



Minutes of the Regular Meeting of the Town Board

Thursday, March 11, 2021

7:00 PM

Town Hall

1. **REGULAR TOWN BOARD MEETING – March 11, 2021 - 7:00 PM**

2. **6:00-7:00 PM Public Comment Session in connection with the Colonie Comprehensive Police Practices Review Committee's Draft Report.**

Supervisor Mahan provided information on the committee and its members;
Town Attorney Magguilli provided background of the Executive Order;
Chief Teale presented a power point of the committee plan and overview of Colonie Police current practices and goals;
Several comments of thanks and appreciation for those involved in the committee and its process as well as initiatives and programs and community involvement.

* Stenographic record was taken and will be posted upon receipt

1. Slides from PP Presentation of the CCPPRC Report

3. **Call to Order**

Attendee Name	Title	Status	Arrived
Danielle Futia	Councilwoman	Present	
Jill Penn	Councilwoman	Present	
Rick J Field	Councilman	Present	
Paula Mahan	Town Supervisor	Present	
Melissa Jeffers	Councilwoman	Present	
Linda J. Murphy	Councilwoman	Present	
David R. Green	Councilman	Present	
Julie Gansle	Town Clerk	Present	
Michael C Magguilli	Town Attorney	Present	

4. **Pledge of Allegiance**

5. **Personnel: Resolution No. 114**

A. Sharon L. Morrison

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

B. Joseph M. Styno

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

C. Ronald P. Hoogkamp

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

D. John D. Baker

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

E. Diane L. Ryan

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

F. Stephen J. Lawlor

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

6. **Public Hearing**

Public Hearing in connection with Article 12A of State of New York Town Law in Relation to the CGM Residential Subdivision – S.I.A. 2018-004.

* The public hearing on the proposed project will be held open until the next Town Board Meeting scheduled for March 25, 2021, in order to provide time for the public to make comments or pose questions with respect to the subject matter of this hearing. Comments and/or questions may be submitted electronically or by mail to the Office of the Town Clerk:

Electronic submissions to : infoclerk@colonie.org

Submission by mail to: Memorial Town Hall
Att: Office of the Town Clerk
534 New Loudon Road
Latham, New York 12110

Kindly reference: "PH comments" along with the subject matter/project on submission

** All correspondences will be forwarded to the Town Board

Resolution No. 115 of 2021

Resolution holding open the Public Hearing Pursuant to Article 12A of State of New York Town Law in Relation to the CGM Residential Subdivision – S.I.A. 2018-004.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Next Town Board meeting: March 25, 2021

7. Public Comment

* Comment provided from resident in connection with the Town's paving as well as the Stony Creek Reservoir

8. Resolutions

Resolution No. 116 calling a public hearing pursuant to Section 202b of the New York State Town Law in relation to the Mohawk View Water Pollution Control Plant Clarifier Rehabilitation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 117 authorizing the Supervisor to execute a Maintenance Agreement with Environmental Systems Research Institute, Inc. in connection with the GIS software.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Green, Councilman
SECONDER:	Jill Penn, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 118 pursuant to §219-a of the General Municipal Law, approving the list of all volunteer members of the S.W. Pitts Hose Company, Inc. submitted and certified under oath by said Fire Department and identifying those volunteer members who have qualified for credit under the Service Award Program for 2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 119 authorizing the Supervisor to enter into a Service Agreement with eCLIPSE Network Solutions, LLC for the Police Department video surveillance system.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Green, Councilman
SECONDER:	Jill Penn, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 120 authorizing the increase in the lease cost for an added paper tray with National Business for the Police Administration Copier and authorizing the Supervisor to execute an amended Agreement for same.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Green, Councilman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 121 requiring the Planning Board to review and consider an open development area at 4 Autopark Drive.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 122 authorizing the purchase of 880 Troy-Schenectady Road from the Albany County Land Bank and authorizing the Supervisor to execute any and all documents necessary for the purchase.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 123 requiring the Planning Board to review and consider an open development area at 93 Fislser Avenue.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 124 authorizing the Supervisor to enter into an Agreement with CHA in connection with evaluating the potential uses of an open space at 620 Sand Creek Road.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 125 appointing or reappointing members to the Junior High School Youth Advisory Board.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Green
ABSTAIN:	Linda J. Murphy

Resolution No. 126 authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 18 Caroline Street by J. Ellrott Excavating, Inc. and authorizing the Comptroller to expend Emergency Repair Reserve funds for the same.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 127 authorizing an award for additional Personal Service Time to Department Heads on a proportional basis for time worked during the PAUSE period of March 17, 2020 through May 31, 2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 128 awarding Personal Service Time to Non-Bargaining Unit Employees on a proportional basis for time worked during the PAUSE period of March 17, 2020 through May 31, 2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 129 authorizing the Supervisor to execute an MOA with UPSEU Unit E awarding additional Personal Service Time to certain Unit Members on a proportional basis for time worked during the PAUSE period of March 17, 2020 through May 31, 2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 130 authorizing the Supervisor to execute an MOA with CSEA Unit C awarding additional Personal Service Time to Unit Members on a proportional basis for time worked during the PAUSE period of March 17, 2020 through May 31, 2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 131 authorizing the Supervisor to execute an MOA with CSEA Unit B awarding additional Personal Service Time to Unit Members on a proportional basis for time worked during the PAUSE period of March 17, 2020 through May 31, 2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 132 authorizing the Supervisor to execute an MOA with the UPSEU Administrative Unit awarding additional Personal Service Time to Unit Members on a proportional basis for time worked during the PAUSE period of March 17, 2020 through May 31, 2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 133 calling a public hearing in connection with the Town of Colonie's Community Development Block Grant and HOME Programs.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 134 authorizing expenditure of funds from the Insurance Reserve Fund for payment of legal fees, expenses and/or settlement in connection with litigation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 135 requiring the Planning and Economic Development Director to review and consider the proposed amendment of the Maxwell Road PDD.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 136 authorizing settlement or discontinuance, subject to judicial approval of the same, pursuant to §68 of the Town Law, of various tax certiorari proceedings.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

Resolution No. 137 appointing David Green as Town Justice.

RESULT:	ADOPTED [4 TO 2]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Jill Penn, Paula Mahan, Melissa Jeffers, Linda J. Murphy
NAYS:	Danielle Futia, Rick J Field
ABSTAIN:	David R. Green

* Resolution amended with effective date March 29, 2021

Resolution No. 138 requiring the Planning Board to review and consider the proposed amendment of the Colonie Senior Service Center Housing Project PDD.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	David R. Green, Councilman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

1. Late Starter: Added Resolution No. 139: Resolution adopting a Police Reform Plan pursuant to Executive Order 203

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Green, Councilman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Futia, Penn, Field, Mahan, Jeffers, Murphy, Green

2. Late Starter-Resolution



Summary of The Colonie Comprehensive Police Practices Review Committee Report

The Colonie Police Department

➤ The Town of Colonie is the most populous suburb of Albany, New York, and is the third largest town in area in Albany County, occupying about 11% of the county. According to the most recent demographics data available from the United States Census Bureau in 2019, the Town of Colonie has a population of 82,882 which is more than other Towns and many cities in the greater Capital Region area.

➤ Law enforcement in the town is primarily provided by the Town of Colonie Police Department. In 2019, the Town of Colonie increased staffing levels in the Police Department to 115 officers which is the highest level ever achieved by the town. The town also successfully added Public Safety Dispatchers needed due to increased call volume. Due to the financial impact of COVID, staffing was budgeted at 112 for 2021.

Law enforcement in Colonie is supplemented by the New York State Police Troop G and the Albany County Sheriff's Department which patrols the Albany International Airport and operates the Albany County Correctional Facilities.



Executive Order 203

On June 12, 2020, by Executive Order 203, Governor Andrew Cuomo concluded that immediate action is needed to accomplish a number of goals that are to be completed on or before April, 2021.



- 1) Eliminate racial inequities in policing;
- 2) To modify and modernize policing strategies, policies, procedures and practices;
- 3) Develop practices to better address the particular needs of communities of color;
- 4) Promote public safety in communities of color;
- 5) Improve community engagement in communities of color; and
- 6) Foster trust between the Police Department and communities of color.

The plan must include evidence-based policing strategies addressing issues such as:

- | | |
|---|---|
| a. Use of force policies; | i. Problem-oriented policing; |
| b. Procedural justice; | j. Hot spots policing; |
| c. Any studies addressing system racial bias or racial justice in policing; | k. Focused deterrence; |
| d. Bias awareness training; | l. Crime prevention through environmental design; |
| e. De-escalation training & practices | m. Violence prevention and reduction interventions; |
| f. Law enforcement assisted diversion programs; | n. Model policies and guidelines promulgated by the New York State Municipal Police Training Council; |
| g. Restorative justice practices; | o. Standards promulgated by the New York State Law Enforcement Accreditation Program. |
| h. Community based outreach and conflict resolution; | |

According to Executive Order 203, the Town Supervisor and Chief of Police were to convene a committee of community “stakeholders” to develop a plan with updated strategies, policies and procedures for the local police agency. The term “stakeholder” is defined to include:

1. Membership and leadership of the local police force.
2. Members of the community, with emphasis in areas with high numbers of police and community interactions;
3. Interested non-profit and faith based community groups;
4. The local office of the district attorney;
5. The local public defender;
6. Local elected officials.



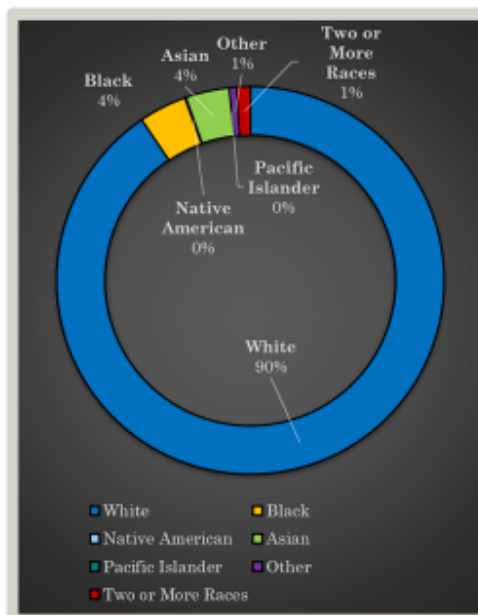
Over a period of eight months, the Colonie Comprehensive Police Practices Review Committee met six times to discuss the current Colonie Police force deployments, strategies, policies, procedures and practices as well as opportunities for improvement.

Specific Committee Findings & Recommendations

- The most recent census figures (2010) show the racial makeup of the Town of Colonie is

90.55% White
 3.96% Black
 0.15% Native American
 3.59% Asian
 0.02% Pacific Islander
 0.61% from other races
 1.13% from two or more races

Hispanic or Latino of any race comprise 1.86% of the population. The Committee recognizes that the demographics of the Town are constantly changing and the racial makeup of the Town will likely become more diverse in the future.



- ✓ It is in the Town's best interest to maintain a close relationship between the Colonie Police Department and Town residents, businesses and schools. The Town should initiate and implement new programs and expand existing programs that recognize that effective policing requires standards and strategies that advance the goals of protecting the community, while engaging with the citizenry in a meaningful and multifaceted way, and demonstrating respect for individuals during law enforcement interactions. Colonie Police should continue to emphasize that policing is a partnership with the community, requiring a foundation of positive, trust-based relationships with all segments of the population.
- ✓ As the town's population continues to grow and becomes more diverse, the Committee recommends that the town increase police staffing levels commensurate with the increase in population in order for the Department to handle the anticipated increased call volume within budgetary constraints while maintaining the town's high level of service.



- ✓ As the Town's population continues to become more diverse, the Town should initiate and implement new recruiting programs intended to diversify the police candidate pool. The Town should continue recruitment strategies such as attending job fairs, participating in internship programs, school outreach programs and, most importantly, adopt new strategies such as fully utilizing social media and social media announcements to attract the greatest number of diverse candidates as possible.
- ✓ The Committee determined that the primary goal the people of Colonie want their Police Department to accomplish is to keep the community safe while treating all citizens with dignity, honor and respect. The Committee therefore recommends that the town continues to provide its officers with training in subjects such as



- Crisis intervention
- De-escalation techniques
- Mental health training
- Safe defensive tactics
- Restorative justice techniques
- Procedural justice techniques using both reality based
- Methods and role players.
- Bias and diversity training (held on an annual basis)

- ✓ The Committee recommends that “Procedural Justice” be continued as a guiding principle for law enforcement interactions with the citizens they serve. While the Colonie Police have never employed rules of engagement placing them in the role of “warrior” against segments of the population, the Committee recommends that the police continue to act in the role of “guardian” to protect the entire population. The Committee recommends when dealing with the public, all police officers should follow the four basic tenets of Procedural Justice:

- RESPECT** treat individuals with dignity and respect;
- VOICE** give individuals a voice during law enforcement interactions;
- NEUTRALITY** be neutral and transparent in decision making; and,
- TRUSTWORTHINESS** convey trustworthy motives with those whom they deal.

- ✓ The Committee recommends that the Colonie Police Department, together with the Town of Colonie which provides financial support for the Colonie Youth Court program, expand the program within the town's budgetary constraints. The Committee recommends that the Town of Colonie seek New York State funding to support further growth of this worthwhile and successful diversion program.



- ✓ Since academic assessment of restorative justice is positive, and since most studies suggest restorative justice makes offenders less likely to reoffend, the Committee recommends that the Colonie Police Department expand its restorative justice efforts and initiate and implement a course of training and establish a procedure that would allow the Police, the town and the court to add restorative justice as an alternative to traditional criminal justice practices and procedures.

Restorative Justice



- ✓ The Albany County Mobile Crisis Unit is a valuable asset to the Colonie Police Department in responding to mental health calls. However, due to the limited hours of operation, the usefulness of the Mobile Crisis Unit is limited. Due to the importance of having trained professionals available to assist Colonie Police Officers responding to mental health calls, the State of New York should provide funding to allow the Mobile Crisis Unit to operate on a 24/7 basis since many mental health calls are received outside of the normal hours of operation of the Unit. The Committee recommends the continued training in crisis intervention techniques and the establishment of a regional mental health stabilization center for continued care.

- ✓ The Committee recommends that the Colonie Police Department maintain a presence at as many Colonie schools as possible. The programs and services provided by the Colonie Police Department to the School Districts are a great success and have the overwhelming support of school administrators, teachers, parents and, most importantly, the students themselves. The Town of Colonie and the North and South Colonie School Districts should plan on continuing these programs long into the future and this Committee strongly recommends that these diversion programs be fully supported by the town.



- ✓ The Committee recommends that the Colonie Police Department continue to participate in the New York State Accreditation program as it has for the last 25 years. The Committee also recommends that the Colonie Police Department continue to periodically review policies and procedures to ensure best practices are achieved. The Committee also found that the data collection is crucial to reviewing the effectiveness of policies and fairness. The Computer Aided dispatch system should be utilized to collect racial data along with other pertinent information on each traffic stop and police interaction with the public.



Comments?

RESOLUTION NO. 139 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 11th day of March, 2021 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Danielle Futia
	Jill Penn
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	David Green

ABSENT: None

Councilman Green offered the following resolution and moved its adoption:

Resolution adopting a Police Reform Plan pursuant to Executive Order 203.

WHEREAS, pursuant to Executive Order 203 for 2020, each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color, and

WHEREAS, each chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies

and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program, and

WHEREAS, the Town of Colonie, in coordination with its police agency, consulted with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing, and

WHEREAS, such plan was offered for public comment to all citizens in the locality at public hearings conducted on March 9, 2021 and March 11, 2021, and after consideration of such comments, was presented to the Town Board of the Town of Colonie, for its vote thereon accepting or rejecting the proposed reform plan,

NOW, THEREFORE, BE IT RESOLVED, that after due deliberation thereon, and after considering the comments to the plan made by persons interested as “stakeholders” made at the public hearings or submitted to the Town by email or regular mail, the Town Board hereby adopts the Reform Plan dated January 28, 2021, as amended, in its entirety, and

FURTHER RESOLVED, that the Town Supervisor be, and hereby is, directed to transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with it all respects and that by the terms of this resolution has adopted the aforesaid Reform Plan.

The resolution was duly seconded by Councilwoman Jeffers and, upon roll call, it was unanimously adopted.