

RESOLUTION NO. 201-A FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwoman Kristen Blais
Councilmen Rick Field, Sr.
Alvin Gamble
Julian Kovacs
Mark McCumber
Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution provisionally promoting Shane M. Brino to the position of Sewage Treatment Plant Manager, Grade 19, in the DPW/Division of Pure Waters.

BE IT RESOLVED that Shane M. Brino be, and hereby is, provisionally promoted to the position of Sewage Treatment Plant Manager, Grade 19, in the DPW/Division of Pure Waters at an annual salary of \$98,573.00, effective June 1, 2026, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 201-B FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwoman Kristen Blais
Councilmen Rick Field, Sr.
Alvin Gamble
Julian Kovacs
Mark McCumber
Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution permanently appointing E. Tucker Edwards to the position of Sewage Treatment Plant Operator, Grade 22, in the DPW/Division of Pure Waters.

WHEREAS, the Personnel Officer has certified E. Tucker Edwards as eligible for permanent appointment from eligible list WS-097, established January 15, 2026;

BE IT RESOLVED that E. Tucker Edwards be, and hereby is, permanently appointed to the position of Sewage Treatment Plant Operator, Grade 22, in the DPW/Division of Pure Waters at an annual salary of \$60,930.00, effective June 1, 2026.

RESOLUTION NO. 201-C FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey

Councilwoman Kristen Blais

Councilmen Rick Field, Sr.

Alvin Gamble

Julian Kovacs

Mark McCumber

Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution permanently appointing Samuel J. Semon to the position of Planner (HELP Program), in the Planning and Economic Development Department.

BE IT RESOLVED that Samuel J. Semon be, and hereby is, permanently appointed to the position of Planner (HELP Program)(FT), in the Planning and Economic Development Department an annual salary of \$72,686.00, effective June 1, 2026.

RESOLUTION NO. 201-D FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey

 Councilwoman Kristen Blais

 Councilmen Rick Field, Sr.

 Alvin Gamble

 Julian Kovacs

 Mark McCumber

 Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution appointing Renee A. DeVarnne to the position of Clerical Aide in the Justice Department.

BE IT RESOLVED that Renee A. DeVarnne be, and hereby is, appointed to the position of Clerical Aide, in the Justice Department at an hourly rate of \$17.31, effective June 1, 2026.

RESOLUTION NO. 202 FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey

Councilwoman Kristen Blais

Councilmen Rick Field, Sr.

Alvin Gamble

Julian Kovacs

Mark McCumber

Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution appointing Kerry Sleasman as a member of the Conservation Advisory Council.

BE IT RESOLVED that Kerry Sleasman be, and hereby is, appointed as a member of the Conservation Advisory Council filling the unexpired term of Michael Lang to December 31, 2026 at a salary set forth in the 2026 budget.

RESOLUTION NO. 203 FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwoman Kristen Blais
Councilmen Rick Field, Sr.
Alvin Gamble
Julian Kovacs
Mark McCumber
Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution requiring the Planning and Development Director to review and consider the proposed amendment of 32 Preston Drive in the Canterbury Crossing PDD.

WHEREAS, the Town Board received a request to amend the Canterbury Crossing PDD to permit the installation of a 12' x 24' pool at 32 Preston Drive;

BE IT RESOLVED that this request is hereby referred to the Planning and Development Director for action consistent with PDD zoning regulations.

RESOLUTION NO. 204 FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwoman Kristen Blais
Councilmen Rick Field, Sr.
Alvin Gamble
Julian Kovacs
Mark McCumber
Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an agreement with Morris Fence, LLC, to furnish and install new post sleeves at the Michael J. Anson Memorial Pocket Park.

WHEREAS, the Parks and Recreation Department has undertaken improvements to Town pocket parks; and

WHEREAS, the redesign of the tennis and basketball courts at the Michael J. Anson Memorial Pocket Park, located at 24 Frederick Avenue, requires the installation of new post sleeves and post settings; and

WHEREAS, Morris Fence, LLC submitted a quote to furnish and install one (1) set of post sleeves for the tennis court and two (2) post settings for the basketball poles; and

WHEREAS, no other quotes were received in connection with this project; and

WHEREAS, Morris Fence, LLC provided a quote in the amount of \$6,800.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an agreement with Morris Fence, LLC, to furnish and install new post sleeves at the Michael J. Anson Memorial Pocket Park in an amount not to exceed \$6,800.00; and

BE IT FURTHER RESOLVED that the above agreement is subject to the review and approval of the Town Attorney's Office.

RESOLUTION NO. 205 FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey
 Councilwoman Kristen Blais
 Councilmen Rick Field, Sr.
 Alvin Gamble
 Julian Kovacs
 Mark McCumber
 Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an agreement with New York StateWide Senior Action Council, Inc. in connection with providing health insurance counseling to Town residents for the period of April 1, 2026 through March 31, 2027.

WHEREAS, New York StateWide Senior Action Council, Inc. will provide Medicare health insurance counseling to Town residents from April 1, 2026 through March 31, 2027; and

WHEREAS, New York StateWide Senior Action Council will pay the Town \$5,000.00 per year for these services;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an agreement with New York StateWide Senior Action Council, Inc. in connection with providing health insurance counseling to Town residents; and

BE IT FURTHER RESOLVED that such agreement is subject to the review and approval of the Town Attorney's Office.

RESOLUTION NO. 206 FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwoman Kristen Blais
Councilmen Rick Field, Sr.
Alvin Gamble
Julian Kovacs
Mark McCumber
Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an agreement with New York StateWide Senior Action Council, Inc. in connection with publishing twelve (12) informational articles in the Senior Resources monthly newsletter for the period of April 1, 2026 through March 31, 2027.

WHEREAS, the Senior Resources Department shall publish twelve (12) articles or informational advisories in their monthly newsletter for the period of April 1, 2026 through March 31, 2027; and

WHEREAS, the Town shall receive \$1,000.00 per year from New York StateWide Senior Action Council, Inc. for publishing same;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement with New York StateWide Senior Action Council, Inc. in connection with publishing twelve (12) informational articles in the Senior Resources monthly newsletter; and

BE IT FURTHER RESOLVED that such agreement is subject to the review and approval of the Town Attorney's Office.

RESOLUTION NO. 207 FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwoman Kristen Blais
Councilmen Rick Field, Sr.
Alvin Gamble
Julian Kovacs
Mark McCumber
Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an engineering agreement with Environmental Design & Research (EDR), in connection with cybersecurity services for the DPW/Division of Pure Waters.

WHEREAS, the DPW/Division of Pure Waters must implement a cybersecurity compliance and risk mitigation plan for its Supervisory Control and Data Acquisition (SCADA) network in order to comply with regulatory requirements to take effect in March of 2027; and

WHEREAS, EDR submitted a proposal to develop and implement said cybersecurity compliance and risk mitigation plan at a cost not to exceed \$15,000.00; and

WHEREAS, the DPW/Division of Pure Waters has reviewed the proposal and determined EDR is uniquely qualified due to their extensive institutional knowledge of the Division's SCADA architecture, control logic, and alarm management systems, in addition to their familiarity with the Town's network;

BE IT RESOLVED that EDR is authorized to provide cybersecurity compliance services at a cost not to exceed \$15,000.00; and

BE IT FURTHER RESOLVED that the Supervisor be, and hereby is, authorized to execute an engineering agreement for same subject to the review and approval of the Town Attorney's Office.

RESOLUTION NO. 208 FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwoman Kristen Blais
Councilmen Rick Field, Sr.
Alvin Gamble
Julian Kovacs
Mark McCumber
Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 2 to the contract with ANJO Construction, Ltd., in connection with the West Albany Memorial Park Ice Skating Facility Improvement Project.

WHEREAS, pursuant to Resolution No. 466 for 2025, a contract was awarded to ANJO Construction, Ltd. for the West Albany Memorial Park Ice Skating Facility Improvement Project; and

WHEREAS, during construction it became necessary to modify the location of the chiller equipment, impacting the required size of the security fence and gate panels; and

WHEREAS, ANJO Construction, Ltd. submitted a cost proposal to install five-foot gate panels in lieu of the originally designed four-foot gate panels for an additional cost of \$428.00; and

WHEREAS, sufficient funds are available in the project budget to accommodate such increase as the grant is supplemented by developer-posted public benefit funds;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 2 to the contract with ANJO Construction, Ltd. in connection with the West Albany Memorial Park Ice Skating Facility Improvement Project; and

BE IT FURTHER RESOLVED that the above change order is subject to the review and approval of the Town Attorney's Office.

Bidder ID:	18993	18559
Bidder:	Flach Industries, Inc.	J Squared Construction Corporation

Item Group 3581: Plastic Tank(s) and Overhead Door

Item ID	Description	Bid Amount	Bid Amount
3581A	Provide and install new, garage-style overhead door to the Town's chemical room.	\$ 91,410.22	\$ 8,000.00
3581C	Provide and install two (2) 8ft diameter polyethylene chemical storage tanks and associated appurtenances.	\$ 48,280.00	\$ 104,000.00

Grand Total Amount Bid for Item Group 33601:	\$ 139,690.22	\$ 112,000.00
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LOW BID AMOUNT	LOW BIDDER FOR ITEM GROUP
\$ 139,690.22	Flach Industries, Inc.

*Reject J Squared Construction Corporation due to a discrepancy in their proposal that does not accurately reflect the scope of work to be provided.

Exhibit "A"

EXHIBIT "A"

RESOLUTION NO. 210 FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwoman Kristen Blais
Councilmen Rick Field, Sr.
Alvin Gamble
Julian Kovacs
Mark McCumber
Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a payment plan agreement with Jared Garone and JJ Companies in connection with outstanding water charges to the DPW/Division of Latham Water.

WHEREAS, Jared Garone and JJ Companies (“Customer”) purchased water at the Public Operations Center’s bulk water filling hydrant during the calendar year 2023; and

WHEREAS, the Customer was charged \$5,875.05 for said water usage, which remains unpaid to date; and

WHEREAS, the Customer has agreed to enter into a payment plan with the Town of Colonie to satisfy the outstanding balance for water charges during calendar year 2023; and

WHEREAS, the proposed agreement provides for a one-time lump sum payment in the amount of \$3,000.00 to be paid by June 15, 2026, and payment of the remaining balance of \$2,875.05 to be paid over a 6-month term, subject to interest at a rate of 6.75%, which reflects the prime rate as published by the Wall Street Journal on May 12, 2026;

NOW, THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a payment plan agreement with Jared Garone and JJ Companies in connection with outstanding water charges to the DPW/Division of Latham Water; and

BE IT FURTHER RESOLVED that such agreement is subject to the review and approval of the Town Attorney’s Office.

RESOLUTION NO. 211 FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwoman Kristen Blais
Councilmen Rick Field, Sr.
Alvin Gamble
Julian Kovacs
Mark McCumber
Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution awarding the contract to Decker Group Northeast, LLC, in connection with the installation of brick pavers at the Newtonville Park and Environmental Center.

WHEREAS, pursuant to an advertisement placed on May 20, 2026, four (4) bids were received in connection with the installation of brick pavers at the Newtonville Park and Environmental Center as attached hereto as Exhibit "A"; and

WHEREAS, it is the recommendation of the Department of Public Works to award the contract to the low bidder, Decker Group Northeast, LLC, in an amount not to exceed \$23,869.00;

BE IT RESOLVED that a contract be, and hereby is, awarded to the low bidder, Decker Group Northeast, LLC, and authorizing the Supervisor to execute an agreement for same; and

BE IT FURTHER RESOLVED that the agreement in connection herewith is subject to review and approval by the Town Attorney's Office.

Item Group 37301: Pavers

Bidder ID:	19009	18658	19008	18598
Bidder:	Decker Group Northeast LLC	High Country Handscap & Landscape Designs LLC	Jiwan Construction Inc.	Wm. J Keller & Sons Construction Corp.
Description	Bid Price	Bid Price	Bid Price	Bid Price
Provide all labor, materials and equipment to install pavers.	\$23,869.00	\$52,000.00	\$46,800.00	\$47,499.00
Grand Total Amount Bid for Item Group 37301:	\$23,869.00	\$52,000.00	\$46,800.00	\$47,499.00

LOW BID AMOUNT LOW BIDDER FOR ITEM GROUP
\$23,869.00 Decker Group Northeast LLC

Item Group 37302: Stamped Concrete

Bidder ID:	19009	18658	19008	18598
Bidder:	Decker Group Northeast LLC	High Country Handscap & Landscape Designs LLC	Jiwan Construction Inc.	Wm. J Keller & Sons Construction Corp.
Description	Bid Price	Bid Price	Bid Price	Bid Price
Provide all labor, materials and equipment to install stamped concrete.	\$19,880.00	\$52,000.00	\$49,450.00	\$47,776.00
Grand Total Amount Bid for Item Group 37302:	\$19,880.00	\$52,000.00	\$49,450.00	\$47,776.00

LOW BID AMOUNT LOW BIDDER FOR ITEM GROUP
\$19,880.00 Decker Group Northeast LLC

RESOLUTION NO. 212 FOR 2026

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 28th day of May, 2026 at 6:00 PM.

PRESENT: Supervisor Peter G. Crummey

Councilwoman Kristen Blais

Councilmen Rick Field, Sr.

Alvin Gamble

Julian Kovacs

Mark McCumber

Joel Weingarten

ABSENT: None

Councilman ___ offered the following resolution and moved its adoption:

Resolution adopting a proposed local law to rescind and replace Town Code Chapter 119, entitled “Hotels and Motels.”

WHEREAS, proof of notice having been furnished, the public hearing on a proposed local law was held at 6:00 PM on May 28, 2026, with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that local law rescinding and replacing Chapter 119, entitled “Hotels and Motels” of the Code of the Town of Colonie be, and hereby is, adopted.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Colonie

Local Law No. __ of the year 2026

A local law rescinding and replacing Chapter 119 of the Code of the Town of Colonie - "Hotels and Motels".

Be it enacted by the Town Board of the Town of Colonie of as follows:

ARTICLE I

Definitions and Intent

§ 119-1. Purpose and intent.

It is the purpose and intent of this Chapter to promote the public health, safety, and general welfare of the citizens of the Town and that of the Guests of Hotels located within the Town.

§ 119-2. Definitions.

- A. As used in this Chapter, the following terms shall have the meanings indicated:
1. **APPLICANT** – any Person who signs an application for a License, Permit, or both pursuant to this Chapter.
 2. **CALLS FOR SERVICE** - Any and all calls to the Town that result in police, fire, emergency medical services, or any Town representative being dispatched or directed to a Hotel, including calls for service within the surrounding neighborhood that, through information or investigation, can be traced to a Hotel or its Guests. Calls for Service shall also include any self-initiated activity or investigation by the Town due to a credible, articulable concern.
 3. **DRUG-RELATED ARRESTS** - Arrests by a police department or other law enforcement agency involving the use, sale, or manufacture of any illegal drug at a Hotel, or, through information or investigation, that can be traced to the Hotel or its Guests.

4. GUEST – Any and all individuals who exercise occupancy in a Hotel whether such occupancy is by concession, agreement, or in exchange for compensation or other services, whether payment or services are made by the individual or a third party. The term Guest includes, but is not limited to, lodgers, tourists, transients, travelers, occupants, boarders, visitors, and Registered Sex Offenders.
5. HIGH MANAGERIAL AGENT — any officer or director of a corporation; any member of a limited-liability company; any partner in a partnership; any sole proprietor; or any agent of any type of business entity in a position of authority with respect to the formulation of policy or the management of a Hotel, or who serves in a managerial capacity in any way.
6. HOTEL — Any commercial establishment within the Town of Colonie in which occupancy, lodging or overnight accommodations are offered and provided in exchange for rent, including motels, inns, tourist homes, trailer parks, trailer camps, boardinghouses, rooming houses, halfway houses, rehabilitation facilities, prison transitional facilities, or any other structure, building, or part of a building used in the business of renting rooms, individual or several, or any similar establishment where sleeping accommodations are furnished to Guests in exchange for rent, whether or not kitchens are available or meals are served therein. Hotel includes the parking lot and other common areas of the Hotel.
7. LICENSE — A document issued by the Town pursuant to this Chapter authorizing the holder to own, operate, manage, or lease a Hotel in the Town of Colonie.
8. LICENSED PREMISES — Any Hotel as defined above, together with all other real property and improvements appurtenant thereto for which a License has been issued.
9. LICENSEE — Any Person granted a License to own, operate, manage, or lease a Hotel within the Town of Colonie.
10. LICENSEE’S DESIGNATED AGENT – the person at the Licensed Premises said to have the highest managerial authority at that particular time, as stated by any staff member.
11. OCCUPANCY – the use or possession, or the right to the use or possession, of any room in a Hotel.
12. PERMIT – A document issued by the Town pursuant to this Chapter allowing for the occupancy of a Registered Sex Offender at a Licensed Premises.
13. PERMITTED LICENSED PREMISES - Any Hotel as defined herein for which both a License and a Permit has been issued.

14. PERSON — Any individual, firm, partnership, corporation, limited-liability company, franchisee, association, or entity of any kind.
 15. PROSTITUTION-RELATED ARRESTS - Arrests by a police department or other law enforcement agency involving sex trafficking or the promotion or patronization of prostitution at the Hotel or, through information or investigation, can be traced to the Hotel or its staff, guests, lodgers, or visitors.
 16. REGISTER — A paper document or digital record which must be maintained by a Licensee pursuant to § 119-15 of this Chapter.
 17. REGISTERED SEX OFFENDER — A person who has been convicted of a violation of a sexual offense, as defined by the New York State Penal Law or federal law, and who has received a Level One, Two, or Three designation as described in Article 6-C of the New York State Correction Law, or under any other state or federal law which would require that individual to register as a sex offender under such respective state or federal law.
 18. RENT - Consideration charged, whether or not received, for the occupancy of a room in a Hotel whether to be received in money, goods, vouchers, labor, services, or other means.
 19. VIOLENT CRIME - Any violation of Article 120, 125, 130, 135, 150, 160, or 265 of the Penal Law of the State of New York that occurs at a Hotel or, through information or investigation, can be traced to a Hotel or its Guests.
- B. Unless specifically defined above, all terms used in this Chapter shall be interpreted to give them the meanings they have in common usage and to give this Chapter the most reasonable application.

§ 119-3. Interpretation.

This Chapter shall be liberally construed so as to effectuate the purposes described herein. Nothing herein shall be construed to abridge the powers and responsibilities of any police department or law enforcement agency in enforcing the provisions of this Chapter, and nothing herein shall be construed to abridge the emergency powers of any health department, fire department, emergency medical services department, or any other department or agency or their right to engage in any necessary or proper activities.

§119-4. Conflicts.

If any provision of this Chapter conflicts with any federal, state, or local law, the more restrictive or stringent provision shall apply.

§119-5. Severability.

If any part of this Chapter is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force and effect without being impaired or invalidated in any way.

§ 119-6. Record-Keeping.

The Town shall keep a record of all applications and determinations for Licenses and Permits pursuant to this Chapter. Records shall include, at a minimum, the date(s) of issuance, date(s) of expiration, date(s) of suspension, termination, or revocation, if any, and a record of all reports of violations related to the Applicant, Licensed Premises, the Licensees, or associates of same.

ARTICLE II

Hotel – License to Operate Required

§ 119-7. License Required to Operate a Hotel.

No Person shall engage in the business of owning or operating a Hotel in the Town of Colonie without first obtaining a **License to Operate (“License”)** from the Town for each Hotel owned or operated by said Person.

§ 119-8. Application for License.

- A. Every Person desiring to own or operate a Hotel in the Town shall make a written application for a License on a form supplied by the Town.
- B. Any Hotel in operation on the effective date of his Chapter shall apply for a License hereunder within 30 days of such effective date.
- C. Applications for a License shall include all information required by the Town and must be signed by the owner, operator, or High Managerial Agent having full authority over the Hotel’s operations.

§ 119-9. Administrative Review and Inspection for Securing License.

- A. The Town shall inspect the Premises to be licensed within 90 days of the application to review the property for compliance with all applicable health, fire, safety, building and zoning ordinances, laws, and regulations. If the property is not in compliance with any such laws or regulations, the Town shall notify the Applicant that the application is denied, setting forth the reasons for the denial. The Applicant shall have 30 days to

correct any deficient condition and request a reinspection for the purpose of securing a License.

- B. The Town shall conduct an administrative review of the Applicant's past and present business operations including but not limited to Calls for Service, Drug-Related Arrests, Prostitution-Related Arrests, and arrests for, or credible reports of, Violent Crime, prior insolvency, foreclosure, or revocation of licenses in other locations.

§ 119-10. Criminal Convictions Barring Issuance of License.

No License shall be issued to any Applicant who has been convicted of any crime defined as a felony or a Class A misdemeanor under Articles 120, 125, 130, 135, 140 or 160 of the New York Penal Law, subject in each case to the rehabilitation procedures under Article 23-A of the New York Correction Law, nor shall any License be issued to any Applicant representing a partnership, limited liability company, corporation, franchisee, or other business entity in which any partner, member, officer, director, High Managerial Agent, principal, or stockholder holding 5% or more of the stock thereof, has been convicted of any crime defined as a felony or a Class A misdemeanor under Articles 120, 125, 130, 135, 140 or 160 of the New York Penal Law, subject in each case to the rehabilitation procedures under Article 23-A of the New York Correction Law. In cases of franchise Hotels, this paragraph is applicable to the Franchisee having an ownership interest in the Hotel seeking to be Licensed in the Town of Colonie.

§119-11. Term of License; Annual Renewal; License Fee.

- A. Licenses issued under this Article shall be for a term of one year commencing on the date of issuance, subject to the revocation provisions of this Article. Licenses may be renewed on an annual basis, subject to the Town's review and reinspection of the Licensed Premises.
- B. The annual fee for each License shall be as set by resolution of the Town Board and shall be on file in the Clerk's office. The fee is due upon initial application and upon each annual renewal. All fees are non-refundable.
- C. The Licensee shall notify the Town, in writing, of any change in information provided by the Licensee in the License application during the term of the License within fifteen (15) calendar days of such change.

§119-12. Display Required.

All Licenses shall be prominently displayed in a conspicuous place in the lobby or registration area of the Licensed Premises. The License shall be referred to as the "Colonie License to Operate a Hotel."

§119-13. Transfer of License Prohibited.

A License shall be valid only to the Licensee to whom it is issued and only for the Licensed Premises stated on the License. No transfer of any License issued hereunder

shall be permitted. Any sale of all or substantially all of the Licensed Premises, or any merger or other consolidation of, or any transfer of more than 50% in ownership or voting interest in any Licensee that is a corporation, partnership, or other business entity shall be deemed a transfer for purpose of this Chapter.

§119-14. Ongoing Inspections of Licensed Premises.

In addition to inspections required during the initial application for a License or for a renewal, the Town may inspect any Licensed Premises at any time with written notice to the Licensee ten (10) or more calendar days in advance of the inspection.

§119-15. Keeping and Inspecting of Register.

- A. Any Licensed Premises shall keep for a period of three (3) years a Register which shall show for every Guest or individual over the age of 16 who is provided with occupancy their name, permanent residence, identification number of government issued photo identification, date of arrival, date of departure, and room number or other symbol identifying the room assigned to each Guest or individual.
- B. The Town may request to inspect the Register for the purposes of investigating complaints and enforcing this Chapter.
- C. The Town may demand to inspect the Register and compel compliance through any lawful means.
- D. Nothing contained herein shall preclude the Town from obtaining access to the Registers by any lawful means including, but not limited to, a duly issued subpoena or warrant.

§ 119-16. Posting of Provisions of this Chapter.

Every Licensee shall post in a public and conspicuous place and manner in the registration office or lobby of the Licensed Premises a notice that a printed copy of this Chapter is available for inspection by the public in such registration office.

§119-17. Suspension or Revocation of License; Hearing.

- A. Any License issued under this Chapter may be revoked by the Town subject to the revocation proceedings set forth in this Section, for any of the following reasons:
 - 1. Violation of any provision of this Chapter.
 - 2. Failure to cure any violation of any applicable health, fire, safety, building or zoning ordinance, law, regulation, or statute within the time provided in the Town of Colonie Land Use Law, or other applicable code or statute, after notification to the Licensee of such violation.
 - 3. Failure to make reasonable efforts to prevent Guests or others from engaging in activities at the Licensed Premises, whether alone or in conjunction with others, which would constitute a violation of Articles 220, 225 or 230 of the Penal Law of the State of New York, or for failure to make reasonable efforts to abate such use by ejecting such occupants or other persons on or about the Licensed Premises, notifying law enforcement authorities, or by other legal means.

4. Excessive Calls for Service, Drug-Related Arrests, Prostitution-Related Arrests, and arrests for, or credible reports of, Violent Crime at the Licensed Premises.
5. Making a false statement in an application for a License.
6. Falsification of a Register or the use or maintenance of more than one (1) Register for the purpose of evading any provision of this Chapter.

B. Revocation Proceedings:

1. If the Town seeks to revoke a License issued pursuant to this Article, the Town shall issue a “**Notice of Intent to Revoke License**” setting forth the grounds for the revocation. Such Notice shall be delivered to the Licensee or the Licensee’s Designated Agent by personal delivery at the Licensed Premises.
2. Licensee shall have ten (10) calendar days from the date of personal delivery to file a notice of appeal to the Hotel Review Board. Notice of appeal shall be in writing addressed to the Chair of the Board and personally delivered. Failure to file a notice of appeal within ten (10) calendar days shall result in automatic revocation of the License at 11:59 p.m. on the tenth calendar day after delivery of the Notice of Intent to Revoke License.
3. Within ten (10) calendar days of receipt of a notice of appeal, the Hotel Review Board shall provide the Licensee with written notice of the date, time, and location for a hearing at which time the Licensee shall have the opportunity to be heard. Such notice shall be delivered to the Licensee by U.S. Mail to the address of the Licensed Premises and shall be postmarked at least ten (10) calendar days prior to said hearing.

C. Procedures Following Revocation: When a License is revoked, or if an initial or renewal application for a License is denied, the Hotel shall be vacated and operations shall be ceased as follows:

1. The Town shall provide a “**Notice of Revocation of License**” and shall post such Notice in a conspicuous place on the exterior main entrance door and in the lobby or registration area of the building.
2. License must be surrendered to the Town immediately.
3. The Hotel shall immediately cease renting or providing occupancy to new Guests.
4. Current Guests of the Hotel must be vacated within 28 days by the Licensee in a manner that complies with state and local law. Should the law require more time be given to any Guest, then any such Guest shall be vacated within the minimum number of days required by law.
5. The property and structures shall be secured from trespass including but not limited to boarding, locking, and securing all entrances, parking areas, and outside spaces.

D. Immediate Suspensions. If, in the Town’s judgment, the nature of any violation of this Chapter is such that continued operation of the Hotel is detrimental to the health, safety, and welfare of Guests of the Hotel or the residents of the Town, then the Town may immediately suspend the Hotel’s License and require operations to cease immediately, subject to the Licensee’s request for an expedited hearing. In such case, the Town shall issue a “**Notice of Immediate Suspension of License**” which shall be personally

delivered to Licensee or Licensee's Designated Agent by personal delivery to the Licensed Premises. Operations shall cease within 24 hours pursuant to the procedures set forth in Paragraph C of this Section unless Licensee provides written notice of appeal and request for an expedited hearing to the Town's Zoning Board of Appeals within 24 hours of delivery of the Notice of Immediate Suspension.

§ 119-18. Violations of Article II; Penalties.

A. Violations.

The following shall constitute Violations under this Article:

1. Operating a Hotel in the Town of Colonie without first obtaining a License to do so under this Chapter.
2. Continuing to operate a Hotel in the Town of Colonie after revocation or suspension of a License.
3. Failing to provide the Town with updated information as required by this Chapter.
4. Failing to properly display a License, Permit, or other required postings.
5. Failing to maintain a Register as required by this Chapter, or maintaining more than one Register for the purpose of evading any provision of this Chapter.
6. Removing a Notice of Revocation of License or a Notice of Immediate Suspension.

B. Penalties.

Any Person convicted of any violation of this Article shall be subject to a daily fine of not more than \$1,000 for each day the violation continues, or by imprisonment for a period not to exceed sixty days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense, and fines shall be cumulative.

ARTICLE III

Occupancy

§ 119-19. Occupancy limits.

- A. Occupancy of any Hotel by any Guest or individual shall be limited to no more than 28 consecutive days except that occupancy shall be allowed for more than 28 days within an extended stay unit as defined in § 190-6, which complies with all applicable New York State and Town codes.
- B. Occupancy of any Hotel, by any Guest or individual shall be limited to no more than 60 days in any 180-day period, except that such occupancy shall be allowed for more than 60 days within an extended stay unit provided the Guest has a legal address elsewhere and provides proof of such address prior to check in.
- C. For the purpose of calculating occupancy limits, a Guest's stay will be treated as continuous if the guest, or anyone staying with the guest, registers again in the same room, a different room in the same property, or another property owned or operated by the same Licensee or a related Licensee with at least a 5% ownership interest. Changing rooms, re-registering, or registering under another occupant's name shall be considered a single occupancy for the purpose of calculating occupancy limits.
- D. The occupancy limits set forth in this Article shall not apply to Guests who provide government-issued photo identification as required by § 119-20 that includes the individual's permanent place of residence other than the Hotel at which the individual is registering. The Licensee shall photocopy the identification required by § 119-20 and shall keep such record for a minimum of one year.
- E. No Licensed Premises or agent thereof shall charge or accept rent, money, or other consideration by an hourly rate or any increment less than one full day's room rental.
- F. In extraordinary circumstances, a Licensee, together with a Guest, may apply to the Town Board in writing, by submitting a written request to the Town Clerk, for an extension of the twenty-eight-day limitation period upon a showing by clear and convincing evidence that an extension of time is required for humanitarian reasons. The application must show by clear and convincing evidence that an extraordinary circumstance exists, and, in addition, must set forth all steps that have been taken to find the Guest suitable permanent housing elsewhere.

§ 119-20. Photo identification required.

Every Hotel must require all adult Guests to produce government-issued photo identification

at the front desk immediately upon arrival.

§ 119-21. Age restriction.

Any Guest occupying a Hotel must be at least 18 years of age unless accompanied by a parent or legal guardian. However, a Hotel may provide occupancy to Guests under the age of 18 without a parent or legal guardian if such Guests are part of a school group, sports or extracurricular team, convention, corporate meeting, pageant, or other similar booking, and the Hotel enters into a signed written contract with such group for said occupancy. Said contract must be maintained by the Licensee for at least one year and a copy must be on file at the Hotel.

§ 119-22. Violations of Article III; Penalties.

A. Violations - the following shall constitute Violations under this Article:

1. Exceeding the 28-day or 60-day occupancy limits set forth in Paragraphs A and B of §119-19.
2. Accepting money or other consideration at an hourly rate or at a rate that is less than one full day's rental rate.
3. Renting to Guests without requiring government issued photo identification.
4. Renting to Guests under the age of 18 without a signed written contract with a group.

B. Penalties.

A violation of this Article shall be punishable by a fine of not less than \$100 nor more than \$500, or 15 days in jail, or both, except that, where the Licensee was found to have violated this Article within the preceding five years, the fine may be not more than \$1,000, or 15 days in jail, or both. Each day that a violation continues shall be deemed a separate offense and fines shall be cumulative.

ARTICLE IV

Registered Sex Offender Occupancy Permit

§ 119-23. Permit required to house registered sex offenders.

No Person shall engage in the business of renting to or providing occupancy to one or more registered sex offenders without (1) obtaining a License as required by this Chapter and (2) obtaining a **Registered Sex Offender Occupancy Permit ("Permit")** from the Town as provided herein.

§ 119-24. Application for Permit.

- A. The Licensee of any Hotel required to be Permitted as provided for herein shall make a written application to the Town on a form supplied by the Town.
- B. The Licensee of any Hotel required to be permitted pursuant to this Article that is in operation on the effective date of this Article shall apply for a Permit within 30 days of such effective date.
- C. Applications for a Permit shall include all information required by the Town and must be signed by the Licensee of the Hotel.
- D. No Permit shall be granted unless the Licensed Premises which is the subject of the permit application is eligible to house Registered Sex Offenders pursuant to state law.

§ 119-25. Permit Fee.

The annual fee per year for said Permit shall be as set by resolution of the Town Board and shall be on file in the Clerk's office. The fee is due upon initial application and upon application for each annual renewal. All fees are nonrefundable.

§ 119-26. Term of Permit; Display Required.

- A. Permits issued under the provisions of this Article shall be for a term of one year commencing on the date of their issuance, unless sooner revoked pursuant to this Article.
- B. All Permits shall be prominently displayed in a conspicuous place in the lobby or registration area of the Licensed Premises along with a notice that a printed copy of this Article is available for inspection by the public in the registration office.
- C. The Licensee shall notify the Town, in writing, of any change in information provided by the Licensee in the Permit Application within ten (10) calendar days of such change.

§ 119-27. Transfer of Permit Prohibited.

A Permit shall be valid only to the Licensee to whom it is issued and only for the Licensed Premises stated on the Permit. No transfer of any Permit issued hereunder shall be allowed. Any sale of all or substantially all of the Licensed Premises or the assets of or merger or other consolidation of or any transfer of more than 50% in ownership or voting interest in any licensee that is a corporation, partnership or other entity shall be deemed a transfer for purposes of this article.

§ 119-28. Occupancy Points.

- A. There is hereby established in the Town of Colonie an occupancy point system applicable to Licensed Premises that have been issued a Permit under this Article. Said point system shall be based upon and equal to the risk level designation

assigned to a Registered Sex Offender by the sentencing court pursuant to Correction Law § 168-n. For the purposes of this Article, a Level One Registered Sex Offender is hereby assigned one occupancy point; a Level Two Registered Sex Offender is hereby assigned two occupancy points; and a Level Three Registered Sex Offender is hereby assigned three occupancy points.

- B. A Hotels with 50 or fewer units are hereby assigned a maximum of six occupancy points. Hotels with 51 or more units are hereby assigned a maximum of nine occupancy points.
- C. Hotels may provide accommodations to registered sex offenders up to the maximum allowable occupancy points per day. For the purpose of example only, a permitted Licensed Premises with 50 or fewer units may provide accommodations to no more than two Level Three Registered Sex Offenders at any one time or no more than three Level Two Registered Sex Offenders at any one time.

§ 119-29. Suspension or Revocation of Permit; Hearing.

- A. Any Permit issued under this Article may be revoked by the Town for any violation of this Article, subject to the provisions herein.
- B. If the Town intends to revoke a Permit issued pursuant to this Article, the Town shall issue a **Notice of Intent to Revoke Registered Sex Offender Occupancy Permit**. Such Notice shall set forth the grounds for revocation and shall be delivered to the Licensee or the Licensee's Designated Agent by personal delivery at the Permitted Licensed Premises.
- C. Revocation shall be effective ten (10) calendar days after delivery of Notice unless Licensee provides timely written notice of appeal.
- D. Licensee shall have ten (10) calendar days from the date of personal delivery to file a notice of appeal to the Hotel Review Board. Failure to file a notice of appeal within ten (10) calendar days shall result in automatic revocation of the Permit at 11:59 p.m. on the tenth calendar day. Notice of appeal shall be in writing addressed to the Chair of the Hotel Review Board and personally delivered.
- E. Within ten (10) calendar days of receipt of a notice of appeal, the Hotel Review Board shall provide the Licensee with written notice of the date, time, and location for a hearing at which time the Licensee shall have the opportunity to be heard. Such Notice shall be delivered to the Licensee by U.S. Mail to the Permitted Licensed Premises and shall be postmarked at least ten (10) calendar days prior to said hearing.
- F. Procedures Following Revocation of Permit: When a Permit is revoked or if a Permit is denied, the Hotel shall immediately cease renting or providing occupancy to new Registered Sex Offenders and shall vacate any current Registered Sex Offenders within ten calendar days (10 days) in a manner that complies with state

and local law. Should the law require more time be given, then any such Registered Sex Offender shall be vacated within the minimum number of days required by law.

- G. A Permit may be suspended immediately if the Town finds the nature of the violation of this Article to be detrimental to the health, safety, or welfare of other guests of the Hotel or the inhabitants of the Town. In such case, the Town shall issue a **Notice of Immediate Suspension of Permit** which shall be personally delivered to Licensee or Licensee's Designated Agent by personal delivery to the Licensed Premises. Licensee shall immediately begin the process of vacating Registered Sex Offenders unless Licensee provides written notice of appeal and request for an expedited hearing to the Hotel Review Board within 24 hours of delivery of the Notice of Immediate Suspension.

§ 119-30. Violations of Article IV; Penalties.

- A. The following shall constitute Violations under this Article:
- (1) Knowingly providing accommodations to a Registered Sex Offender in any Hotel within the Town of Colonie without first obtaining a Permit as required by this Article.
 - (2) Knowingly providing accommodations to a Registered Sex Offender in any Hotel within the Town of Colonie if the occupancy by such Registered Sex Offender results in the Hotel exceeding its maximum number of assigned occupancy points at any one time on any given day.
 - (3) Failing to Display a Permit as required by this Article.
 - (4) Failing to notify the Town within 30 days of any new or changed information provided on the application for a Permit.
 - (5) Transferring a Permit issued pursuant to this Article.
- B. Any Licensee or Person who violates any provision of this Article shall, upon conviction thereof, be punished as follows:
- (1) Upon a first conviction: by a fine not less than \$50 and not more than \$250 or by imprisonment for a period not to exceed seven days, or by both such fine and imprisonment.
 - (2) Upon a second conviction: by a fine not less than \$100 and not more than \$250 or by imprisonment for a period not to exceed 10 days, or by both such fine and imprisonment.
 - (3) Upon a third or subsequent conviction: by a fine not less than \$250 or by imprisonment for a period not to exceed 15 days, or by both such fine and imprisonment.
 - (4) Notwithstanding a conviction for a violation of any provisions of this Article, the Licensee may also be subject to revocation of any Permit or License herein granted without reimbursement of fees paid therefor.

(5) Any penalties provided for in Town Law § 135.

C. Each day that a violation continues shall be deemed a separate offense and fines shall be cumulative.

ARTICLE V

Enforcement of Chapter

§ 119- 31. Enforcement.

- A. The Town's Building Department and Police Department are each vested with authority to issue appearance tickets for any violation of this Chapter.
- B. An action or proceeding in the name of the Town of Colonie may be commenced in any court of competent jurisdiction to compel compliance with the provisions of this Chapter.
- C. Any penalties imposed hereunder shall be cumulative and not exclusive. The Town reserves the right to pursue any and all other remedies available by law or in equity, including but not limited to, the revocation or suspension of any License or Permit.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, ascribed as Local Law No. __ of 2026 of the **Town of Colonie** was duly passed by the Town Board on _____, 2026 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, ascribed as local law No. __ of 20__ of the (Town) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not disapproved)(repassed after disapproval) by the (Elective Chief Executive Officer*) on _____ 20__ in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law No. __ of 20__ of the (Town) of _____ was duly passed by the (Name of Legislative Body) on _____ 20__, and was (approved)(not disapproved)(repassed after disapproval) by (Elective Chief Executive Officer*) on _____ 20__.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20__ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law No. __ of 20__ of the (Town) of _____ was duly passed by the (Name of Legislative Body) on _____ 20__ and was (approved)(not disapproved)(repassed after disapproval) by the (Elective Chief Executive Officer*) on _____ 20__. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20__ in accordance with the applicable provisions of law.

***Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative**

body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law No. __ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20__, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, ascribed as local law No. __ of 20__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November __, 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph _____ above.

Clerk of the county legislative body, City, Town or Village Clerk
or officer designated by local legislative body

Date:

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ALBANY

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature Town of Colonie Town Attorney
Date: