

RESOLUTION NO. 142-A FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution establishing one (1) position of Laborer, Grade 7, in the DPW/Division of Latham Water and appointing Jason R. Liburdi to same at an hourly rate of \$20.36.

BE IT RESOLVED that one (1) position of Laborer, Grade 7, in the DPW/Division of Latham Water be, and hereby is, established; and

BE IT RESOLVED that Jason R. Liburdi be, and hereby is, appointed to the position of Laborer, Grade 7, in the DPW/Division of Latham Water at an hourly rate of \$20.36, effective February 21, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 142-B FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution appointing Scott R. Soucy to the position of Laborer, Grade 7, in the DPW/Division of Latham Water at an hourly rate of \$20.36.

BE IT RESOLVED that Scott R. Soucy be, and hereby is, appointed to the position of Laborer, Grade 7, in the DPW/Division of Latham Water at an hourly rate of \$20.36, effective March 6, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 142-C FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution appointing Camrin R. Russell to the position of Sewer Maintenance Worker, Grade 8, in the DPW/Division of Pure Waters at an hourly rate of \$21.18.

BE IT RESOLVED that Camrin R. Russell be, and hereby is, appointed to the position of Sewer Maintenance Worker, Grade 8, in the DPW/Division of Pure Waters at an hourly rate of \$21.18, effective March 6, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 142-D FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Andy C. Acker to the position of Planner, Grade 15, in the Planning and Economic Development Department at an annual salary of \$72,672.

WHEREAS, the Personnel Officer has certified Andy C. Acker as eligible for permanent appointment from Eligible List #23-974, established January 31, 2023;

BE IT RESOLVED that Andy C. Acker be, and hereby is, permanently appointed to the position of Planner, Grade 15, in the Planning and Economic Development Department at an annual salary of \$72,672, effective February 17, 2023.

RESOLUTION NO. 142-E FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution provisionally appointing Nicole E. Nowak to the position of Typist, Grade 6, in the DPW/Division of Latham Water at an annual salary of \$35,474.

BE IT RESOLVED that Nicole E. Nowak be, and hereby is, provisionally appointed to the position of Typist, Grade 6, in the DPW/Division of Latham Water at an annual salary of \$35,474, effective March 6, 2023, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 142-F FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution establishing one (1) position of Laborer, Grade 7, in the DPW/Division of Latham Water and appointing Timothy J. Smith to same at an hourly rate of \$20.36.

BE IT RESOLVED that one (1) position of Laborer, Grade 7, in the DPW/Division of Latham Water be, and hereby is, established; and

BE IT RESOLVED that Timothy J. Smith be, and hereby is, appointed to the position of Laborer, Grade 7, in the DPW/Division of Latham Water at an hourly rate of \$20.36, effective March 6, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 142-G FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution provisionally promoting Frank Primo to the position of Water Maintenance Foreman, Grade 29, in the DPW/Division of Latham Water at an annual salary of \$68,938.

BE IT RESOLVED that Frank Primo be, and hereby is, provisionally promoted to the position of Water Maintenance Foreman, Grade 29, in the DPW/Division of Latham Water at an annual salary of \$68,938, effective February 20, 2023, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 143 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution Calling a Public Hearing Pursuant to Article 12A of State of New York Town Law in Relation to the Proposed Mixed-Use Development at 855-861 First Street – S.I.A. 2019-005 and Authorizing Supervisor to Execute Escrow Agreement in Connection with S.I.A. 2019-005.

WHEREAS, Lincoln Avenue Development, LLC desires to construct the proposed sewer improvement project extending municipal sewer service to the proposed Mixed-Use Development at 855-861 First Street – S.I.A.# 2019-005, pursuant to the provisions of Article 12A of State of New York Town Law; and

WHEREAS, the Town Board of the Town of Colonie desires to extend municipal sanitary sewer service to the proposed Mixed-Use Development at 855-861 First Street. The sewer main extension will provide service to the new and existing buildings consisting of a single-story Office Building (10,000 SF); single-story Warehouse Building (10,000 SF); two (2) single-story Warehouse Buildings (15,000 SF); and one (1) single-story Warehouse Building (120,000 SF). The proposed sanitary sewer extension will consist of the construction of 763 lineal feet of 8-inch diameter PVC SDR-26 sewer main and two (2) sanitary pre-cast concrete manholes. The particulars of the proposed improvements are set forth in the engineer's report on file in the Town Clerk's Office; and

WHEREAS, a report, map, plan and estimate of cost has been prepared by McFarland Johnson, engineers duly licensed by the State of New York, the particulars of which are set forth in the engineer's report on file in the Town Clerk's Office; and

WHEREAS, the maximum amount proposed to be expended for said Project is Thirty-One Thousand Three Hundred Seventy-Five Dollars and 75/100 (\$31,375.75) which will be paid entirely by the owner; and

WHEREAS, it is now desired to call a public hearing pursuant to the provisions of Article 12A of State of New York Town Law to approve such construction and costs;

NOW, THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED, by the Town Board of the Town of Colonie, Albany County, New York, that Peter G. Crummey, Supervisor of the Town of Colonie, is authorized to execute an Escrow Agreement between Lincoln Avenue Development, LLC, the developer for said Project, and the Town of Colonie in relation to project SIA# 2019-005 of the proposed Colonie Sewer District Improvement Area; and

IT IS FURTHER ORDERED, RESOLVED AND DETERMINED as follows:

Section 1. A meeting of the Town Board of the Town of Colonie, Albany County, New York shall be held at the Town Hall, Latham, New York on the 9th day of March, 2023 at 7:00 o'clock p.m., local time, for the purpose of conducting a public hearing on the aforesaid report, map, plan and estimate of cost, at which time and place said Town Board will hear all persons interested in the subject matter thereof.

Section 2 The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be given by publishing and posting a copy of this resolution in the manner provided by Article 12A of State of New York Town Law.

RESOLUTION NO. 144 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution calling a public hearing pursuant to Article 12A of the New York State Town Law in relation to the establishment of Extension No. 171 to the Latham Water District.

WHEREAS, the Latham Water District has heretofore been created by the Town Board of the Town of Colonie, Albany County, New York; and

WHEREAS, the Latham Water District of the Town of Colonie proposes to extend the limits of the existing water district boundary; and

WHEREAS, a report, map, plan and estimate of cost relating to Extension No. 171 to the Latham Water District has been prepared by C.T. Male Associates, engineers duly licensed by the State of New York, and has been filed with the Town Clerk of the Town of Colonie in accordance with the requirements of the New York State Town Law and is available for public inspection; and

WHEREAS, said extension proposed by the Latham Water District would extend the limits of the existing District boundary by including two (2) areas that are located throughout the Town of Colonie at 44 Waterford Avenue East Subdivision and Ridgeview Meadows at North Colonie; and

WHEREAS, the boundaries and descriptions of such areas are described in detail in the aforementioned engineer's report on file with the Town Clerk's Office of the Town of Colonie; and

WHEREAS, the proposed extension is to include the aforementioned areas in the Latham Water District so that all property served can be assessed for their proper share of the cost of operating the District; and

WHEREAS, requisite permits and approvals have been obtained from New York State Department of Environmental Conservation and New York State Health Department, as indicated in the aforementioned engineer's report; and

WHEREAS, the maximum amount to be expended for said Extension is Seven Thousand Five Hundred Fifty-Eight and 00/100 (\$7,558.00) to be paid for by excess water rents of the District; and

WHEREAS, it is now desired to call a Public Hearing pursuant to the provisions of Article 12A of the New York State Town Law; and

NOW, THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED, by the Town Board of the Town of Colonie, Albany County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Colonie, Albany County, New York shall be held at Memorial Town Hall, Latham, New York on the 9th day of March, 2023 at 7:00 o'clock p.m., local time, for the purpose of conducting a public hearing on the aforesaid report, map, plan and estimate of cost, at which time and place said Town Board will hear all persons interested in the subject matter thereof.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be given by publishing and posting a copy of this resolution in the manner provided by §3 of Chapter 950 of the Laws of 1972, and the New York State Town Law.

RESOLUTION NO. 145 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an agreement with Constitution State Services, LLC to provide third-party administration services for workers' compensation claims made under the Town's self-insured retention.

WHEREAS, the Town is required to maintain certain workers' compensation insurance coverage; and

WHEREAS, in fulfillment of such obligation, the Town, among other things, is self-insured for certain workers' compensation claims; and

WHEREAS, in connection with its administration of claims made under its self-insured retention, the Town utilizes the services of a third-party administrator; and

WHEREAS, Constitution State Services, LLC ("CSSLLC"), a subsidiary of Travelers, has provided a proposal to the Town to serve as the third-party administrator for workers' compensation claims made under the Town's self-insured retention; and

WHEREAS, the total cost to the Town for CSSLLC's services is determined based on the number of claims handled by CSSLLC, but at a minimum shall be no less than \$123,439; and

WHEREAS, such proposal has been reviewed by the Human Resources Department, Office of the Comptroller, and the Town Attorney's Office, who have each recommended that the Town utilize CSSLLC as the third-party administrator for workers' compensation claims

made under the Town's self-insured retention as the proposal provided by CSSLLC meets the Town's substantive and financial needs for third-party administration; and

WHEREAS, CSSLLC is the incumbent third-party administrator for workers' compensation claims made under the Town's self-insured retention and the Human Resources Department, Office of the Comptroller and the Town Attorney's Office, as well as various other departments have indicated that they are satisfied with the services provided by CSSLLC;

NOW THEREFORE BE IT RESOLVED that the Supervisor is authorized to enter into an agreement with CSSLLC to provide third-party administration services for workers' compensation claims made under the Town's self-insured retention; and

BE IT FURTHER RESOLVED that Town employees and/or staff are authorized to complete any documentation required to effectuate the terms of this resolution; 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. 146 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a franchise agreement with Uniti National LLC in connection with telecommunications infrastructure within the Town-owned Right-of-Way.

WHEREAS, the Town of Colonie (“Town”) previously entered into a franchise agreement with Dominion Telecom, Inc. (“Dominion”) for use of the Town-owned Right-of-Way to deploy certain telecommunications infrastructure (“Franchise Agreement”); and

WHEREAS, pursuant to such Franchise Agreement, Dominion installed certain telecommunications infrastructure in the Town-owned Right-of-Way; and

WHEREAS, Uniti National, LLC (“Uniti”) subsequently purchased certain assets of Dominion, including its rights under the Franchise Agreement and the telecommunications infrastructure installed pursuant thereto; and

WHEREAS, the Franchise Agreement thereafter expired; and

WHEREAS, the Town and Uniti wish to enter into a new Franchise Agreement so that Uniti may continue to utilize the Town-owned Right-of-Way; and

WHEREAS, pursuant to Section 173-3 of the Code of the Town of Colonie, the Town Board is expressly authorized to enter into nonexclusive franchise agreements to permit the

installation, construction, operation, and maintenance of telecommunications infrastructure within the Town-owned Right-of-Way;

NOW THEREFORE BE IT RESOLVED that the Supervisor is hereby authorized to enter into a franchise agreement with Uniti; 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. 147 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a lease agreement with Cellco Partnership d/b/a Verizon Wireless for use of Town-owned facilities at 534 New Loudon Road.

WHEREAS, the Town of Colonie (“Town”) owns certain real property located at 534 New Loudon Road, Latham, NY 12110 (“Site”) and has certain improvements installed thereon, including a water tank; and

WHEREAS, Cellco Partnership d/b/a Verizon Wireless (“Verizon”) currently leases space at the Site from the Town and, pursuant to such lease, has installed certain wireless telecommunications facilities on the water tank and within a certain ground-based lease area; and

WHEREAS, the current lease between Verizon and the Town will expire on March 1, 2023; and

WHEREAS, the Town recognizes the important public safety function served by wireless telecommunications facilities installed throughout the Town, including the wireless telecommunications facilities installed at the Site and authorized pursuant to the lease between Verizon and the Town; and

WHEREAS, Verizon and the Town wish to renew the lease so that Verizon may maintain the wireless telecommunications facility installed at the Site;

NOW THEREFORE BE IT RESOLVED that the Supervisor is hereby authorized to enter into a lease agreement with Verizon for use of Town-owned facilities at the Site; 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. 148 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an agreement with Algonquin Communications for professional services in connection with the Town's obligations under certain leases regarding wireless telecommunications facilities.

WHEREAS, the Town of Colonie ("Town") owns certain real property throughout the Town and has certain improvements installed thereon; and

WHEREAS, the Town has historically made such real property, including the improvements installed thereon, available for lease by wireless telecommunications companies to install wireless telecommunications infrastructure; and

WHEREAS, in connection with such leasing program, the Town must maintain its facilities in certain condition and inspect such facilities on a regular basis; and

WHEREAS, the Town has received a proposal from Algonquin Communications to provide certain structure inspection services to the Town; and

WHEREAS, the proposal from Algonquin Communications was reviewed by the Department of Public Works, the Town Attorney's Office and the Office of the Comptroller, who have each recommended that the Town accept the proposal from Algonquin Communications as such proposal meets the Town's substantive and financial needs;

NOW THEREFORE BE IT RESOLVED that the Supervisor is hereby authorized to enter into an agreement with Algonquin Communications for professional services in connection with the Town's obligations under certain leases regarding wireless telecommunications facilities; and

BE IT FURTHER RESOLVED that the cost for professional services by Algonquin Communications shall not exceed \$5,000 without further approval by the Town Board;

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. 149 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with North Colonie School District and South Colonie School District in connection with the use of the tennis courts for the Town's summer tennis program.

WHEREAS, the Town's summer tennis program will use the tennis courts at Shaker High School, South Colonie High School and Lisha Kill Middle School;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with North Colonie School District and South Colonie School District in connection with the use of the tennis courts for the Town's summer tennis program; and

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

RESOLUTION NO. 150 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Colonie Youth Center, Inc. for School-Age childcare programs for the youth of the Town of Colonie for 2023.

WHEREAS, the Town of Colonie wishes to support the mission of the Colonie Youth Center, Inc. to provide comprehensive services for the youth of the Town of Colonie;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement with Colonie Youth Center, Inc. for school-age childcare programs for 2023; and

BE IT FURTHER RESOLVED that the agreement with Colonie Youth Center, Inc. to provide school-age childcare programs for the youth of the Town of Colonie shall be for the total sum of \$37,500.00; and

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

RESOLUTION NO. 151 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

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 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 gazebo at 43 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. 152 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution requiring the Planning Board to review and consider the proposed rezoning of parcels of land located at 945, 957 and 925 Watervliet Shaker Road from Commercial Office (CO) to a Planned Development District (PDD).

WHEREAS, the Town Board recommends that the Planning Board review the proposed rezoning of parcels of land located at 945, 957 and 925 Watervliet Shaker Road from Commercial Office (CO) to a Planned Development District (PDD); and

BE IT RESOLVED that the Planning Board shall review and consider the proposed rezoning of a parcel of land located at 945, 957 and 925 Watervliet Shaker Road from Commercial Office (CO) to a Planned Development District (PDD).

RESOLUTION NO. 153 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution requiring the Planning Board to review and consider an open development area at 2 Taprobane Lane.

WHEREAS, pursuant to Town Law §280-a (4) the Town Board is authorized to refer matters in connection with open development areas to the Planning Board for its review; and

WHEREAS, the Town Board would like to recommend that the Planning Board review the proposed project located at 2 Taprobane Lane as a possible open development area;

BE IT RESOLVED that the Planning Board shall review and consider the proposed project located at 2 Taprobane Lane as a possible open development area and provide the Town Board with its findings, conclusions and recommendation thereon.

RESOLUTION NO. 154 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the issuance of tax-exempt bonds by the Town of Colonie Local Development Corporation for the King Thiel II Senior Community LLC project.

WHEREAS, King Thiel II Senior Community LLC has requested that the Town of Colonie Local Development Corporation issue its tax-exempt revenue bonds in an amount of \$19,890,000.00 for finance costs for the project located at 11 Elks Lane;

BE IT RESOLVED that the issuance of tax-exempt bonds by the Town of Colonie Local Development Corporation for the King Thiel II Senior Community LLC project be, and hereby is, authorized.

RESOLUTION NO. 155 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an agreement with Schuyler Meadows Club, Inc. in connection with the annual D.A.R.E. Golf Tournament on Monday, May 22, 2023.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an agreement with Schuyler Meadows Club, Inc. in connection with the annual D.A.R.E. Golf Tournament on May 22, 2023; and

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

RESOLUTION NO. 156 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with ARE Event Productions, Inc. in connection with providing timing and results/scoring services for the Colonie Police DARE 5K at The Crossings on June 11, 2023.

WHEREAS, ARE Event Productions, Inc. will provide timing and results/scoring services for the Colonie Police DARE 5K at The Crossings on June 11, 2023;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with ARE Event Productions, Inc. in connection with providing timing and results/scoring services for the Colonie Police DARE 5K at The Crossings on June 11, 2023; and

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

RESOLUTION NO. 157 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
 Councilwomen Danielle Futia
 Melissa Jeffers
 Jill Penn
 Councilmen Rick Field, Sr.
 Alvin Gamble
 Jeffrey Madden

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 LLP (Falace-Mayr, Lynch, Walker, Fusco)	\$6,324.54
Total	\$6,324.54

RESOLUTION NO. 158 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 567 Watervliet Shaker Road by ANJO Construction, Ltd. and authorizing the Comptroller to expend Emergency Repair Reserve funds for the same.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to declare an emergency in connection with repair of the sanitary sewer system at 567 Watervliet Shaker Road by ANJO Construction, Ltd. for the DPW/Division of Pure Waters; and

BE IT FURTHER RESOLVED that the Comptroller be, and hereby is, authorized to expend \$12,086.47 from the Emergency Repair Reserve funds for the same.

RESOLUTION NO. 159 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Moore Fire Extinguisher Co. LLC in connection with the inspection and maintenance of fire extinguishers and fire suppression hood systems for 2023.

WHEREAS, five (5) quotes were received on January 24, 2023 for the inspection and maintenance of fire extinguishers and fire suppression hood systems for 2023; and

WHEREAS, Moore Fire Extinguisher Co. LLC submitted the lowest quote for Group #1 (maintenance of fire extinguishers) in the amount of \$2,492.00 and for Group #2 (maintenance of fire suppression hood systems) in the amount of \$1,980.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement with Moore Fire Extinguisher Co. LLC in connection with the inspection and maintenance of fire extinguishers and fire suppression hood systems for 2023; and

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

RESOLUTION NO. 160 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution accepting the dedication of Welding Way and 7 Welding Way in the CGM Subdivision.

WHEREAS, CGM Construction Inc., has offered for dedication as a public street or highway the land described in properly executed deed dated January 12, 2023, running to the Town of Colonie; and

WHEREAS, Welding Way is improved as a street or highway, in compliance with standards and specifications for Town highways within the Town of Colonie, and in conformance with applicable regulations and requirements and provisions of State statutes pertinent thereto; and

WHEREAS, it is found that acceptance of this offer of dedication is in the interest of the Town of Colonie; and

BE IT RESOLVED that Welding Way be a Town street or highway contingent upon receipt of the required certifications and fulfillment of all other Department of Public Works requirements for dedication; and

BE IT FURTHER RESOLVED that consent is hereby given to the Commissioner of Public Works to lay out Welding Way, as a Town highway and record his order in the Town Clerk's Office; and

BE IT FURTHER RESOLVED that the dedication of 7 Welding Way be, and hereby is, accepted; and

BE IT FURTHER RESOLVED that the above referenced offer of dedication by CGM Construction, Inc., be accepted by the Town of Colonie, subject to approval of all documents by the Town Attorney's Office; and

BE IT FURTHER RESOLVED that the Supervisor is authorized to execute any and all documents necessary to complete the transfer of title.

RESOLUTION NO. 161 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution accepting the dedication of 1364 Loudon Road in connection with the Mohawk Riverfront Estates PDD.

WHEREAS, Mohawk Route 9 Development, LLC, has offered for dedication a parcel of property located at 1364 Loudon Road, the land described in properly executed deed, running to the Town of Colonie; and

WHEREAS, the Town of Colonie Department of Public Works/Division of Pure Waters has determined that the sanitary sewer pumping station located at 1364 Loudon Road was constructed in compliance with standards and specifications as required by the Department of Public Works/Division of Pure Waters, and in conformance with applicable regulations and requirements and provisions of State statutes pertinent thereto; and

WHEREAS, it is found that acceptance of this conveyance is in the interest of the Town of Colonie; and

BE IT RESOLVED that the conveyance of a parcel of land located at 1364 Loudon Road be, and hereby is, accepted; and

BE IT FURTHER RESOLVED that the above referenced conveyance of property located at 1364 Loudon Road., be accepted by the Town of Colonie, subject to payment of all back taxes, delivery of clean title and approval of all documents by the Town Attorney's Office; and

BE IT FURTHER RESOLVED that the Supervisor is authorized to execute any and all documents necessary to complete the transfer of title.

RESOLUTION NO. 162 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 16th day of February, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Danielle Futia
	Melissa Jeffers
	Jill Penn
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution adopting a Town of Colonie Fund Balance Policy.

WHEREAS, sound fiscal management remains the cornerstone of effective and responsible government; and

WHEREAS, over the past two decades, the Town's bond rating has been less than "High Grade" status; and

WHEREAS, The Town Supervisor recently met with S&P Global Ratings, the authority that sets the Town's bond rating, and subsequently the Town's financial rating was increased to "High Grade" status; and

WHEREAS, the Raters noted that the increased bond rating was due to the steady hand of current Town management coupled with the Town Board's unanimous adoption of a well-conceived 2023 Town budget in the face of high inflation and energy costs, together with the Supervisor's intention to introduce the Town's first ever Fund Balance Policy; and

WHEREAS, the Town Board of the Town of Colonie is hereby desirous of adopting the Town's first ever Fund Balance Policy, to ensure financial security through the maintenance of a fiscally responsible unrestricted fund balance that guides the creation, maintenance and use of resources for financial stability purposes; and

WHEREAS, it is the Town's objective to maintain a prudent level of financial resources to protect against reducing service levels and borrowing to meet cash flow needs in the event of unanticipated revenue shortfalls or unanticipated one-time expenditures; and

WHEREAS, The Town also seeks to minimize all borrowing costs by maintaining the highest possible credit rating which is dependent, in part, on the Town's maintenance of a fiscally sound fund balance; and

WHEREAS, in recognition of sound fiscal policy and in order to stabilize and possibly further enhance the current credit rating of the Town, the Town will make all reasonable efforts to maintain an unreserved and unappropriated fund balance in its General, General Town-Outside Villages, Highway and Library Funds at the end of each fiscal year equal to no less than 5% of their respective total operating budgets; and

WHEREAS, the Town will strive to maintain an unrestricted fund balance in this range at all times; and

WHEREAS, any such unreserved/unappropriated fund balance shall be exclusive of any reserve funds maintained by the Town;

WHEREAS, if an emergency or a need were to occur that necessitated the appropriation of funds that would result in reducing the unreserved/unappropriated fund balance in one, or more, of the afore referenced funds below the 5% threshold, a resolution of the Town Board shall be required to approve such appropriation; and

WHEREAS, subsequent to such necessitated appropriation, the Town shall promptly begin the process of restoring the unreserved/unappropriated fund balance in the respective Fund to at least the same 5% level; and

WHEREAS, any unreserved/unappropriated fund balance in the Fund above 5% may be appropriated to support all Town purposes and obligations, including for reducing the subsequent year's property taxes, for one- time capital expenditures, and for emergencies caused by Acts of God or natural occurrences and catastrophes; and

WHEREAS, this policy shall remain in effect until the Town of Colonie, by resolution, amends or revises it; and

NOW, THEREFORE, BE IT RESOLVED that the Town of Colonie Fund Balance Policy hereby is, adopted.