

RESOLUTION NO. 70-A FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution permanently promoting Andrew R. Biance to the position of Paramedic (PT), in the EMS Department.

BE IT RESOLVED that Andrew R. Biance be, and hereby is, permanently promoted to the position of Paramedic (PT), in the EMS Department at an hourly rate of \$29.45, effective January 27, 2025.

RESOLUTION NO. 70-B FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

**Resolution permanently appointing Madison M. Lyles to the position of
Emergency Medical Technician (PT), in the EMS Department.**

WHEREAS, the Personnel Officer has certified Madison M. Lyles as eligible for appointment from eligible list EMT03-24A, established March 12, 2024;

BE IT RESOLVED that Madison M. Lyles be, and hereby is, appointed to the position of Emergency Medical Technician (PT), in the EMS Department at an hourly rate of \$21.97, effective January 27, 2025.

RESOLUTION NO. 70-C FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution permanently appointing Madison O'Connor to the position of Emergency Medical Technician (PT) in the EMS Department.

WHEREAS, the Personnel Officer has certified Madison O'Connor as eligible for appointment from eligible list EMT03-24B, established October 24, 2024;

BE IT RESOLVED that Madison O'Connor be, and hereby is, appointed to the position of Emergency Medical Technician (PT), in the EMS Department at an hourly rate of \$21.97, effective January 27, 2025.

RESOLUTION NO. 70-D FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution appointing Paul Tonic, Jr. to the position of Public Safety Dispatcher (NY HELPS) in the Police Department.

BE IT RESOLVED that Paul Tonic, Jr. be, and hereby is, appointed to the position of Public Safety Dispatcher (NY HELPS), in the Police Department at an annual salary of \$49,234, effective January 27, 2025.

RESOLUTION NO. 70-E FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution reinstating Steven T. Geurds to the position of Records Management Coordinator (PT), Grade 13, in the Town Clerk's Office.

WHEREAS, the Personnel Officer has certified Steven T. Geurds as eligible for reinstatement from Eligible List #04-647, established March 24, 2004;

BE IT RESOLVED that Steven T. Geurds be, and hereby is, reinstated to the position of Records Management Coordinator (PT), Grade 13, in the Town Clerk's Office an hourly rate of \$38.98, effective January 27, 2025.

RESOLUTION NO. 71 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution naming Julie L. Gansle as Delegate and Peter G. Crummey as Alternate Delegate to the Association of Towns Meeting to be held February 16-18, 2025.

BE IT RESOLVED that Julie L. Gansle and Peter G. Crummey be, and they hereby are, named as Delegate and Alternate Delegate, respectively, to the Association of Towns Meeting to be held February 16-18, 2025.

RESOLUTION NO. 72 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Paul D. Shepard for Federal Housing Quality Standard inspection services in connection with the Residential Rehabilitation Program.

WHEREAS, the Residential Rehabilitation Program assists low and moderate-income level homeowners in the Town of Colonie, Village of Colonie and the Village of Menands to bring single-family or manufactured dwellings up to the Federal Housing Quality Standards; and

WHEREAS, the Town desires to engage the services of the Consultant to assist in the Federal Housing Quality Standard inspections; and

WHEREAS, Paul D. Shepard will provide Federal Housing Quality Standard inspection services at an hourly rate of \$50.00, not to exceed \$7,500.00 per year; and

WHEREAS, the duration of projects shall not exceed the time guidelines listed below without prior authorization from the Town; and

- Initial Inspection – 4 hours (max)
- Final Inspection – 2 hours (max)
- 50% Inspection – 2 hours (max)
- Initial Emergency Inspection – 2 hours (max)
- Final Emergency Inspection – 2 hours (max)
- Estimate Review – 1 hour (max)
- Change Order Verification – 1 hour (max)

WHEREAS, the above agreement shall remain in effect from February 1, 2025 through January 31, 2026 with an option to renew annually upon mutual consent;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement with Paul D. Shepard for federal housing quality standard inspection services in connection with the Residential Rehabilitation Program; and

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

RESOLUTION NO. 73 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor Peter G. Crummey
 Councilwomen Kristen Blais
 Melissa Jeffers
 Councilmen Rick Field, Sr.
 Alvin Gamble
 Jeffrey Madden
 Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution awarding the bid to Fort Orange Press, Inc. in connection with the design, printing and mailing of Newsletters and Postcards for the Town of Colonie.

WHEREAS, pursuant to advertisement on October 23, 2024, the following seven (7) proposals were received in connection with the design, printing and mailing of Newsletters for the Town of Colonie:

Item 13801 – Newsletter, Full Color

	VENDOR	Newsletter Full Color
1.	Fort Orange Press, Inc.	\$14,030.40
2.	Lane Press of Albany	No Bid
3.	K-B Offset Printing, Inc.	\$26,340.00
4.	Digital X-Press	\$50,741.10
5.	Courier Printing Corp.	\$19,950.00
6.	Graphic Image	\$18,900.00
7.	Indiana Printing & Publishing	\$31,236.00

WHEREAS, this bid has a renewal clause for two (2) additional one (1) year periods ending in December 31, 2026 and December 31, 2027 that the parties may agree to renew their contract based on mutual consent and unchanged pricing; and

WHEREAS, after review of the bids by the Director of Purchasing and General Services and upon his recommendation;

BE IT RESOLVED that the low bidder, Fort Orange Press, Inc., be awarded for the design, printing and mailing of Newsletters for the Town of Colonie;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute agreements pertaining to the same.

BE IT FURTHER RESOLVED that such agreements are subject to the review and approval of the Town Attorney's office.

RESOLUTION NO. 74 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Director of Purchasing and General Services to advertise for bids/RFP in connection with Insurance Brokerage Services.

BE IT RESOLVED that the General Services Director be, and hereby is, authorized to advertise for bids/RFP in connection with Insurance Brokerage Services.

RESOLUTION NO. 75 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with JustFOIA in connection with FOIL management software for 2025.

WHEREAS, the Town is desirous in obtaining FOIL software to assist in processing all Town FOIL requests; and

WHEREAS, JustFOIA will also provide training and security at an annual subscription cost not to exceed \$13,091.00 for the first year and \$11,782.05 for the second year;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an Agreement with JustFOIA in connection with FOIL management software for 2025; and

BE IT FURTHER RESOLVED that such agreements are subject to the review and approval of the Town Attorney's office.

RESOLUTION NO. 76 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing acceptance of a proposal from Arthur J. Gallagher Risk Management Services, Inc. in connection with the renewal of the Owners and Contractors Protective Liability insurance coverage for the Town through Selective Insurance of the Southeast.

WHEREAS, the Town of Colonie maintains certain insurance coverage, including a policy providing Owners and Contractors Protective Liability insurance coverage, which the Town maintains for benefit of the New York State Department of Transportation as required by same in connection with the Town's use and occupancy of various State-owned rights-of-way; and

WHEREAS, Arthur J. Gallagher Risk Management Services, Inc., on January 3, 2025, provided a proposal detailing the Town's options for such policy, which included a quote from Selective Insurance of the Southeast to provide such coverage at a premium cost of \$283.00; and

WHEREAS, the policy period is effective from February 1, 2025 through February 1, 2026; and

WHEREAS, Selective Insurance of the Southeast is the incumbent carrier for this policy, which has historically met the Town's needs for such coverage; and

WHEREAS, the quote provided by Selective Insurance Company of the Southeast included a premium amount that was flat as compared to its expiring coverage and was within the Town's financial requirements for such policy as budgeted; and

WHEREAS such proposal was reviewed by the Town Attorney's Office, the Office of Comptroller, and the Department of Public Works and, following such review the Town Attorney's Office, the Office of the Comptroller, and the Department of Public Works have recommended that such coverage be bound with Selective Insurance of the Southeast based on the insurance product offered, the cost of same, and the existing relationship with this carrier;

NOW THEREFORE BE IT RESOLVED that the proposal from Arthur J. Gallagher Risk Management Services, Inc. to obtain Owners and Contractors Protective Liability insurance coverage through Selective Insurance of the Southeast be, and hereby is, accepted; and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to take any action required to bind coverage for this policy with Selective Insurance of the Southeast; and

BE IT FURTHER RESOLVED that any agreement required in connection with this resolution is subject to the review and approval of the Town Attorney's office.

BE IT FURTHER RESOLVED that Town employees and/or staff are authorized to complete any documentation required to effectuate the terms of this resolution.

RESOLUTION NO. 77 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing acceptance of a proposal from Arthur J. Gallagher Risk Management Services, Inc. in connection with Professional Liability, including General Liability coverage for the Town's Emergency Medical Service providers through TDC Specialty Insurance Company (A XV).

WHEREAS, the Town of Colonie maintains certain insurance coverage, including a policy providing professional liability coverage, including general liability coverage for its emergency medical service providers; and

WHEREAS, Arthur J. Gallagher Risk Management Services, Inc. ("Gallagher"), on January 13, 2025, provided a proposal detailing the options for such policy, which included a quote from TDC Specialty Insurance Company (A XV) to provide the required coverage at a premium cost to the Town of not more than \$89,038.25; and

WHEREAS, the policy period is effective from February 7, 2025 through February 7, 2026; and

WHEREAS, TDC Specialty Insurance Company (A XV) is the incumbent carrier for this policy, which has historically met the Town's needs for such coverage; and

WHEREAS such proposal was reviewed by the Town Attorney's Office and the Office of Comptroller and, following such review the Town Attorney's Office and Office of the Comptroller have recommended that such coverage be bound with TDC Specialty Insurance

Company (A XV) based on the insurance product offered, the cost of same, and existing relationship with this carrier;

NOW THEREFORE BE IT RESOLVED that the proposal from Arthur J. Gallagher Risk Management Services, Inc. to obtain professional liability coverage, including general liability coverage for the Town's emergency medical service providers through TDC Specialty Insurance Company (A XV) is hereby accepted; and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to take any action required to bind coverage for this policy with TDC Specialty Insurance Company (A XV); and

BE IT FURTHER RESOLVED that any agreement required in connection with this resolution is subject to the review and approval of the Town Attorney's office.

RESOLUTION NO. 78 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to accept gifts or donations to the Town of Colonie with a value of \$9,500.00 or less.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to accept gifts or donations to the Town of Colonie with a value of \$9,500.00 or less for the period of January 1, 2025 to December 31, 2025.

RESOLUTION NO. 79 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to permit the Conservation Advisory Committee to use budgeted funds for a grant to Shaker High School to assist in starting a composting program.

WHEREAS, the Conservation Advisory Committee is interested in donating \$1,500 of budgeted funds to Shaker High School;

BE IT RESOLVED the Supervisor be, and hereby is authorized to permit the Conservation Advisory Committee to use budgeted funds for a grant to Shaker High School to assist in starting a composting program.

RESOLUTION NO. 80 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Director of Purchasing and General Services to advertise for bids in connection with In-Place Asphaltic Concrete Paving for the year 2025.

BE IT RESOLVED that the Director of Purchasing and General Services be, and hereby is, authorized to advertise for bids in connection with the In-Place Asphaltic Concrete Paving for the year 2025.

RESOLUTION NO. 81 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor Peter G. Crummey
 Councilwomen Kristen Blais
 Melissa Jeffers
 Councilmen Rick Field, Sr.
 Alvin Gamble
 Jeffrey Madden
 Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing expenditure of funds from the Insurance Reserve Fund for payment of legal fees, expenses and/or settlement in connection with litigation.

BE IT RESOLVED that expenditure from the Insurance Reserve Fund for payment of legal fees, expenses and/or settlement in connection with litigation be, and it hereby is, authorized as follows:

<u>PAYEE</u>	<u>AMOUNT</u>
Cooper Erving & Savage (Fusco)	\$ 157.50
Total	\$ 157.50

RESOLUTION NO. 82 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a Contract with Stephen Kay, LLC in connection with second stage of the Golf Course Master Plan for the Town of Colonie Golf Course.

WHEREAS, Stephen Kay, LLC will develop the second stage of the Master Plan for the Town of Colonie Golf Course at a cost not to exceed \$270,000.00; and

WHEREAS, the second stage of the Master Plan will include field design and construction inspections;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a Contract with Stephen Kay, LLC in connection with the second stage of the Golf Course Master Plan for the Town of Colonie Golf Course; and

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

RESOLUTION NO. 83 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution requiring the Planning and Economic Development Director to review and consider the proposed amendment of 25 Justin Street in the Maxwell Road Senior PDD.

WHEREAS, the Town Board recommends that the Planning and Economic Development Director review the amendment of the Maxwell Road Senior Planned Development District; and

WHEREAS, the applicant seeks to install a 8' x 12' deck at 25 Justin Street;

BE IT RESOLVED that the Planning and Economic Development Director be, and hereby is, authorized to review and consider the proposed amendment of the Maxwell Road Senior PDD.

RESOLUTION NO. 84 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Wild Goose Chase NE in connection with controlling the geese population at the Crossings, the Town Golf Course, the Town Library and at Memorial Town Hall.

WHEREAS, Wild Goose Chase NE will control the geese population at the Crossings, the Town Golf Course, the Town Library and at Memorial Town Hall at a cost not to exceed \$10,620.00 per year;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement with Wild Goose Chase NE in connection with controlling the geese population at the Crossings, the Town Golf Course, the Town Library and at Memorial Town Hall; and

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

RESOLUTION NO. 85 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Director of Purchasing and General Services to advertise for proposals in connection with contracting a NYS licensed engineer to perform engineering services and project management support for the DPW/Division of Pure Waters.

BE IT RESOLVED that the Director of Purchasing and General Services be, and hereby is, authorized to advertise for proposals in connection with contracting a NYS licensed engineer to perform engineering services and project management support for the DPW/Division of Pure Waters.

RESOLUTION NO. 86 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Director of Purchasing and General Services to advertise for bids in connection with the Sodium Hypochlorite holding tank for the Mohawk View Water Pollution Control Plant for the year 2025.

BE IT RESOLVED that the Director of Purchasing and General Services be, and hereby is, authorized to advertise for bids in connection with the Sodium Hypochlorite holding tank for the Mohawk View Water Pollution Control Plant for the year 2025.

RESOLUTION NO. 87 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Director of Purchasing and General Services to advertise for bids in connection with the Rodger Drive Pump Station Rehabilitation Project for the DPW/Division of Pure Waters.

BE IT RESOLVED that the Director of Purchasing and General Services be, and hereby is, authorized to advertise for bids in connection with the Rodger Drive Pump Station Rehabilitation Project for the DPW/Division of Pure Waters.

RESOLUTION NO. 88 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Director of Purchasing and General Services to advertise for bids in connection with Forestry Services and Timber Sales for the DPW/Division of Latham Water.

BE IT RESOLVED that the Director of Purchasing and General Services be, and hereby is, authorized to advertise for bids in connection with Forestry Services and Timber Sales for the DPW/Division of Latham Water.

RESOLUTION NO. 89 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with East Coast Power LLC in connection with providing maintenance and repair of Town owned street lights.

WHEREAS, East Coast Power LLC will provide maintenance and repair of Town owned street lights at a cost not to exceed \$18,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with East Coast Power LLC in connection with providing maintenance and repair of Town owned street lights; and

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

RESOLUTION NO. 90 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with LaBella Associates PC in connection with architectural and engineering services for the replacement of windows at the Memorial Town Hall.

WHEREAS, the Town is desirous of an Energy Code Compliance Window System; and

WHEREAS, LaBella Associates PC will provide architectural and engineering services, design and construction administration to the Town for replacement of the original Town Hall windows at a cost not to exceed \$27,300.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with LaBella Associates PC in connection with architectural and engineering services for the replacement of windows at the Memorial Town Hall.

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

RESOLUTION NO. 91 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with the Guilderland Police Department regarding the Computer-Aided Dispatch (CAD) information between departments.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with the Guilderland Police Department regarding the Computer-Aided Dispatch (CAD) information between departments; and

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

RESOLUTION NO. 92 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution calling a public hearing in regard to the recommendation for the plan amendment located at 28 Everett Road.

WHEREAS, at its regular meeting on October 10, 2024, the Town Board of the Town of Colonie required the Planning Board to review and consider the request for a site plan amendment to the Montage PDD at 28 Everett Road; and

WHEREAS, it is now desired to call a public hearing regarding the proposed site plan amendment to the Montage PDD at 28 Everett Road;

BE IT RESOLVED that a public hearing be, and hereby is, scheduled for March 13, 2025 at 6:30 PM in Memorial Town Hall, 534 New Loudon Road, Latham, NY in connection with the proposed site plan amendment to the Montage PDD at 28 Everett Road.

RESOLUTION NO. 93 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with the Saratoga Springs Police Department in connection with the use of the Town's EVOC Track and usage of the restrooms located at the range.

WHEREAS, the Saratoga Springs Police Department will use the Town's EVOC Track and restrooms located at the range; and

WHEREAS, the Saratoga Springs Police Department will pay the Town \$300.00 per use/day;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with the Saratoga Springs Police Department in connection with the use of the Town's EVOC Track and usage of the restrooms located at the range; and

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

RESOLUTION NO. 94 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor Peter G. Crummey
 Councilwomen Kristen Blais
 Melissa Jeffers
 Councilmen Rick Field, Sr.
 Alvin Gamble
 Jeffrey Madden
 Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution awarding the bid to United Power System in connection with UPS Replacement Batteries and Installation.

WHEREAS, pursuant to advertisement on December 11, 2024, the following three (3) bids were received in connection with the replacement and installation of UPS batteries:

	BIDDER	Grand Total Amount
1.	B & D Industries, Inc.	\$ 264,720
2.	ORE Power, LLC	\$ 96,000
3.	United Power System	\$ 58,910

WHEREAS, after review of the bids by the Director of Purchasing and General Services and upon his recommendation;

BE IT RESOLVED that the low bidder, United Power System, be awarded for the UPS replacement batteries and installation;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute agreements pertaining to the same.

BE IT FURTHER RESOLVED that such agreements are subject to the review and approval of the Town Attorney's office.

RESOLUTION NO. 95 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute various documents to allow the Town to join the New York School and Municipal Energy Consortium in anticipation of the Town obtaining its natural gas supply.

BE IT RESOLVED, that the Supervisor be, and hereby is, authorized to execute various documents to allow the Town to join the New York School and Municipal Energy Consortium in anticipation of the Town obtaining its natural gas supply;

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

RESOLUTION NO. 96 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with ENGIE Resources in connection with obtaining the Town's natural gas supply.

BE IT RESOLVED, that the Supervisor be, and hereby is, authorized to execute an Agreement with ENGIE Resources in connection with obtaining the Town's natural gas supply;

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

RESOLUTION NO. 97 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution confirming, ratifying and re-adopting certain bond resolutions of the Town of Colonie relating to certain capital projects to be undertaken and financed by the Town.

WHEREAS, at a meeting of the Town Board of the Town of Colonie, Albany County, New York (the “Town”) held on December 19, 2024, the Town Board adopted the following bond resolutions (collectively, the “Bond Resolutions”):

RESOLUTION NO. 523 FOR 2024. A RESOLUTION AUTHORIZING THE ACQUISITION OF VARIOUS TOWN HIGHWAY MACHINERY AND APPARATUS, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$535,000 OF THE TOWN OF COLONIE, ALBANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

RESOLUTION NO. 525 FOR 2024. A RESOLUTION AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT FOR TOWN EMERGENCY SERVICES, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$881,680 OF THE TOWN OF COLONIE, ALBANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

RESOLUTION NO. 526 FOR 2024. A RESOLUTION AUTHORIZING THE UNDERTAKING OF CAPITAL IMPROVEMENTS TO THE TOWN GOLF COURSE,

AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,500,000 OF THE TOWN OF COLONIE, ALBANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

RESOLUTION NO. 529 FOR 2024. A RESOLUTION AUTHORIZING THE CONSTRUCTION, RECONSTRUCTION, RENOVATION AND INSTALLATION OF IMPROVEMENTS TO VARIOUS STORM SEWER SYSTEMS IN THE TOWN OF COLONIE, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,070,000 OF THE TOWN OF COLONIE, ALBANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

RESOLUTION NO. 530 FOR 2024. A RESOLUTION AUTHORIZING ROOF REPLACEMENT OF VARIOUS TOWN PROPERTIES, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$250,000 OF THE TOWN OF COLONIE, ALBANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

RESOLUTION NO. 531 FOR 2024. A RESOLUTION AUTHORIZING THE UNDERTAKING OF VARIOUS HIGHWAY AND STREET RECONSTRUCTION AND PAVING PROJECTS IN THE TOWN OF COLONIE, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 OF THE TOWN OF COLONIE, ALBANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

RESOLUTION NO. 532 FOR 2024. A RESOLUTION AUTHORIZING CAPITAL IMPROVEMENTS TO TOWN BUILDINGS, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$428,000 OF THE TOWN OF COLONIE, ALBANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR; and

WHEREAS, the Town Board desires to confirm and ratify the Bond Resolutions by re-adopting the Bond Resolutions at this meeting of the Town Board,

BE IT RESOLVED, by the Town Board the Town (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

Section 1. The Town Board hereby approves and re-adopts each of the Bond Resolutions described in Schedule A attached, such approval and re-adoption to be accomplished by this single resolution, and such approval and re-adoption to be equivalent to the Town Board separately approving and re-adopting each of the Bond Resolution by separate resolution and action of the Town Board.

Section 2. This Resolution shall take effect immediately.

RESOLUTION NO. 98 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with Colonie Senior Service Centers, Inc. to provide grant funds for congregate meals and transportation programs for the Senior Citizens of the Town of Colonie for the year 2025.

WHEREAS, the Town of Colonie provides grant funding to Colonie Senior Services Centers, Inc. to assist with the cost of congregate meals and transportation services for the senior citizens of the Town;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an agreement for the same; and

BE IT FURTHER RESOLVED that the Town's grant funding in the amount of \$235,000.00 provided to Colonie Senior Services, Inc. shall be for the period of January 1, 2025 through December 31, 2025 and shall be used for congregate meals and transportation programs for the senior citizens of the Town of Colonie; and

BE IT FURTHER RESOLVED that such agreements are subject to the review and approval of the Town Attorney's office.

RESOLUTION NO. 99 FOR 2025

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of January, 2025 at 6:30 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden
	Mark McCumber

ABSENT: None

Councilwoman ____ offered the following resolution and moved its adoption:

Resolution adopting/not adopting a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 140 of the Town Code.

WHEREAS, proof of notice having been furnished, the public hearing on a proposed local law was held at 6:30 PM on January 23, 2025, with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that local law amending Chapter 140 of the Code of the Town of Colonie be, and hereby is, adopted/not 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 2025**

A local law amending Chapter 140 of the Code of the Town of Colonie

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

SECTION 1: AMENDMENT

Chapter 140, Peddling and Soliciting of the Code of the Town of Colonie is hereby replaced in its entirety with the following:

§ 140-1: Legislative Intent

It is the intent of the Town of Colonie to regulate the activities of peddlers in order to preserve the peace, safety and general welfare of the Town and its residents and provide an avenue for food truck vendors to expand their businesses in the Town.

§ 140-2: Definitions

FOOD TRUCK – A primarily self-sufficient mobile food service establishment typically housed in or on a registered vehicle, trailer, cart, or other mobile chassis and equipped to store, transport, cook (if applicable), prepare, serve, and sell food or beverages for human consumption at various locations on a temporary basis.

FOOD TRUCK VENDOR - any Peddler that owns and/or operates a food truck

PEDDLER – Any person traveling by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, railroad car or other vehicle or conveyance, and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this chapter shall be deemed a Peddler subject to the provisions of this chapter. The word "Peddler" shall include the words "hawker" and "huckster."

PERSON – Includes any individual, firm, corporation, club, society, partnership, unincorporated association and any principal or agent thereof.

TOWN REPRESENTATIVE – any Town employee with ticketing authority in accordance with § 140-10 of this statute.

PEDDLER PERMIT – a permit required by the Town of Colonie in order to perform peddling of any service or operating a food truck as defined herein.

§140-3: Permit Required

A Peddler Permit, as described in this section, shall be required for operation of all peddlers and mobile food vendors within the limits of the Town of Colonie (outside the Villages of Colonie and Menands). A non-refundable permit application fee shall be submitted to the Town Clerk together with the application for consideration.

§140-4: Application for Permit

- A. Except as otherwise provided herein, every applicant for a Peddler Permit under this chapter shall file with the Town Clerk a sworn application in writing, in duplicate, on a form to be furnished by the Town Clerk.
- B. Food Trucks that contain appliances which produce smoke or grease-laden vapors shall be required to obtain an Operating Permit from the Town of Colonie Building & Fire Services Department prior to operating within the Town of Colonie in accordance with Chapter 20 of the Code of the Town of Colonie and the Fire Code of New York State. These appliances include, but are not limited to, grills, griddles, smokers, fryers.

§ 140-5. Conditions for Food Truck Operations

- A. Food Truck Vendors shall maintain copies of any and all permits and/or permits required by New York State and the County of Albany, including proof of all necessary inspections and food safety requirements. These items shall be kept on the Food Truck at all times and provided during inspection.
- B. Food Truck Vendors shall obtain written permission from all property owners upon which a Food Truck operates authorizing the sale of foods/beverages on the owner's property(ies). Written permission shall include the name, address and telephone number of the property owner, the legal address of the property(ies) and any other special conditions required by the property owner. Written permission shall be kept on the Food Truck at all times and produced at the request of a Town Representative.
- C. Food Truck Vendors shall not assign or transfer its permit to any other Food Truck Vendor or Peddler.
- D. Food Trucks shall be stationary with the vehicle parked and wheels chocked during all food preparation and serving activities.
- E. Food Trucks shall only operate between the hours of 8:00 am and 9:00 pm. Food Truck Vendors may set up in a location no earlier than 7:00 am and all vehicles, food, debris, and all ancillary items shall be off-site by 9:00 pm the same day.
- F. Food Trucks shall be located so as to not interfere with any driveway, roadway, utility box, building entrance, exit or emergency access. Food Truck Vendors shall ensure that the location of a food truck complies with parking regulations in any given area.

- G. There shall be no overnight parking of Food Trucks at any food sales location or in any Single Family Residential (SFR) zone.
- H. Food Trucks are not permitted to operate on Town property or in a Town right of way without the prior written consent of the Town.
- I. Food Trucks shall not sell or peddle in Single Family Residential zones.
- J. Food Truck Vendors shall not outcry, ring bells or blow horns or use any other noisemaking to attract the attention of the public, except when required to do so by New York State Vehicle and Traffic Law.
- K. Food Trucks shall provide trash receptacles of sufficient capacity to contain all trash and waste generated in connection with the food truck's operation each day. All trash and debris shall be removed from the location at the end of each day.
- L. Food Truck Vendors and Peddlers shall not sell or peddle alcohol, tobacco or cannabis in the Town of Colonie.
- M. Food Truck Vendors shall at all times comply with New York State Vehicle and Traffic Law, New York State Law and the Code of the Town of Colonie.
- N. Food Truck Vendors and Peddlers shall not be permitted to display tents, tables, chairs and other ancillary items outside of the vehicle.
- O. The Permit shall include an identification card for the individual licensed and a card for the vehicle to be used in the peddling activity. The identification card shall be attached to the vehicle used by the permit holder and shall be worn constantly by the permit holder on the front of his or her hat or outer garment in such a way as to be conspicuous during such time as such permit holder is engaged in peddling.

§ 140-6. Investigation of Applicant Prior to Issuance of Peddler Permit

- A. Upon receipt of a peddler permit application, the applicant shall be subject to a background check.
 - i. If as a result of such investigation the applicant's character or business responsibility is found to be unsatisfactory, the Town Clerk shall endorse on such application their disapproval and the reasons for same and notify the applicant that the application is disapproved, and no permit will be issued.
 - ii. If as a result of such an investigation the character and business responsibility are found to be satisfactory, the Town Clerk shall endorse on the application their approval and issue a permit to the applicant for the carrying on of the business applied for.
- B. The Town Clerk shall notify the applicant of the decision within 10 working days of receipt of the application.

§ 140-7. Exemptions to Peddler Permit Requirement

- A. The provisions of §§ 140-3, 140-4, 140-6, 140-8 and 140-10 of this chapter shall not apply to:
 - (1) A truck gardener or a farmer who himself or through his employees sells produce of his own farm or garden or orchard on his own property.
 - (2) A wholesaler selling merchandise to dealers or merchants who have an established place of business within the Town.
 - (3) Any person soliciting at the express invitation of the person solicited or soliciting to established customers.
 - (4) Any school group, veterans', fraternal or charitable organization, volunteer firemen's association, religious, civic or service group or other nonprofit organization or association that maintains a chapter within the Town of Colonie.

- B. A veteran, as set forth in § 32 of the General Business Law, shall be exempt the payment of a license fee.
- C. Generally, nothing in this Chapter shall apply to sales conducted pursuant to statute or by order of any court or to any person selling personal property at wholesale to dealers in such article.
- D. The licensing provisions of this chapter shall not apply to:
 - i. Minors under the age of 18 engaged in providing services such as snow shoveling, grass cutting, leaf raking, cookie or lemonade sales, lawn clearing and other similar home services as independent contractors, or for school clubs, sports or civic associations;
 - ii. A truck gardener or a farmer who himself or through his employees sells produce of his own farm or garden or orchard on his own property;

§ 140-8. Restrictions

A Peddler, whether licensed or exempt from licensing pursuant to this Chapter, shall:

- A. Not willfully misstate any fact about any merchandise offered for sale.
- B. Not willfully offer for sale any article of an unwholesome or defective nature.
- C. Not call attention to himself or his merchandise by creating any public disturbance, unusual noises or by the use of a public-address system.
- D. Not create a public or private nuisance as defined by state or local law.
- E. Keep any vehicle or receptacle used by him in his business in a sound, clean and sanitary condition.
- F. Keep any edible articles for sale well protected from dirt, dust and insects.
- G. Upon request, give to every person to whom a sale is made or from whom an order is taken a legibly written receipt, signed and dated by the licensee, with a description of the merchandise sold or ordered, the total price and the payment received.
- H. Not enter upon any premises clearly displaying a sign prohibiting solicitors.
- I. Leave all premises promptly upon request of any occupant of such premises.
- J. Not have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location, nor shall he be permitted to operate in any congested area where his operations might impede or inconvenience the public. For the purpose of this chapter, the judgment of a police officer exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

§140-9. Suspension/Revocation of Peddler Permit

- A. Town of Colonie officials may issue a notice of violation, remedy or intent to suspend or revoke a mobile food vendor permit for any violation. The notice of intent to suspend or revoke shall describe the violation, and require the permit holder to immediately correct the violation or cause the violation to be corrected.
- B. Permits issued by the Town Clerk pursuant to this chapter may be revoked by the Town Clerk, the Town Clerk's designee, the Colonie Police Department or a Colonie Code Enforcement Officer after notice and hearing, for any of the following causes:
 - i. Any violation of this chapter.
 - ii. Conviction of a violent crime.
 - iii. Any misrepresentation or false statement contained in the application for permit or made in the course of carrying on his or her business as a peddler or food truck vendor.
- C. The Town Clerk may suspend any permit granted pursuant to this chapter until such time as the hearing upon notice required in Subsection A can be held by the Town Attorney's office.

- D. Notice of the hearing for revocation of a permit shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed to the permit holder at their last known address at least 10 business days prior to such hearing.
- E. Said revocation hearing shall be held within 21 business days after the date the Town Clerk formally suspends said permit.

§ 140-10. Appeal

- A. Any person, peddler or vendor aggrieved by the denial of an application for a peddler permit as provided in this chapter, or by the decision to revoke a permit as provided in § 140-9 of this chapter shall have the right to appeal said decision to the Town of Colonie Town Board or its designee.
- B. An appeal shall be submitted in writing to the Town Clerk and Town Attorney's Office for submission to Town Board within 10 business days after receipt of notice of the action sought to be appealed. The appeal shall include a written statement fully setting forth the grounds for the appeal and the relief requested. The Town Board shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant in writing to its last known address or address on the application via certified mail.
- C. The decision and order of the Town Board on such appeal shall be final and conclusive.

§140-11. Enforcement

It shall be the duty of any Town Representative, to require any person seen peddling or vending in the Town, who is not known by such Representative to be duly permitted in accordance with this statute to produce their Peddler Permit or and to enforce the provisions of this chapter against any person found to be violating same.

- A. A Town Representative may issue a notice of intent to suspend or revoke a Peddler Permit for any violation of this Chapter. The notice of intent to suspend or revoke shall describe the violation, and require the permit holder to immediately correct the violation or cause the violation to be corrected.
- B. The notice of intent shall be provided to the permit holder by personal service, by regular mail to the address submitted with the permit application, or by posting at the place of business of the Peddler.
- C. If the permit holder fails to immediately correct the violation or cause the violation to be corrected, the Town Representative shall suspend or revoke the Peddler Permit.

§140-12. Penalties for Offense

- b. Any person committing an offense against this chapter or any section or provision thereof is guilty of a violation and shall, upon conviction thereof, be subject to a fine not exceeding \$250 or imprisonment not exceeding 15 days, or both.
- c. In lieu of or in addition to any fine or imprisonment, or both, imposed for a conviction of an offense of this chapter, each such offense may be subject to a civil penalty not to exceed \$250 to be recovered in an action or proceeding in a court of competent jurisdiction. Each day an offense continues shall be subject to a separate civil penalty.

§ 140-13. Record Keeping.

The Town Clerk shall keep a record of all applications, the determinations thereof and all permits issued and their date of termination and/or revocation and shall maintain a record for each permit issued of the reports of violation relative thereto.

SECTION 2. SEVERABILITY

If any clause, sentence or provision of this local law or the application thereof to any person or circumstance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity thereof shall not affect, impair or invalidate the remainder of the provisions of this local law or the application thereof to other persons and circumstances.

SECTION 3. SEQR DETERMINATION.

The Town Board hereby determines that this amendment is a Unlisted action that will not have a significant effect on the environment and, therefore, no other determination or procedure under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 4. EFFECTIVE DATE

This local law shall take effect upon its proper filing in the Office of the Secretary of State.

(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, designated as local law No. of 2025 of the **Town of Colonie** was duly passed by the Town Board on , 2025 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, designated as local law No. of 20 of the (Town) of was duly passed by the on 20_, and was (approved)(not disapproved)(repassed (Name of Legislative Body) after disapproval) by the and was deemed duly adopted on 20 in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the ()-(Town)(of was duly passed by the on 20_, and was (approved)(not disapproved)(repassed after (Name of Legislative Body) disapproval) by 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 I 9 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, designated 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 _____ 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 chairman 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, designated 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, designated 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 of 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.)

Clerk of the Town 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: