015.

10 MR. SORENSON: Okay, thank you, very much.

11 SUPERVISOR MAHAN: You're welcome.

12 Anyone else?

13 (There was no response.)

14 We will go onto the regular Resolutions.

15 MS. DELTORTO: A Resolution Calling a Public
16 Hearing Pursuant to Section 202 of the Town Law
17 Relative to the Annual Estimate of Expense of
18 Improvements and Benefit Assessment Roll for the Town
19 of Colonie Sewer Improvement Area.

20 MR. ROSANO: Public hearing will be held October
21 20th. So moved.

22 MR. ROWLEY: Second.

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

25 (The roll was called.)

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

2 SUPERVISOR MAHAN: The Resolution is adopted.

3 MS. DELTORTO: A Resolution Calling a Public
4 Hearing Pursuant to Section 202-A of the Town Law
5 Relative to the Annual Estimate of Expense of
6 Maintenance and Benefit Assessment Roll for the Town of
7 Colonie Sewer Improvement Area.

8 MR. ROSANO: Once again, October 20th; 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 MS. DELTORTO: Resolution 411 has been tabled.

16 A Resolution for the Town Board to approve
17 modifications to the General Town-Wide, General
18 Town-Outside Villages, Highway, Pure Waters District and
19 Latham Water District Funds' 2016 budgets.

20 MR. GREEN: Most of these modifications are budget
21 nurtural. There was a small increase where we had some
22 anticipated revenue that went up. So moved.

23 MR. ROWLEY: 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 MS. DELTORTO: A Resolution calling public
5 hearings in connection with Fire Protection District
6 contracts.

7 MS. MURPHY: So moved.

8 MR. ROWLEY: Second.

9 SUPERVISOR MAHAN: Those will be on October 20th
10 at 7:00 p.m.

11 Supervisor votes aye. Clerk, 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 MS. DELTORTO: A Resolution authorizing the
16 issuance of revenue anticipation notes and renewal
17 notes of the Town of Colonie, Albany County, New York,
18 in an aggregate principal amount not to exceed
19 \$3,200,000.

20 MR. GREEN: This is a Resolution that was do each
21 year at this time to cover the shortfall until the sale
22 tax revenue comes in January. It's also the same amount
23 as last year. So moved.

24 MR. ROWLEY: Second.

25 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,

1 call the roll.

2 (The roll was called.)

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

4 SUPERVISOR MAHAN: The Resolution is adopted.

5 MS. DELTORTO: A Resolution authorizing the
6 Supervisor to reimburse for overestimated water usage
7 at 1 Maxwell Road and 203 Lisha Kill Road.

8 MR. ROSANO: So moved.

9 MR. GREEN: 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 MS. DELTORTO: A Resolution requiring the Planning
16 Board to review and consider the proposed amendment in
17 the Northern Pass PDD.

18 MR. ROSANO: 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 Supervisor.

24 SUPERVISOR MAHAN: The Resolution is adopted.

25 MS. DELTORTO: A Resolution authorizing the

1 Supervisor to enter into a maintenance agreement with
2 Morpho Trust USA, LLC in connection with digital
3 imaging and fingerprinting for the Police Department.

4 MR. GREEN: 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 awarding the bid for
12 Night Vision Goggles to Personal Protection Group and
13 awarding the bid for Ballistic Helmets to LCEO, LLC.

14 MS. WHALEN: 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 authorizing the
22 Supervisor to enter into an Agreement with Porter Lee
23 Corporation in connection with the maintenance of the
24 evidence room computer software.

25 MR. GREEN: This is an annual software agreement

1 in the amount of \$709.00. 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 authorizing the Police
9 Department to apply for a New York State Division of
10 Homeland and Emergency Services Security Grant.

11 MR. GREEN: So moved.

12 MR. ROSANO: Second.

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

15 (The roll was called.)

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

17 SUPERVISOR MAHAN: The Resolution is adopted.

18 MS. DELTORTO: A Resolution authorizing the
19 Supervisor to enter into a Memorandum of Understanding
20 with the Albany County Department of Public Works and
21 the Capital District Transportation Committee in
22 connection with the Linkage Study for the Albany Shaker
23 Road Corridor Project.

24 MR. ROSANO: 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 Supervisor.

5 SUPERVISOR MAHAN: The Resolution is adopted.

6 MS. DELTORTO: A Resolution authorizing the
7 General Services Director to advertise for bids in
8 connection with the purchase of an Asphalt Paver for
9 the DPW/Division of Highway.

10 MS. WHALEN: So moved.

11 MS. MURPHY: Second.

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

14 (The roll was called.)

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

16 SUPERVISOR MAHAN: The Resolution is adopted.

17 MS. DELTORTO: A Resolution authorizing the
18 Supervisor to execute a registration form with the New
19 York State Department of Environmental Conservation in
20 connection with the Town Highway Facility located at
21 748 Watervliet Shaker Road as a Solid Waste Management
22 Facility for the transshipment of yard waste.

23 MR. ROSANO: So moved.

24 MR. GREEN: Second.

25 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,

1 call the roll.

2 (The roll was called.)

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

4 SUPERVISOR MAHAN: The Resolution is adopted.

5 MS. DELTORTO: A Resolution authorizing the
6 Supervisor to execute all documents necessary to
7 transfer lands to the New York State Department of
8 Transportation in connection with a highway work permit
9 for Auto Park Drive.

10 MR. ROSANO: So moved.

11 MR. GREEN: Second.

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

14 (The roll was called.)

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

16 SUPERVISOR MAHAN: The Resolution is adopted.

17 MS. DELTORTO: A Resolution authorizing the
18 Supervisor to execute a Certification Statement with
19 the New York State Department of Health in connection
20 with electronic billing to New York Medicaid.

21 MS. MURPHY: This is to help with the electronic
22 billing for the EMS. So moved.

23 MR. GREEN: 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 MS. DELTORTO: A Resolution authorizing settlement
5 or discontinuance, subject to judicial approval of the
6 same, pursuant to Section 68 of the Town Law, of
7 various tax certiorari proceedings.

8 MR. ROWLEY: This is a settlement of a case up at
9 39 Shaker Bay Road. It has been resolved. In January
10 there will be no refund. So moved.

11 MR. GREEN: Second.

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

14 (The roll was called.)

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

16 SUPERVISOR MAHAN: The Resolution is adopted.

17 MS. DELTORTO: A Resolution declaring items as
18 surplus and authorizing the General Services Director
19 to advertise the surplus auction and dispose of these
20 items through Auctions International.

21 MR. ROWLEY: So moved.

22 MS. MURPHY: Second.

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

25 (The roll was called.)

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

2 SUPERVISOR MAHAN: The Resolution is adopted.

3 MS. DELTORTO: A Resolution authorizing the
4 Supervisor to execute an Engineering Agreement with GHD
5 Consulting Services, Incorporated in connection with
6 performing SCADA system support, evaluation,
7 implementation and maintenance services for the
8 DPW/Division of Pure Waters.

9 MR. ROSANO: Not to exceed \$29,000.00. So moved.

10 MR. GREEN: 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 declare an emergency in connection with
18 repair of the sanitary sewer system at 21 Ahl Avenue by
19 ANJO Construction, Limited and authorizing the
20 Comptroller to expend Emergency Repair Reserve funds
21 for the same.

22 MR. ROSANO: The amount will be \$24,715.61. So
23 moved.

24 MR. GREEN: Second.

25 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,

1 call the roll.

2 (The roll was called.)

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

4 SUPERVISOR MAHAN: The Resolution is adopted.

5 MS. DELTORTO: A Resolution appointing Jessica
6 Ottney Mahar to the Comprehensive Plan Review
7 Committee.

8 SUPERVISOR MAHAN: I'd just like to say that we
9 have had a lot of discussion. As most of you know, the
10 Comprehensive Review Committee is in session at this
11 point. It's going to be a long process. I did, back
12 on September 6th, have a meeting with the group Save.
13 We had interesting conversation. Mike Magguilli
14 attended as well as Joe LaCivita. Some of this
15 discussion evolved into a consensus that it would be
16 good to have a member from the group as part of our
17 Comprehensive Plan Review Committee. I had put out a
18 recommendation to the Town Board Members with Jessica's
19 resume and I think that everyone believed that she has
20 an outstanding resume with lots of background in the
21 conservation, environment. She is on the Pine Bush
22 Technical Committee, among many other excellent
23 qualifications.

24 Jessica couldn't be here tonight but we did have a
25 good discussion because this is an addition to the

1 Committee. Initially, we were happy with the number of
2 people that we had on the Committee, but after
3 discussion and meeting and everyone talking about this,
4 we feel that this is a very good decision to add Jessica
5 as someone who could communicate with that group. Also,
6 with other residents in that area. We do have some
7 other residents on that Board, but we do feel that this
8 is an important issue and that's why we have this
9 Resolution this evening.

10 That gives you a little background on why we are
11 adding another member. We also came to the consensus
12 that the Committee is now formed and there will be
13 meetings with neighborhood groups, neighborhood group
14 presidents and members of the different groups. Some of
15 them are organized and have officers and members that
16 continually communicate with us. Others are not as
17 organized. We will include them all. They all will
18 have an opportunity.

19 With that, I vote aye.

20 MS. MURPHY: So moved.

21 MR. GREEN: Second.

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

24 MS. DELTORTO: Councilman Rosano?

25 MR. ROSANO: I also want it understood that this

1 is the last member of the community. It was the
2 consensus of this Board.

3 SUPERVISOR MAHAN: Everyone agreed on that
4 upstairs. We all agreed that this is an important
5 addition.

6 MS. WHALEN: The Comprehensive Review Committee
7 had a great meeting last night and they are really
8 getting into the meat and potatoes of their goal and
9 their focus. I think that any more entries would maybe
10 upset the apple cart but certainly the public has
11 plenty of opportunity to come and comment at each and
12 every meeting and really be a part of the forum.

13 I just also want to add that I have seen this
14 particular resident make comments at meetings and she is
15 very impressive and very knowledgable and I'm happy that
16 she is being appointed and I'm going to vote in favor of
17 her being added. I feel that it's even more significant
18 that she is just an average resident of Colonie that has
19 credentials. I am happy about it because she is getting
20 a seat at the table, not because she is a member of any
21 group or any party but she is actually credentialed and
22 is going to do a very good job, despite her affiliations
23 with Save or anybody else. I am please because as an
24 individual resident of this Town, she is getting an
25 opportunity to sit at the table because she is

1 passionate about the environment and she will actually
2 bring a fresh perspective and she is very good at grant
3 writing. She is going to be a good addition. That's
4 why I'm really happy that she is being added.

5 I would also like to add that there will be more
6 appointments like this to come when it comes to
7 committees, boards, agencies. We did agree upstairs
8 that we were going to be putting a new tab on our
9 website where we would make it more known to the public
10 that there will be vacancies and opportunities for
11 residents to participate formally. They are always given
12 the chance to be part of the public comment and
13 participate informally, but I think that's a really good
14 step in the right direction. I look forward to more
15 appointments like this to come.

16 SUPERVISOR MAHAN: Let me just clarify that one
17 thing - just as Jen just said, she is a resident with
18 excellent credentials. She is being asked to be on
19 this because of the fact that she has the credentials
20 and she has the ability to communicate with the
21 neighborhood groups and others. She is willing to
22 communicate and share information and she will have
23 first-hand information because she will have a seat at
24 the table. She is coming on as a resident but has that
25 ability to communicate with many groups, including

1 Save. That's the understanding had conveyed to me and
2 I think that others that she talked to.

3 (The roll was called.)

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

5 SUPERVISOR MAHAN: The Resolution is adopted.

6 MS. DELTORTO: A Resolution calling a public
7 hearing in regard to the Planning Board recommendation
8 for the proposed amendment in The Crossings PDD.

9 MR. ROSANO: The hearing will be on October 6th.
10 So moved.

11 MR. GREEN: Second.

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

14 (The roll was called.)

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

16 SUPERVISOR MAHAN: The Resolution is adopted.

17 MS. DELTORTO: A Resolution calling a public
18 hearing in regard to the Planning Board recommendation
19 for the proposed amendment in the Northern Pass PDD.

20 MR. ROSANO: The hearing will be October 6th. So
21 moved.

22 MR. GREEN: Second.

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

25 (The roll was called.)

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

SUPERVISOR MAHAN: The Resolution is adopted.

Thank you all for coming.

(Whereas the above entitled proceeding was
concluded at 7:21 p.m.)

CERTIFICATION

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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.

NANCY L. STRANG

Dated _____