

RESOLUTION NO. 232-A FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway and appointing Michael R. Epting to same at an hourly rate of \$21.18.

BE IT RESOLVED that one (1) position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway be, and hereby is, established; and

BE IT RESOLVED that Michael R. Epting be, and hereby is, appointed to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of \$21.18, effective May 8, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 232-B FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 promoting Keith E. Fogg to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of \$26.48.

BE IT RESOLVED that Keith E. Fogg be, and hereby is, permanently promoted to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of \$26.48, effective May 8, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 232-C FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 Jesse D. Stoddard to the position of Heavy Equipment Mechanic, Grade 11, in the DPW/Division of Highway/Fleet at an hourly rate of \$23.59.

BE IT RESOLVED that Jesse D. Stoddard be, and hereby is, provisionally appointed to the position of Heavy Equipment Mechanic, Grade 11, in the DPW/Division of Highway/Fleet at an hourly rate of \$23.59, effective April 24, 2023, pending the establishment of an appropriate eligible list and pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 232-D FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 Analisa M. Ferrarese to the position of Justice Court Clerk, Grade 7, in the Justice Department at an annual salary of \$36,601.

BE IT RESOLVED that Analisa M. Ferrarese be, and hereby is, provisionally appointed to the position of Justice Court Clerk, Grade 7, in the Justice Department at an annual salary of \$36, 601, effective April 24, 2023, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 232-E FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 Police Officer in the Police Department and permanently appointing Michael S. Hehir to same at an annual salary of \$62,608.

BE IT RESOLVED that one (1) position of Police Officer in the Police Department be, and hereby is, established; and

WHEREAS, the Personnel Officer has certified Michael S. Hehir as eligible for permanent appointment from Eligible List #21-955, established December 8, 2021;

BE IT RESOLVED that Michael S. Hehir be, and hereby is, permanently appointed to the position of Police Officer in the Police Department at an annual salary of \$62,608, effective April 24, 2023.

RESOLUTION NO. 232-F FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 Christopher J. Decker to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of \$26.48.

BE IT RESOLVED that Christopher J. Decker be, and hereby is, appointed to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of \$26.48, effective April 21, 2023.

RESOLUTION NO. 233 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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:

Final Resolution, Order and Determination 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 in the Town of Colonie, County of Albany, State of New York.

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, a Resolution was duly adopted by said Board on the 16th day of February, 2023, pursuant to paragraph (b) of §8 of said Chapter 950 of the Laws of 1972 calling for a public hearing on said map, plan and estimate of cost to be held at the Town Hall, Latham, New York on the 9th day of March, 2023, at 7:00 p.m. Local Time; and

WHEREAS, notice of such public hearing was duly published and posted in the manner and within the time provided by Chapter 950 of the Laws of 1972; and

WHEREAS, said public hearing was duly held at the time and place aforesaid at which time all persons interested in the subject matter thereof were duly heard; and

WHEREAS, by the Town Board of the Town of Colonie, Albany County, New York, that Extension No. 171 to the Latham Water District is a Type II SEQR Action pursuant to 6 N.Y.C.R.R. Part 617.5 (c) (13), therefore no further environmental review is necessary

WHEREAS, said Board duly considered the evidence given at the said public hearing, and on the 9th day of March, 2023 said Board approves the establishment of Extension No. 171 to the Latham Water District subject to Permissive Referendum and makes the following determinations:

- a) That the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- b) That all property and property owners within the proposed extension area are benefitted thereby;
- c) That all the property and property owners benefitted are included within the limits of the proposed extension;
- d) That it is in the public interest to establish the water district extension;

WHEREAS, no petition for permissive referendum was filed; and

WHEREAS, the approval of the State Comptroller is not required pursuant to the provisions of sec. 209(f) of the Town Law; and

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby determined that the property owners within the proposed improvement area are benefited thereby and that said benefited property and property owners are included within the limits of the proposed improvement area.

Section 2. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to construct the aforesaid improvements at the maximum amount to be expended for the aforementioned improvements 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

ORDERED, RESOLVED AND DETERMINED, that the Town Clerk is directed to cause a certified copy of this Order, Resolution and Determination to be recorded in the Office of Clerk of the County of Albany within ten days (10) after the adoption thereof.

RESOLUTION NO. 234 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 Senior Services Center, Inc. in connection with providing scholarships for the adult day care program.

WHEREAS, the Town has been designated by the U.S. Department of Housing and Urban Development as an Entitlement Community under the Community Development Block Grant Program as authorized under Title I of the Housing and Community Development Act of 1974, and

WHEREAS, the 2023 Entitlement Action Plan provides for scholarships for adults from low/moderate income families so that they may attend the adult day care program provided by Colonie Senior Services Center, Inc.;

BE IT RESOLVED that upon the adoption of the 2023 Annual Entitlement Action Plan, the Supervisor be, and hereby is, authorized to enter into an agreement with Colonie Senior Services Center, Inc. in connection with providing scholarships for the adult day care program from July 1, 2023 to June 30, 2024; and

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

RESOLUTION NO. 235 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 the Colonie Youth Center, Inc. in connection with providing scholarships for the School-Age childcare programs.

WHEREAS, the Town has been designated by the U.S. Department of Housing and Urban Development as an Entitlement Community under the Community Development Block Grant Program as authorized under Title I of the Housing and Community Development Act of 1974; and

WHEREAS, the 2023 Entitlement Action Plan provides for scholarships for children from low/moderate income families so that they may attend the before school and after school programs provided by Colonie Youth Center, Inc.;

BE IT RESOLVED that upon the adoption of the 2023 Annual Entitlement Action Plan, the Supervisor be, and hereby is, authorized to enter into an agreement with the Colonie Youth Center, Inc. in connection with providing scholarships for the School-Age childcare programs from July 1, 2023 to June 30, 2024; and

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

RESOLUTION NO. 236 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 Change Order No. 1E to the contract with Spring Electric, Inc. in connection with the Mohawk View Water Pollution Control Plant Blower Rehabilitation Project.

WHEREAS, it was discovered that the starters specified for the blowers were solid state starters but it was determined that soft starters are required; and

WHEREAS, the cost for this change is \$30,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1E to the contract with Spring Electric, Inc. in connection with the Mohawk View Water Pollution Control Plant Blower Rehabilitation Project; and

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

RESOLUTION NO. 237 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 awarding the bid to Mohawk Ambulance Service in connection with the sale of the surplus EMS vehicle #1517 and authorizing the Supervisor to execute any and all documents in connection with the sale of the vehicle.

WHEREAS, pursuant to advertisement on March 15, 2023, bids were received in connection with the sale of EMS 2015 Chevrolet Silverado 3500HD Type 1 Ambulance #1517:

Vendor	Total Bid
Mohawk Ambulance Service	\$35,000.00
Pilip Customs	\$30,201.00

WHEREAS, after review of the bids by the Director of Purchasing and General Services;
BE IT RESOLVED that the bid will be awarded to the high bidder, Mohawk Ambulance Service, for a total cost of \$35,000.00; and

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute any and all documents in connection with the sale of the vehicle; and

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

RESOLUTION NO. 238 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 awarding the bid to Operative IQ in connection with the EMS Inventory Management Online Software and authorizing the Supervisor to execute an agreement for same.

WHEREAS, pursuant to advertisement on March 1, 2023, one (1) bid was received in connection with the EMS Inventory Management Online Software:

VENDOR	INVENTORY MANAGEMENT LICENSE	TOTAL
Operative IQ	\$185/ mo.	\$2,200.00/yr.

WHEREAS, after review of the bid by the Director of Purchasing and General Services and Assistant Chief of EMS; and

WHEREAS, this bid is renewable for three (3) additional one-year periods expiring on December 31, 2024, December 31, 2025 and December 31, 2026;

BE IT RESOLVED that the bid will be awarded to the sole bidder, Operative IQ, for an annual cost of \$2,200.00; and

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

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

RESOLUTION NO. 239 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 Village PDD.

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

WHEREAS, the applicant seeks to install a deck at 45 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 Village PDD.

RESOLUTION NO. 240 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 for 2023 with the New York State Offices of the Inspector General in connection with the use of the Town of Colonie Police Range and Training Facility located on Onderdonk Road.

WHEREAS, the New York State Offices of the Inspector General will use the Town of Colonie Police Range and Training Facility located on Onderdonk Road for 2023 for an annual maintenance fee of \$500.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement for 2023 with the New York State Offices of the Inspector General in connection with the use of the Town of Colonie Police Range and Training Facility located on Onderdonk Road; and

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

RESOLUTION NO. 241 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 for 2023 with the Saratoga County Sheriff's Department in connection with the use of the Emergency Vehicle Operations Course located on Onderdonk Road.

WHEREAS, the Saratoga County Sheriff's Department will use the Emergency Vehicle Operations Course (EVOC Track) and restrooms located on Onderdonk Road for 2023 for a maintenance fee of \$200.00 per usage/day;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement for 2023 with the Saratoga County Sheriff's Department in connection with the use of the Emergency Vehicle Operations Course located on Onderdonk Road; and

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

RESOLUTION NO. 242 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 for 2023 with the New York State Justice Center in connection with the use of the Town of Colonie Police Range and Training Facility located on Onderdonk Road.

WHEREAS, the New York State Justice Center will use the Town of Colonie Police Range and Training Facility located on Onderdonk Road for 2023 for an annual maintenance fee of \$500.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement for 2023 with the New York State Justice Center in connection with the use of the Town of Colonie Police Range and Training Facility located on Onderdonk Road; and

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

RESOLUTION NO. 243 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 Director of Purchasing and General Services to advertise for bids in connection with the purchase of equipment mounted IR/Visible Laser and IR illuminator for the Police Department.

WHEREAS, the equipment mounted IR and visible laser and illuminators are to be utilized by the tactical team in conjunction with night vision goggles to identify, illuminate and deconflict targets secretly;

BE IT RESOLVED that the Director of Purchasing and General Services be, and hereby is, authorized to advertise for bids in connection with the purchase of equipment mounted IR/Visible Laser and IR illuminator for the Police Department.

RESOLUTION NO. 244 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 reimburse for overestimated water usage at 91 Frederick Avenue.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to reimburse the following for overestimated water usage:

Mark Donvito	91 Frederick Avenue	\$3,163.30
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RESOLUTION NO. 245 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 awarding the bid to Layne Christensen Company in connection with the redevelopment of Well #4 at the Mohawk View Water Treatment Plant and authorizing the Supervisor to execute an agreement for same.

WHEREAS, pursuant to advertisement on December 21, 2022, two (2) bids were received in connection with the Redevelopment of Well #4 for the Latham Water District:

Base Bid
Option #1- Motor Rebuild
Option #2- Motor Replacement
Option #3- Pump Rebuild
Option #4- Pump Replacement

	VENDOR	BASE BID	OPTION- 1	OPTION- 2	OPTION- 3	OPTION- 4	TOTAL BID
1.	Layne Christensen Company	49,000.00	7,000.00	27,000.00	15,000.00	10,000.00	\$108,000.00
2.	Subsurface Technologies, Inc.	47,385.00	20,820.00	24,450.00	13,450.00	10,925.00	\$117,030.00

WHEREAS, after review of the bids by the Director of Purchasing and General Services and Latham Water District Superintendent;

BE IT RESOLVED that the bid be awarded to the low bidder, Layne Christensen Company, for the base bid plus Option 1 or 2 plus Option 3 or 4 in an amount not to exceed \$91,000.00; and

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

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

RESOLUTION NO. 246 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 a Contractor Service Agreement with Pro-Tech Scale Service in connection with the annual calibration of four (4) chlorine ton container scales at the Mohawk View Water Treatment Plant.

WHEREAS, Pro-Tech Scale Service will perform the annual calibration of four (4) chlorine ton container scales at the Mohawk View Water Treatment Plant at a cost not to exceed \$1,095.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Contractor Service Agreement with Pro-Tech Scale Service in connection with the annual calibration of four (4) chlorine ton container scales at the Mohawk View Water Treatment Plant; and

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

RESOLUTION NO. 247 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 a Professional Service Agreement with Raftelis in connection with the Rate Analysis and cost of Wastewater and Drinking Water Service Study for the DPW/Division of Pure Waters and Latham Water.

WHEREAS, Raftelis will perform a Rate Analysis and cost of Wastewater and Drinking Water Service Study for the DPW/Division of Pure Waters and Latham Water; and

WHEREAS, the cost to perform this study shall not exceed \$57,200.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Professional Service Agreement with Raftelis in connection with the Rate Analysis and cost of Wastewater and Drinking Water Service Study for the DPW/Division of Pure Waters and Latham Water; and

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

RESOLUTION NO. 248 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 awarding the bid to Calgon Carbon Corporation in connection with the Granular Activated Carbon Filter Media Removal and Replacement and authorizing the Supervisor to enter into an Agreement for same.

WHEREAS, pursuant to advertisement on March 15, 2023, the following bid was received for Granular Activated Carbon Filter Media Removal and Replacement 2023:

- Item #1 - Labor, materials & equipment for the removal of spent GAC filter media for 1 filter and associated hauling.
- Item #2 - Materials of approx. 100 cu ft of filter sand as required to bring 1 filter to 12" finished depth.
- Item #3A -Virgin GAC to bring 1 filter to 31" specifications.
- Item #3B -Labor & equip for reactivation of 1 filter's media & reinstallation of reactivate GAC filter media to make-up virgin GAC to31" depth.
- Item #4 - Labor, Materials & equipment to Demobilize and Remobilize as needed.

VENDOR	ITEM 1	ITEM 2	ITEM 3A	ITEM 3B	ITEM 4	TOTAL
Calgon Carbon Corp	\$17,630	\$2,320	\$95,035	\$69,867	\$6,400	\$191,252

WHEREAS, the bid has been reviewed by the Director of Purchasing and General Services and the Superintendent of Latham Water, and upon their recommendation;

BE IT RESOLVED that the sole bidder, Calgon Carbon Corporation, for Items #1, 2, 3A, 3B and 4 in the amount of \$191,252.00 be, and hereby is, accepted; and

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

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

RESOLUTION NO. 249 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 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 March 22, 2023 the following five (5) proposals were received in connection with the design, printing and mailing of Newsletters and Postcards for the Town of Colonie:

Item #1 - 2 Issues - Newsletters
Item #2 - Postcards

	VENDOR	Newsletter Item #1	Postcards Item #2
1.	Fort Orange Press, Inc.	\$28,206.22	\$1,900.00
2.	Lane Press of Albany	\$37,722.00	\$2,525.00
3.	Star Press	\$43,445.00	\$3,894.00
4.	Brigar Press/dba Digital XPress	No Bid	\$2,530.01
5.	Courier Printing Corp	Non-confirming	\$3,472.00

WHEREAS, this bid has a renewal clause for two (2) additional one (1) year periods ending in December 31, 2025 and December 31, 2026; 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., for Item #1-2 Issues in the amount of \$28,206.22 and Item #2-Postcards in the amount of \$1,900.00, be awarded for the design, printing and mailing of Newsletters and Postcards for the Town of Colonie.

RESOLUTION NO. 250 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 awarding the bid for Asphalt Concrete Materials F.O.B.
Plant for the DPW/Division of Highway for Year 2023.**

WHEREAS, pursuant to advertisement placed on March 22, 2023, the following proposals were received in connection with Asphalt Concrete Material F.O.B. Plant for the DPW/Division of Highway for Year 2023:

ITEM 1 -	Type 3 - Binder Course - FOB Plant
ITEM 2 -	Type 4 - Binder Course - FOB Plant
ITEM 3 -	Type 6 - Top Course - FOB Plant
ITEM 4 -	Type 7 - Top Course - FOB Plant
ITEM 5 -	Modified Stockpile Patch – FOB Plant
ITEM 6 -	Cold Mixed Modified Stockpile Patch – FOB Plant

Trucking cost formula: Number of miles from base location to plant location X 2 X \$.250

WHEREAS, after review of the bid by the Director of Purchasing and General Services and Public Works Operations Supervisor, and upon their recommendation;

BE IT RESOLVED that the bid be, and hereby is, awarded to the vendor with the lowest total cost as follows:

1. Items 1-4 to Dolomite Products Co. (District #1)
2. Items 1-4 to New Castle Asphalt, LLC (District #2),
3. Items 1-4 to Callanan Industries/Watervliet Plant (District #3),

4. Items 5 & 6 (Town Wide) to Callanan Industries Port of Albany Plant
BE IT RESOLVED that all awards are for the costs as indicated on the attached Exhibit

“A”.

RFB-Asphaltic Concrete Material F.O.B. Plant 2023				
District 1				
Item #	Vendor			
	Dolomite Products Co. Inc - Schenectady	Callanan Industries Inc. -Watervliet	Callanan Industries Inc. -Albany	New Castle Asphalt, LLC
1	\$60.50	\$60.50	\$57.00	\$53.50
Total w/Trucking Cost	\$62.20	\$65.75	\$63.85	\$60.45
2	\$60.50	\$60.50	\$57.00	\$55.00
Total w/Trucking Cost	\$62.20	\$65.75	\$63.85	\$61.95
3	\$63.25	\$63.25	\$59.75	\$63.00
Total w/Trucking Cost	\$64.95	\$68.50	\$66.60	\$69.95
4	\$66.00	\$66.00	\$62.50	\$65.00
Total w/Trucking Cost	\$67.70	\$71.25	\$69.35	\$71.95
District 1 TOTAL COST	\$257.05	\$271.25	\$263.65	\$264.30
Round Trip to Plant (miles)	6.8	21	27.4	27.8

District 2				
Item #	Vendor			
	Dolomite Products Co. Inc - Schenectady	Callanan Industries Inc. -Watervliet	Callanan Industries Inc. -Albany	New Castle Asphalt, LLC
1	\$60.50	\$60.50	\$57.00	\$53.50
Total w/Trucking Cost	\$65.25	\$64.10	\$62.15	\$57.80
2	\$60.50	\$60.50	\$57.00	\$55.00
Total w/Trucking Cost	\$65.25	\$64.10	\$62.15	\$59.30
3	\$63.25	\$63.25	\$59.75	\$63.00
Total w/Trucking Cost	\$68.00	\$66.85	\$64.90	\$67.30
4	\$66.00	\$66.00	\$62.50	\$65.00
Total w/Trucking Cost	\$70.75	\$69.60	\$67.65	\$69.30
District 3 TOTAL COST	\$269.25	\$264.65	\$256.85	\$253.70
Round Trip to Plant (miles)	19	14.4	20.6	17.2

EXHIBIT "A"

RFB-Asphaltic Concrete Material F.O.B. Plant 2023				
District 3				
Item #	Vendor			
	Dolomite Products Co. Inc - Schenectady	Callanan Industries Inc. -Watervliet	Callanan Industries Inc. -Albany	New Castle Asphalt, LLC
1	\$60.50	\$60.50	\$57.00	\$53.50
Total w/Trucking Cost	\$65.45	\$62.05	\$62.75	\$60.40
2	\$60.50	\$60.50	\$57.00	\$55.00
Total w/Trucking Cost	\$65.45	\$62.05	\$62.75	\$61.90
3	\$63.25	\$63.25	\$59.75	\$63.00
Total w/Trucking Cost	\$68.20	\$64.80	\$65.50	\$69.90
4	\$66.00	\$66.00	\$62.50	\$65.00
Total w/Trucking Cost	\$70.95	\$67.55	\$68.25	\$71.90
District 3 TOTAL COST	\$270.05	\$256.45	\$259.25	\$264.10
Round Trip to Plant (miles)	19.8	6.2	23	27.6

TOWN WIDE				
Item #	Vendor			
	Dolomite Products Co. Inc - Schenectady	Callanan Industries Inc. - Watervliet	Callanan Industries Inc. -Albany	New Castle Asphalt, LLC
5	NO BID	NO BID	\$135.00	NO BID
Total w/Trucking Cost	NO BID	NO BID	\$135.00	NO BID
6	NO BID	NO BID	\$135.00	NO BID
Total w/Trucking Cost	NO BID	NO BID	\$135.00	NO BID
District 3 TOTAL COST	NO BID	NO BID	\$270.00	NO BID

RESOLUTION NO. 251 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 awarding the bid for Aluminized Culvert Pipe, Aluminum Arch Pipe, PVC – Polyvinyl Chloride Pipe & Fittings, and Special Order Items for the year 2023.

WHEREAS, pursuant to advertisement on March 15, 2023, the following proposals were received in connection with bid for Aluminized Culvert Pipe, Aluminum Arch Pipe, PVC – Polyvinyl Chloride Pipe & Fittings, and Special Order Items for the year 2023:

VENDOR		Core & Main	Chemung Supply Corp.	Town & County Bridge & Rail
Grand Total Item # 2 Aluminized Culvert Pipe-		\$607.52	\$607.62	\$625.99
Grand Total Item # 7 PVC SDR-Polyvinyl Chloride Pipe & Fittings		\$1,146.67	*No Bid	*No Bid
Percentage Discount Item # 10 Special Order Items		5%	Net	1.50%

WHEREAS, after review of the bids and upon the recommendation of the Director of Purchasing and General Services and Public Works Operations Supervisor; and

WHEREAS, this bid is renewable for two (2) additional one (1) year periods from April 1, 2024 through March 31, 2025 and April 1, 2025 through March 31, 2026;

BE IT RESOLVED that the bid for Item #2 and Item #7 be, and hereby are, awarded to Core & Main; and

BE IT RESOLVED that the bid for Item #10 be, and hereby is awarded to Core & Main for a total of 5% discount off manufacturing price.

RESOLUTION NO. 252 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 TRUGREEN in connection with lawn fertilization treatments at Town Hall, Public Operations and Public Safety for the year 2023.

WHEREAS, three (3) quotes were received in connection with four (4) scheduled lawn fertilization treatments at Town Hall, Public Operations and Public Safety; and

WHEREAS, TRUGREEN had the lowest quote of a total cost of \$5,535.00 for the year 2023;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement with TRUGREEN in connection with lawn fertilization treatments at Town Hall, Public Operations and Public Safety 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. 253 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 adopt a revised Town of Colonie DPW/Highway and Drainage Standards and authorizing the Supervisor to approve future revised editions.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to adopt the July, 2022 revised Town of Colonie DPW/Highway and Drainage Standards; and

BE IT FURTHER RESOLVED that the Supervisor, after consultation with the Commissioner of Public Works, is hereby authorized to approve future revised editions.

Department of Public Works

Town of Colonie

Highway and Drainage Standards

Adopted 1982
Revised July 2022



347 Old Niskayuna Road
Latham, New York 12110-2290
(518) 783-2795

Matthew J. McGarry, P.E.
Commissioner of Public Works

**Town of Colonie
Department of Public Works**

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Abbreviations and Definitions

Note: Each professional standard or document listed in these standards is meant to represent the latest edition of the stated document unless a specific edition or revision is listed.

AASHTO	American Association of State Highway and Transportation Officials
ASTM	American Society for Testing and Materials
Blue Book	New York State Standard Specifications for Erosion and Sediment Control (2016)
CaCl	Calcium Chloride; road salt
CMP	Corrugated metal pipe
CO	Certificate of Occupancy
Code	Code of the Town of Colonie
DPW	Department of Public Works
Engineering	Bureau of Engineering
HCAP	Helical corrugated aluminum pipe
HDPE	High-Density Polyethylene
Highway or HWY	Division of Highway
Highway Law	Code of the Town of Colonie, Chapter 162 Streets and Sidewalks
ID	Inside diameter
MUTCD	Manual of Uniform Traffic Control Devices
No.	Number
NYSDOT	New York State Department of Transportation
NYSDOT SS	New York State Department of Transportation Standard Specifications
OCS	Outlet control structure
psi	Pounds per square inch
PVC	Polyvinyl chloride
RCP	Reinforced concrete pipe
ROW	Right-of-way
s.u.	standard unit
SDR	Standard dimension ratio
SMP	Stormwater management practice
Town	The Town of Colonie
White Book	New York State Stormwater Management Design Manual (2015)

End of Section

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Department of Public Works**

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Section 1 - Storm Drain Pipe

1-1 General

- A. This standard is to specify the materials and installation requirements for stormwater drain pipe and fittings to be installed within the Town's right-of-way (ROW) or future roads to be dedicated to the Town.

1-2 Materials

Storm Drain Pipe

- A. The Commissioner of Public Works and/or the Public Works Operations Supervisor reserve(s) the right to approve any pipe material other than the types specified herein, provided that the proposed pipe can be documented to be equal to the approved and identified as an approved or equal.
- B. The minimum pipe diameter for any storm sewer shall be 12 inches.
- C. The Town accepts the storm drain pipe materials and sizes based on their application as outlined in Table 1-1.

Table 1-1 Storm Drain Pipe Summary Table

Material	Schedule	Diameter	Can Be Daylighted	Can Be In/Below Groundwater
CMP	See Table 1-2	12" to >48"	Yes	No
PVC	SDR 26/35	12" to 24"	No	Yes
HDPE	Double Wall	12" to 60"	Yes	Yes
Concrete	-	12" to 48"	Yes	No

Corrugated Metal Pipe

- A. Corrugated metal pipe (CMP) suitable for use as highway stormwater pipe includes polymer-coated aluminum pipe, helical corrugated aluminum pipe (HCAP), and aluminized steel.
- B. CMP shall conform to the following applicable standards:
- a. *American Association of State Highway and Transportation Officials (AASHTO) M-36 Standard Specification for Corrugated Steel Pipe, Metallic-Coated, for Sewers and Drains*
 - b. *AASHTO M-190 Standard Specification for Asphalt-Coated Corrugated Metal Culvert Pipe and Pipe-Arches*
 - c. *AASHTO M-196 Standard Specification for Corrugated Aluminum Pipe for Sewers and Drains*
 - d. *New York State Department of Transportation Standard Specifications (NYSDOT SS) §707-02 Corrugated Steel Pipe*

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e. NYSDOT SS, §707-13 Corrugated Aluminum Pipe

- C. CMP shall be formed from sheets conforming to the requirements of *American Society for Testing and Materials (ASTM) B-209 Standard Specification for Aluminum and Aluminum-Alloy Sheet and Plate and Alclad Aluminum 3004-H34*.
- D. All CMP shall be of the gauge listed in Table 1-2, except as otherwise noted on the plans or as required by the Commissioner of Public Works and/or the Public Works Operations Supervisor.

Table 1-2 CMP Standard Gauges by Diameter

Diameters (inches)	Gauge
4, 6	18
12, 15, 18	14
21, 24	12
30, 36, 42	10
48 and Larger	8

- E. CMP shall have a continuous, spiral-lock seam.
- F. CMP shall have either helical or annular corrugated ends.
- G. CMP with an inside diameter (ID) of 48 inches or greater shall be factory elongated or strutted on the vertical axis not less than five percent (5%) of the pipe diameter.

Polyvinyl Chloride Pipe

- A. All polyvinyl chloride (PVC) pipe shall be standard dimension ratio (SDR) 35 Storm Sewer Pipe, SDR 26/35 Sewer Pipe, or SDR 26 Class 160 Water Pressure Pipe (PVC SDR 26 Cl. 160).
- B. All PVC pipe shall conform to the requirements of the following ASTM Standard Specifications:
- a. *ASTM D-3034 Type PSM Poly(Vinyl Chloride) (PVC) Sewer Pipe and Fittings*
 - b. *ASTM D-3212 Joints for Drain and Sewer Plastic Pipes Using Flexible Elastomeric Seals*
 - c. *ASTM F-477 Elastomeric Seals (Gaskets) for Joining Plastic Pipe*
 - d. *ASTM F-679 Poly(Vinyl Chloride) (PVC) Large-Diameter Plastic Gravity Sewer Pipe and Fittings.*
- C. All PVC pipe shall have a bell-and-spigot type joint with a rubber gasket inserted in the bell to form a watertight joint.

High-Density Polyethylene Pipe

- A. All high-density polyethylene (HDPE) pipe shall conform to the following requirements:

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- a. *AASHTO M-252 Plastic and Polyethylene Corrugated Drainage Pipe*
- b. *AASHTO M-294 Corrugated Polyethylene Pipe, 12- to 24-in. Diameter*
- c. *ASTM D-2321 Standard Practice for Underground Installation of Thermoplastic Pipe for Sewers and Other Gravity-Flow Applications*
- d. *ASTM D-3350 Standard Specification for Polyethylene Plastics Pipe and Fittings Materials*

B. All HDPE pipe shall be double-walled HP Storm Pipe by ADS or an approved or equal.

Reinforced Concrete Pipe

- A. Reinforced concrete pipe (RCP) shall conform to *NYSDOT SS, §706-02 Reinforced Concrete Pipe Classes II, III, IV, V and §706-03 Reinforced Concrete Elliptical Pipe Classes HE-II, HE-III, HE-IV, VE-IV, VE-V, and VE-VI.*

Storm Drain Pipe Fittings

CMP Coupling Bands

- A. Circumferentially or helically corrugated aluminum pipe shall be field-joined with coupling bands of the same base alloy as the pipe and one gauge lighter than that of the pipe, and in no case lighter than 18-gauge (0.0478 inches thick).
- B. Coupling bands shall have corrugations that match the pipe corrugation.
- C. Coupling bands shall be one-piece or two-piece for field joints.
- D. CMP coupling bands shall be of the minimum widths in Table 1-3.

Table 1-3 – Widths of CMP Coupling Bands

Helical Corrugated Bands		Annular Corrugated Bands	
Band Width	Pipe Diameter	Band Width	Pipe Diameter
7"	6" to 30"	7"	6" to 30"
12"	36" to 60"	10.5"	> 30"
24"	> 60"	-	-

- E. Coupling band connections for corrugated steel pipe shall be galvanized steel angles.
- F. Coupling band connections for corrugated aluminum pipe shall be aluminum angles.

Angles

- A. Steel or aluminum angles to connect coupling bands shall have a nominal dimension of two-inch by two-inch by three-sixteenths of an inch (2" x 2" x 3/16").
- B. Aluminum angles shall conform to *ASTM Aluminum Alloy 6063-T6*.
- C. Bolts shall be one-half inch (1/2") diameter and galvanized.

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Backfill

- A. Storm drain pipe shall be backfilled with native soil only when the soil can meet 95% compaction.
- B. All pipe zone and trench zone backfill shall have a moisture content suitable for proper compaction.
- C. Aluminum or aluminum-coated pipe must not contain backfill with Portland cement unless the pipe is thoroughly coated with a zinc chromate primer per *NYSDOT SS, §708-04 Zinc Chromate Primer*.
- D. Corrugated aluminum pipe backfill must pass a two-inch (2") sieve.

1-3 Installation

Storm Drain Pipe

- A. All pipe shall be installed true to line and grade, without deflection, and shall have a full, firm, and even bearing. Pipe which is found not to be in true line or grade after placement shall be removed and reinstalled at no expense to the Town.
- B. Pipe installation shall commence from the down-grade end and progress up-grade.
- C. For pipe installation, the necessary facilities shall be provided for lowering the pipe into the trench. At no time shall any pipe be thrown or dropped from the truck or into the trench.
- D. All pipe shall be handled and installed as per the manufacturer instructions and in accordance with the *Highway and Drainage Standard Details*. Any deviation must be shown on the project plans or approved by the Commissioner of Public Works and/or the Public Works Operations Supervisor.
- E. The Commissioner of Public Works and/or the Public Works Operations Supervisor reserve(s) the right to require a watertight pipe joint when existing field conditions warrant.
- F. Vertical alignment shall provide for a minimum depth of cover from the finished ground elevation to the top of pipe equal to two-and-one-half (2-½) feet.
- G. When pipe sizes of different diameters enter a drainage structure at a straight-through-grade condition, the pipe crown elevations shall be the same elevation.
- H. When more than one pipe enters a drainage structure, at no time will an elevation difference between inverts exceed three (3) feet. Underdrain pipe (excluding perforated storm drain pipe) shall be excluded from this requirement.
- I. Prior to street dedication, all pipe shall be cleaned and free of all deposits of sand, dirt, concrete or other foreign matter.

Corrugated Metal Pipe

- A. Install aluminum pipe with longitudinal seams located at the sides.
- B. Install circumferential seams with laps in the downstream direction.

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- C. Annular corrugated bands shall be installed by rerolling the ends of helical corrugated pipe to form a minimum of two annular corrugations of not less than two-and-two-thirds (2-2/3) inch pitch by one-half (1/2) inch depth. The band shall mesh with at least one (1) full corrugation and shall lap equally on each pipe.
- D. Angles to connect the coupling bands to the pipe shall be installed using bolts.
- E. Any evidence of loose bolts or rivets, bearing failure, weld or band tearing shall be cause for rejection and immediate replacement of coupling band.
- F. All pipe installations requiring strutting (pipe with an ID greater than 48 inches) shall be blocked or otherwise held in the out-of-round position during installation until backfilled. The strutting and blocking shall be removed only with the approval of the Commissioner of Public Works and/or the Public Works Operations Supervisor.

PVC

- A. Joints shall be bell-and-spigot with bells laid upstream.
- B. Where the spigot end of an existing pipe doesn't fit the bell end of a new pipe, construct a concrete collar.
- C. If the clearance is too great for use of a gasket, install jute caulking into the joint space and fill with mortar or a poured caulking compound.

HDPE

- A. HDPE field joints shall be factory-installed which meet the watertight requirements of *ASTM D-3212*.
- B. Joint misalignment must not exceed a one-quarter (1/4) inch offset or a separation greater than one-half (1/2) inch between adjoining sections of pipe.

Concrete Pipe

- A. For round concrete pipe, use flexible water-tight elastomeric gaskets.
- B. For elliptical pipe, use concrete pipe joint sealing compound meeting the requirements of *NYS DOT SS, §705-16 Concrete Pipe Joint Sealing Compound*. Install all sealants when the pipe is laid to line and grade.

Backfill

- A. The pipe zone backfill material shall be deposited evenly on both sides of the pipe in compacted lifts not to exceed six (6) inches in depth until at least three-fourths (3/4) the depth of the pipe has been reached. The remaining backfill shall be installed in lifts not to exceed 12 inches in depth.
- B. Compaction shall be performed on each side of the pipe for a distance equal to the pipe manufacturer recommendations.
- C. The backfill layer thickness shall not exceed the capability of the compaction equipment.

End of Section

Town of Colonie
Department of Public Works

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Section 2 – Culverts and End Sections

2-1 General

- A. All culverts shall be designed to discharge a 10-year peak flow without static head entrance and a 100-year peak flow utilizing available head at the entrance. Available head is defined as the flood stage elevation which will not cause highway flooding or endangerment to life or personal property.
- B. Culvert design shall include provisions for slope stability for the roadway embankment section, as well as the selection of appropriate inlet and outlet end section structures.

2-2 Materials

Culverts

- A. The minimum culvert diameter is 12 inches.
- B. Culverts shall be CMP, RCP, or HDPE.
- C. All CMP culvert pipe must conform to Section 1-2 Materials, Corrugated Metal Pipe.
- D. All RCP culvert pipe must conform to Section 1-2 Materials, Reinforced Concrete Pipe.
- E. HDPE culvert pipe must be double-walled, HD Storm Pipe by ADS or an approved or equal.

End Sections

- A. Flared end sections shall be galvanized steel, aluminum, reinforced concrete, or HDPE.
- B. Steel flared end sections shall be in accordance with *NYS DOT SS, §707-10 Galvanized Steel End Sections*.
- C. Aluminum end sections shall be in accordance with *NYS DOT SS, §707-11 Aluminum End Sections*.
- D. Concrete end sections shall be in accordance with *NYS DOT SS, §706-07 Reinforced Concrete Pipe End Sections*.
- E. HDPE flared end sections shall conform to *ASTM D-1248 Standard Specification for Polyethylene Plastics Extrusion Materials for Wire and Cable* and *F 667 Standard Specification for 3 through 24 in. Corrugated Polyethylene Pipe and Fittings*.

Corrugated Metal (Aluminum and Steel)

- A. CMP flared end sections shall conform to the requirements of *AASHTO M-196*.
- B. CMP flared end sections shall be manufactured from steel alloy sheet consisting of Alclad 3004-H32 or 3004-H34.

Coupling Bands

- A. See Section 1-2 Materials, CMP Band Couplers.

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Department of Public Works**

Angles

- A. See Section 1-2 Materials, Angles.

2-3 Installation

Culverts

- A. See Section 1-3 Installation, Storm Drain Pipe.
- B. Field join corrugated aluminum pipe with band couplers of the same base alloy of the pipe.
- C. Any evidence of loose bolts or rivets, bearing failure, weld or band tearing shall be cause for rejection and immediate replacement of coupling band.

End Sections

- A. End sections shall be backfilled in accordance with the *Highway and Drainage Standard Details*.
- B. End section assemblies shall be joined to the pipe with a standard coupling band.

End of Section

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Section 3 - Underdrain

3-1 General

- A. When the groundwater elevation and/or soil characterization are such that subsurface highway drainage becomes necessary, a perforated underdrain pipe shall be installed at low points along the highway profile, at every other crossing, and at intersections. This underdrain pipe shall connect directly into any drainage structure at the edge of pavement.

3-2 Materials

Piping

- A. The acceptable pipe diameter for underdrain pipe shall be six (6) or eight (8) inches.
- B. All HDPE pipe shall conform to the requirements of *AASHTO M-252* and *M-294* and *ASTM D-2321* and *D-3350*.
- C. The acceptable pipe material for underdrain pipe shall be perforated corrugated HDPE without fabric sock. The pipe shall be Single Wall Perforated Pipe by ADS or an approved or equal.
- D. Underdrain with fabric sock (see special conditions below under 3-3 Installation - H) shall be Single Wall Perforated Pipe by ADS or an approved or equal.
- E. The underdrain pipe can be daylighted and can be installed in or below groundwater.

Filter Media

- A. Underdrain filter media shall meet the requirements of *NYS DOT SS, §733-20 Underdrain Filter Material*, Type 1 or Type 2.
- B. The Commissioner of Public works and/or the Public Works Operations Supervisor have the right to approve other filter media materials.

Geotextile Filter Fabric

- A. The geotextile underdrain fabric shall be WINFAB 450N or an approved or equal. The material and manufacturer of an approved or equal must be listed in the *NYS DOT Approved Materials, Equipment, Methods and Procedures*.

3-3 Installation

Piping

- A. All pipe shall be installed true to line and grade and shall have a full, firm, and even bearing. Pipe which is found not to be in true line or grade after placement shall be removed and reinstalled at no expense to the Town.
- B. Pipe installation shall commence from the down-grade end and progress up-grade. The upgrade end of the underdrain pipe shall be closed with a solid plastic cap.
- C. For all pipe installation, the necessary facilities shall be provided for lowering the pipe into the trench. At no time shall any pipe be thrown or dropped from the truck or into the trench.

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- D. All pipe shall be handled and installed as per the manufacturer's instructions. Any deviation must be shown on the Plans or approved by the Commissioner of Public Works or the Public Works Operations Supervisor.
- E. Prior to street dedication, all pipe shall be cleaned and free of all deposits of sand, dirt, concrete or other foreign matter.
- F. All underdrain pipe shall be designed and installed in accordance with the *Highway and Drainage Standard Details*.
- G. The underdrain pipe shall be installed with the perforations down.
- H. Where groundwater is flowing through stone bedding and filter fabric can't be installed to envelope the trench (See Filter Media below), the underdrain pipe shall have a sock. All other design for undertrain with sock shall be approved by the Commissioner of Public Works and/or the Public Works Operations Supervisor.

Filter Media

- A. Install filter media loosely around and over the pipe in six-inch (6") lifts. Installation of the filter media shall precede the placement of adjacent backfill material.
- B. Compact the filter media and adjacent backfill simultaneously with two passes of a vibratory or drum type compactor, carefully as not to contaminate the filter media with the adjacent backfill material.

Geotextile Filter Fabric

- A. Install geotextile underdrain fabric to envelope the filter media.
- B. The geotextile underdrain fabric shall overlap the filter media a minimum of 12 inches at the top of the trench.

End of Section

Section 4 - Sump Laterals and Collectors

4-1 General

- A. All proposed buildings shall have sump pump laterals that exit the building and discharge into a stormwater structure in the roadway. If connection cannot be made to a catch basin or storm sewer manhole in the roadway, the laterals are run to a junction box. The junction box must contain a sump pump collector pipe that discharges to a stormwater structure in the roadway.

4-2 Materials

Piping

- A. The minimum pipe diameter and material for sump laterals shall be four-inch PVC SDR 35 Sewer Pipe.
- B. The minimum pipe diameter and material for sump collector pipe shall be eight-inch PVC SDR 35 Sewer Pipe.

4-3 Installation

General

- A. The placement of the sump pump lateral, collector pipe and stormwater structure shall be in accordance with the *Highway and Drainage Standard Details*.

Sump Laterals

- A. All sump pump lateral pipe shall be installed in accordance with the *Highway and Drainage Standard Details*.
- B. All sump pump laterals shall be extended to or beyond the limits of the utility easement or to the edge of the ROW.
- C. Sump laterals and collectors shall all flow by gravity. The elevation out of a sump must be two (2) feet higher than the frame and grate in the street. Where this is not possible, a one-half percent (0.5%) minimum slope is mandatory for all sump laterals and collector pipes. Sump pump laterals shall be gravity flow when connecting to a closed collector system. Elevation of invert out of house/sump pit must be higher than the catch basin top of frame elevation it discharges to.
- D. All sump pump laterals shall have an end cap or plug installed at the end of the lateral.
- E. Where sump pump laterals are daylighted (back yards only), they shall have a critter cap installed at the exposed end.
- F. Prior to backfilling the sump pump lateral, the end of the pipe shall be marked with a two-inch by four-inch (2" x 4") marker that extends a minimum of two (2) feet above the proposed finished grade. The top one (1) foot of the marker shall be painted orange to clearly identify the end of the lateral.

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Sump Collectors

- A. The collector pipe shall have a minimum slope of one-half percent (0.5%), a minimum cover of two and one-half (2-1/2) feet, and shall be connected into the storm sewer system at a catch basin or storm sewer manhole.

End of Section

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Section 5 - Structures

5-1 General

- A. The four (4) acceptable types of precast concrete storm sewer drainage structures are: catch basins, storm sewer manholes, dry wells, and junction boxes.
- B. All precast concrete drainage structures shall be in accordance with the *Highway and Drainage Standard Details* and these Standards.
- C. All drainage structures shall have a manufacturer's shop drawing that has been reviewed, stamped and approved by the design professional.
- D. The minimum inside diameter (ID) for precast round concrete sections shall be four (4) feet with a minimum wall thickness of five (5) inches.
- E. Precast riser sections of variable heights shall be installed over the bottom section as required and all lower sections shall be continued to the surface.
- F. All pipes entering or exiting the drainage structure shall be in accordance with the *Highway and Drainage Standard Details*.
- G. Pipes entering and existing the drainage structure shall be installed via kor-n-seal boot connection for pipes up to 48 inches in diameter. For pipes larger than 48 inches in diameter, bricks, block, and non-shrink hydraulic cement shall be used.

Catch Basins

- A. Catch basins shall be installed at all intersections such that no storm water run-off shall accumulate in or pass through the intersection.
- B. Placement shall be such that the maximum distance which stormwater run-off allowed in an open gutter flow shall not exceed 300 linear feet. A shorter distance than this maximum limit may be necessary due to site specific conditions as determined by the Commissioner of Public Works or the Public Works Operations Supervisor.
- C. The thinnest riser shall be on the bottom for grade adjustment. The minimum risers possible must be used. The minimum grade adjustment shall be four (4) inches, and the maximum eight (8) inches, not inclusive of the five-inch (5") flat lid.
- D. All catch basins are required to have a minimum 12-inch sump.

Storm Sewer Manholes

- A. Storm sewer manhole ID shall be a function of the storm sewer pipes that enter and exit the specific manhole.
- B. All storm sewer manholes are required to have a minimum 12-inch sump.
- C. All storm sewer manholes shall have a standard monolithic base, unless otherwise approved by the Commissioner of Public Works or the Public Works Operations Supervisor.

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- D. When the distance between the top of frame and invert in a catch basin exceeds three (3) feet, the structure must be changed from a catch basin to a storm sewer manhole.
- E. The maximum height of a catch basin shall be four (4) feet as measured from the finished top of frame and grate (rim) elevation to the invert out elevation.
- F. When a catch basin exceeds four (4) feet in height, or when any of the entering or exiting pipe diameters exceed 15 inches, the type of storm sewer drainage structure must be changed from a catch basin to a storm sewer manhole.

Junction Boxes

- A. Junction boxes shall not be used unless approved by the Commissioner of Public Works or the Public Works Operations Supervisor.
- B. Junction box placement shall be at the property line corners to provide a point of connection for the sump pump discharge line of each building into the storm sewer system, as required.
- C. Junction boxes shall have a four-inch (4") SDR 35 PVC sump pump lateral and a minimum eight-inch (8") SDR 35 PVC collector pipe.
- D. Piping into the junction box shall penetrate the inside of the box by a maximum of two (2) inches from the inside wall.

Structure Steps

- A. Storm drainage structure steps are required when the structure depth from the top of frame (rim) elevation minus the invert out elevation exceeds four (4) feet. Steps must line up from the base to the top.

5-2 Materials

Catch Basins

- A. Catch basins shall be square precast concrete, two-and-one-half foot by two-and-one-half foot by three-and-one-half foot (2.5' x 2.5' x 3.5') ID catch basins manufactured by The Fort Miller Co., Inc. or an approved or equal.

Storm Sewer Manholes

- A. All storm sewer manhole materials and dimensions are to be in accordance with the *Highway and Drainage Standard Details*.
- B. Storm sewer manholes shall be round precast concrete, in accordance with the four-foot (4'), five-foot (5'), six-foot (6'), six-and-one-half-foot (6'-6"), seven-foot (7'), and eight-foot-(8') ID manhole sections as manufactured by The Fort Miller Co., Inc. or an approved or equal.

Drywells

- A. Drywells shall be composed of 4,000-psi concrete with five-to-nine-percent (5 - 9%) air entrainment.
- B. Reinforcement shall meet *ASTM A615 Standard Specification for Deformed and Plain Carbon-Steel Bars for Concrete Reinforcement*, Grade 60 and *ASTM A1064 Standard*

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Specification for Carbon-Steel Wire and Welded Wire Reinforcement, Plain and Deformed, for Concrete, Grade 65.

- C. Dry wells shall be manufactured by The Fort Miller Co., Inc. or an approved or equal.
- D. Drywells shall be 48 inches tall and 72 inches in diameter.
- E. Drywells shall have tapered holes.

Junction Boxes

- A. Junction boxes shall be square precast concrete, two-and-one-half foot by two-and-one-half foot by two-and-one-half foot (2.5' x 2.5' x 2.5') ID catch basin as manufactured by The Fort Miller Co., Inc. or an approved or equal.

Steps

- A. Storm structure step material shall conform to *NYS DOT SS, §725-02 Steps for Manholes* and shall be Reinforced Polypropylene or other plastic material, or an approved or equal.

Granular Subbase

- A. Standard subbase material for drainage structures shall be No. 2 Crushed Stone or Type 3 Subbase Gravel.
- B. Stone shall be spread evenly and leveled prior to structure installation.
- C. Gravel shall be compacted to a minimum 95 percent (95%) of the Standard Proctor Maximum Density.
- D. An alternate subbase material may be chosen upon review and approval by the Commissioner of Public Works or Public Works Operations Supervisor.

Concrete

- A. All precast concrete sections and units shall be reinforced concrete, conforming to *ASTM C-478 Standard Specification for Circular Precast Reinforced Concrete Manhole Sections*.
- B. All reinforced concrete shall be 4,000 pounds-per-square-inch (psi) compressive strength concrete at 28 days with Portland cement, course and fine aggregate, steel reinforcement, and low water cement ratios consistent with workability.
- C. The Portland cement shall be air entrained cement as per the specification for air entrained Portland cement, *ASTM C-150 Standard Specification for Portland Cement* unless otherwise specified or shown on the Plans.
- D. Fine and course aggregates shall meet the quality requirements for Concrete Aggregates *ASTM C-33 Standard Specification for Concrete Aggregates*. Gradation requirements may be modified as required, subject to approval of the Commissioner of Public Works or Public Works Operations Supervisor.
- E. All concrete shall be thoroughly mixed by a mechanical batch mixer.

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Mortar

- A. The mortar mixture used in field construction for a storm sewer drainage structure shall be one (1) part Type 1A Portland cement and two (2) parts Clean Masonry Sand. Mortar shall not be used after initial setting of the cement has taken place. Mortar shall only be used to set frame and grate and risers.
- B. When a water condition exists that may cause any mortar not to set, then Preco Plug shall be used instead of mortar, and where inverts are greater than 48 inches in diameter, or when Kor-n-seal is not possible.

5-3 Installation

General

- A. All drainage structures shall be installed in accordance with the *Highway and Drainage Standard Details*.
- B. Prior to street dedication, all storm sewer drainage structures shall be cleaned and free of all deposits of sand, dirt, concrete or other foreign matter.

Structures

- A. The installation of all catch basins, storm sewer manholes, and junction boxes shall be in accordance with the *Highway and Drainage Standard Details*.
- B. All joints between sections of storm sewer manholes shall be sealed using butyl rope.
- C. Over dig drywell holes by three (3) feet on all sides and fill to the top of the drywell with No. 3 stone.
- D. Install geotextile underdrain fabric to cover the drywell prior to filling the hole with topsoil or gravel.

Steps

- A. Steps shall be installed at 12-inches on-center.
- B. First step shall be installed a minimum of 12 inches below the storm water structure lid.
- C. Steps shall be installed within the structure with the centerline equidistant from pipe penetrations.

Granular Subbase

- A. Any material larger than six (6) inches in the maximum dimension shall be considered unacceptable and shall be removed from the subgrade. The subgrade shall be compacted prior to the placement of any subbase so that no significant rutting is observed.
- B. The drainage structure subbase shall be installed in accordance with the *Highway and Drainage Standard Details*.

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- C. The subbase material shall have a moisture content suitable for compaction to 95 percent (95%) of the Standard Proctor Maximum Density. The layer thickness used during installation shall not exceed 12 inches.

Backfill

- A. No drainage structure shall be completely backfilled until such time as all mortar has completely set.
- B. The backfill material shall have a moisture content suitable for compaction to 95 percent (95%) of the Standard Proctor Maximum Density. The layer thickness used during installation shall not exceed 12 inches.
- C. Compaction shall be required between lifts by means of a mechanical compactor.
- D. All backfill shall be brought up to the finished elevation of the subgrade.
- E. Compaction tests are to be performed every 300 feet of trench line, and at every other sanitary sewer manhole.

End of Section

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Section 6 – Frames, Grates, Lids and Grade Adjustments

6-1 General

Grade Adjustments

- A. The grade adjustment for all drainage structures shall be in accordance with the *Highway and Drainage Standard Details*.
- B. All requirements used for precast concrete drainage structures are applicable for the grade adjustment rings or squares.
- C. Junction boxes shall not require grade adjustment.

Frames and Grates/Covers

- A. Frames and grates/covers shall be flush with the binder grade or as ordered by Engineer.
- B. Cascade grates shall be required when the street center line grades are in excess of five percent (5%).

6-2 Materials

Grade Adjustments

- A. Grade adjustment for all drainage structures shall be made with precast reinforced concrete grade adjustment rings or squares with an opening to match the proposed frame and grate/cover.

Frames and Grates/Covers

- A. Drainage structure frames and grates/covers shall be cast iron, conforming in all respects to those specified on the *Highway and Drainage Standard Details*.
- B. Standard round frames and grates for catch basins and storm water manholes within paved areas of the streets shall be Neenah R-2556-A Grate Type F or an approved or equal.
- C. Cascade frames and grates, used for slopes exceeding five percent (5%), shall be Neenah R-3588-LL4 or an approved or equal.
- D. Standard round frames and covers within paved areas of the streets shall be Campbell 1009, without vent holes and clearly marked "TOWN OF COLONIE STORM SEWER" or an approved or equal.

Lids

- A. For a storm sewer drainage structure, flat lids or cone section shall be the last unit section installed prior to the grade adjustment installation.
- B. Precast round concrete lids shall be reinforced concrete with a minimum thickness of eight (8) inches.
- C. Precast square concrete lids shall be reinforced concrete with a minimum thickness of five (5) inches.

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- D. Precast lids are to be installed on both catch basins and storm manholes. The precast risers shall be stacked on the precast lid, starting with the smallest and ending with the largest.
- E. All lid types shall be designed to withstand all superimposed earth loads in addition to the maximum AASHTO H20 truck loadings (maximum wheel load of 16,000 pounds).
- F. All lids shall be cast with an opening of the shape and size required to match the frame and grate/cover specified by the plans, Commissioner of Public Works or Public Works Operations Supervisor.
- G. Flat slab tops for drywells shall be five (5) inches when installed in grass, or eight (8) inches thick when installed in roadway.
- H. Covers installed on drywells shall be solid, precast concrete and H20 rated.
- I. Junction box cover shall be Campbell 1009 without vent holes or equal, labeled "TOWN OF COLONIE STORM SEWER", flush with finished grade.

6-3 Installation

Grade Adjustments

- A. The grade adjustment for all drainage structures shall be in accordance with the *Highway and Drainage Standard Details*.
- B. When variable thicknesses of precast grade adjustment rings or squares are required, the rings or squares shall be installed such that the thinnest ring or square is installed on the precast concrete lid or cone section and the remaining rings or squares are installed such that they increase in thickness until the thickest ring or square is installed below the frame.

Frames and Grates/Covers

- A. All frames and grates or covers shall be installed in accordance with the *Highway and Drainage Standard Details*.
- B. When installing a Neenah R-2556-A frame and grate (or an approved or equal), the installation shall be such that the middle of the grate shall be in alignment with the gutter line formed at the intersection point of the outer edge of the carriage way and the toe of the wing wedge curb.

End of Section

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Section 7 – Roadways

7-1 General

- A. A highway work permit must be obtained from the Town of Colonie Highway Department prior to any work proceeding in an existing Town ROW.
- B. Prior to the placement of each course of material specified herein, the Commissioner of Public Works or the Public Works Operations Supervisor shall inspect and approve the roadway construction.
- C. Should density tests be performed on any material, the results shall indicate that not less than 95 percent (95%) of the Standard Proctor Maximum Density is attained for any portion of the material.
- D. The highway materials specified herein shall be graded and installed to the finished elevations and widths in accordance with the approved project drawings and the *Highway and Drainage Standard Details*.
- E. Any damage to an existing street occurring during the course of development of lands adjacent to the street shall be the responsibility of the applicant obtaining the highway permit for the work that was the cause of such damage and shall be repaired to the satisfaction of the Commissioner of Public Works or the Public Works Operations Supervisor prior to the refunding of the highway permit fee or issuance of written approval for a certificate of occupancy. If such damage occurs during the winter months, the developer shall post a cash escrow to cover the cost of said repair. The escrow agreement shall specify a date by when such repairs shall be completed. If the repairs are not completed by the date specified, the Commissioner of Public Works shall have the authority to use the escrow moneys to complete the repairs.
- F. It shall be the responsibility of the Contractor to supply and install all materials which shall be in accordance with the requirements of this section. The Commissioner of Public Works and/or the Public Works Operations Supervisor reserves the right to conduct any testing to verify that the material and/or installation is within the requirements of this section the Contractor shall, at his own expense, correct the unacceptable material and/or installation. The Contractor shall also reimburse the Town for all costs associated with the testing of the materials and/or installations that is determined not to be in accordance with the requirements of this section.
- G. Private utilities (electric, gas, communications) shall be installed within the ROW, two-and-one-half (2-1/2) feet inside of the boundary.
- H. All streets shall be in accordance with the *Code of the Town of Colonie (Code), Chapter 162, Streets and Sidewalks*, hereafter known as the *Highway Law*.
- I. A description of the various street classifications is presented *Highway Law §162.11, Classification of streets*.
- J. All streets shall conform to the *Highway and Drainage Standard Details*.

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K. All utilities for lots shall be laid out as shown on the *Highway and Drainage Standard Details*.

7-2 Materials

Subgrade

- A. The highway subgrade shall be defined as the surface of soil that the highway subbase material shall be placed upon.
- B. Any material particles larger than six inches in the maximum dimension shall be considered unacceptable and shall be removed from the subgrade.

Subbase

- A. All subbase materials shall be furnished, installed and compacted in accordance with of the *NYSDOT SS, §304 Subbase Course (September 1, 2022)*.
- B. Subbase shall be *NYSDOT Item 733-0402 – Subbase Course, Type 2* and comply with the requirements of *NYSDOT SS, §733-04 Subbase Course*.
- C. Material furnished for Type 2 Subbase shall consist solely of approved Blast Furnace Slag or Stone which is the product of crushing ledge rock. This material is commonly referred to as crusher run.
- D. The Contractor shall supply a copy of their NYSDOT Plant Certification
- E. For cold weather placement of subbase, the air temperature, ground temperature, and material temperature must be above 32 degrees Fahrenheit. For winter earthwork, the Contractor shall submit details of how standard subbase material will be placed, and what modified methods will be used, to adjust for weather influence on compaction operations.
- F. All materials shall be well graded from course to fine and free of organic or any other deleterious materials.
- G. Subbase gradation shall meet *NYSDOT SS Table 733-04A Subbase Gradation, Type 2*.

Geotextile

- A. The geotextile undercut fabric to be used for highway subgrade stabilization shall be WINFAB 200W nylon woven or an approved or equal. The material and manufacture of an approved or equal must be listed in the *NYSDOT Approved Materials, Equipment, Methods and Procedures*.

Base Course

- A. Bituminous plant-mixed hot asphalt concrete shall be used to construct a base pavement course in conformance with the *NYSDOT SS, §403 Hot Mix Asphalt (HMA) Pavements for Municipalities (May 1, 2008)*.
- B. The Contractor shall supply a copy of their NYSDOT Plant Certification if requested by the Commissioner of Public Works or the Public Works Operations Supervisor.

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- C. Base course shall be *NYSDOT SS, Item 403.11 Asphalt Concrete, Type 1 Base Course (May 1, 2008)*.
- D. Base course composition is as follows in Table 7-1.

Table 7-1 – Type 1 Base Composition

Mixture Requirements Screen Size Designation	General Limits Percent Passing by Weight	Job Mix Tolerance Percentage
2-inch	100	-
1-1/2-inch	95-100	-
1-inch	80-95	± 6
½-inch	30-60	± 6
¼-inch	10-25	± 7

- E. Crushed glass **shall not** be allowed to be used as an admixture for the base course of asphalt pavement.
- F. For additional specifications refer to *NYSDOT SS, §403 Hot Mix Asphalt (HMA) Pavements for Municipalities, §403-2 Materials (May 1, 2008)*.

Binder Course

- A. Binder course shall be *NYSDOT SS, Item 403.13 Hot Mix Asphalt, Type 3 Binder Course (May 1, 2008)*.
- B. Binder course composition is as follows in Table 7-2.

Table 7-2 – Type 3 Binder Composition

Mixture Requirements Screen Size Designation	General Limits Percent Passing by Weight	Job Mix Tolerance Percent
2-inch	-	-
1-1/2 inch	100	-
1-inch	95-100	-
½-inch	70-90	± 6
1/4-inch	48-74	± 7
1/8-inch	32-62	± 7
No. 20	15-39	± 7
No. 40	8-27	± 7
No. 80	4-16	± 4
No. 200	2-8	± 2

Asphalt content: 4.5 to 6.5 %, ± 4 %
Mixing and placing temperature range: 250 to 350 degrees Fahrenheit

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Top Course

- A. Bituminous plant-mixed hot asphalt concrete shall be used to construct a top pavement course in conformance with the *NYSDOT SS, §403 Hot Mix Asphalt (HMA) Pavements for Municipalities (May 1, 2008)*.
- B. The Contractor shall provide a copy of the NYSDOT Plant Certification within seven calendar days.
- C. Top Course shall be *NYSDOT SS, Item 403.17 Hot Mix Asphalt, Type 6 F2 Top Course*, or *Item 403.19 Hot Mix Asphalt Type 7 Top Course (May 1, 2008)*.
- D. Top course composition is as follows in Table 7-3.
- E. For additional specifications refer to *NYSDOT SS, §403 Hot Mix Asphalt (HMA) Pavements for Municipalities, §403-2 Materials (May 1, 2008)*.

Table 7-3 – Type 6F and Type 7 Top Course Composition

Screen Size Designation	Type 6F		Type 7	
	General Limits Percent Passing by Weight	Job Mix Tolerance Percent	General Limits Percent Passing by Weight	Job Mix Tolerance Percent
2-inch	-	-	-	-
1-1/2-inch	-	-	-	-
1-inch	100	-	-	-
½-inch	95-100	-	100	-
¼-inch	65-85	± 7	90-100	-
1/8-inch	36-65	± 7	45-70	± 6
No. 20	15-39	± 7	15-40	± 7
No. 40	8-27	± 7	8-27	± 7
No. 80	4-16	± 4	4-16	± 4
No. 200	2-6	± 2	2-6	± 2

Tack Coat

- A. Asphalt emulsion shall be used between layers of hot mix asphalt to create a bond between the different materials.
- B. Tack coat shall be tested in accordance with *AASHTO T59 Standard Method of Test for Emulsified Asphalts*.
- C. Tack coat shall comply with *NYSDOT SS, §702.6 Asphalt Emulsion - Diluted Tack Coat (September 1, 2022)*.
- D. Tack Coat shall be *Item 702-3401, 702-3601, or 702-4501 (September 1, 2022)*.

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7-3 Installation

Subgrade

- A. Prior to placement of any granular subbase material, the subgrade material shall be compacted. It is the responsibility of the contractor to properly compact all subgrade materials in the road section.
- B. If construction equipment or other vehicle traffic must travel on the subgrade, the subgrade shall be graded such that it will be two (2) inches higher than the proposed final grade of the subgrade. Prior to the placement of any subbase material, this additional two (2) inches of material shall be removed.
- C. Prior to the placement of any subbase material, the subgrade shall be graded and compacted to the allowable tolerance of one-half (1/2) inch of the proposed finished lines and grades.

Subbase

- A. The developer shall coordinate the installation of all conduits required by any utility company at the depths and locations required by the utility company prior to the placement of any gravel subbase material.
- B. The types and thickness of crusher run material to be installed between the finished top of subgrade and the bottom of the asphalt concrete pavement shall be a minimum of 18 inches.
- C. When the existing subgrade soil conditions consist of stone fragments, gravel, sand, fine sand, silty or clayey gravel, and sandy or silty soils, the total subbase thickness shall be at least 18 inches of Type 2 Subbase material, installed in two lifts.
- D. When the existing subgrade soil conditions consist of clayey soils, a geotextile underlayment fabric must first be installed on the finished subgrade or as ordered by the Commissioner of Public Works or Public Works Operations Supervisor.
- E. All Subbase material shall be installed to the proposed finished lines and grades in a manner which minimizes segregation.
- F. Subbase shall be mechanically compacted. It is the responsibility of the contractor to properly install and compact all subbase materials in the road section. The Commissioner of Public Works or the Public Works Operations Supervisor shall conclude from a visual observation that proper compaction has been attained when significant rutting under the action of the compactor is not observed on the final passes on a lift.
- G. Perform a proctor test to confirm proper mechanical compaction of the subbase at every other sewer manhole.
- H. Prior to the placement of any asphalt, graded concrete pavement the subbase material shall be installed, graded and compacted to the allowable tolerance of one-half (1/2) inch of the proposed finished lines and grades.

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Base Course (Commercial Streets)

- A. The asphalt concrete base course of pavement for commercial or feeder streets shall be installed in one lift and compacted such that the final compacted thickness of pavement is not less than three (3) inches.
- B. Prior to any asphalt concrete base course of pavement placement, the subbase surface average temperature taken at three separate locations at least 25 feet apart shall be at least 40 degrees Fahrenheit.
- C. No asphalt concrete base course of pavement shall be installed on frozen or wet subbase material.
- D. For additional specifications refer to *NYS DOT SS, Section 401 Plant Production, §401-3 Construction Details (September 1, 2022)*.
- E. Upon acceptance of the asphalt concrete base course of pavement, placement of the asphalt binder course of pavement shall commence.

Binder Course

- A. For residential streets, the asphalt concrete binder course of pavement shall be installed in one (1) lift and compacted such that the final compacted thickness of pavement is not less than three (3) inches.
- B. For commercial streets, the asphalt concrete binder course of pavement shall be installed in one (1) lift and compacted such that the final compacted thickness of pavement is not less than two (2) inches.
- C. The back of the final compacted integral wing wedge shall be the elevation of the finished road centerline.
- D. No asphalt concrete binder course of pavement shall be installed on frozen or wet base material.
- E. All manhole frames and covers, catch basin frames and grates, water valve boxes, gas valve boxes, etc. shall be raised to the proposed finished grade of the asphalt concrete binder course of pavement.
- F. Determinations for final acceptance of the pavement structure shall be made from core samples taken upon the completion of the binder course. Core samples shall be taken along the street at its beginning and end points, and at intervals of not greater than 500 feet or one-third (1/3) the length of the street, whichever distance is less. Additional samples may be required by the Town. The cost associated for obtaining the core samples and report shall be borne by the Owner/Developer.
- G. Core sample holes shall be filled with compacted hot, plant-mixed asphalt concrete of the same specification as the binder course material.
- H. The total thickness of each individual core shall be no less than three (3) inches for residential streets and no less than five (5) inches for commercial streets.

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Top Course

- A. The asphalt concrete base course of pavement shall be swept and cleaned with a self-propelled street sweeper.
- B. All joints, settlements, and cracks shall be cleaned, filled, and compacted with wearing surface material.
- C. The asphalt concrete top course of pavement for all streets shall be installed in one lift and compacted such that the final compacted thickness of pavement is not less than one-and-one-half (1-1/2) inches.
- D. No asphalt concrete top course of pavement shall be installed on frozen or wet surfaces.
- E. Prior to any asphalt concrete top course of pavement placement, the asphalt concrete base course of pavement surface average temperature taken at three (3) separate locations at least 25 feet apart shall be at least 50 degrees Fahrenheit.
- F. For additional specifications refer to *NYS DOT SS, Section 401 Plant Production, §401-3 Construction Details (September 1, 2022)*.

Tack Coat

- A. Tack coat shall be applied using a distributor capable of applying it uniformly in thickness and pressure on variable widths up to 15 feet.
- B. Distributor shall be calibrated within the last 12 months in accordance with *ASTM D 2995, Standard Practice for Estimating Application Rate of Bituminous Distributors*.
- C. The asphalt emulsion shall be homogeneous and stored in the distributor tank to be heated and maintained between 85- and 160-degrees Fahrenheit. It must be agitated or circulated prior to application.
- D. Apply tack coat only on prepared, clean, dry pavement when the surface temperature is above 40 degrees Fahrenheit. See *NYS DOT SS, Table 407-1 Tack Coat Application Rates (September 1, 2022)*.

Equipment: Asphalt Concrete Bituminous Pavers

- A. The outside (pavement edge) of the screed or strike-off assembly shall be modified to extrude the asphalt pavement to the shape detailed by the *Highway and Drainage Standard Details*, forming an integral wing wedge with each pavement course.
- B. A minimum of one-ton static-wheeled roller shall be used to obtain satisfactory compaction of the integral wing wedge. Hand rollers and plate tampers will be considered sufficient in compaction when used in conjunction with a one-ton roller. They are not considered sufficient for finish top paving.
- C. The screed shall be capable of installing a two-foot-wide wing wedge curb a minimum of six (6) inches tall.

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Compaction

- A. Compaction shall be performed in accordance with *NYS DOT SS, §402-3.07 D.2, Hot Mix Asphalt (HMA) Pavements, Compaction, 80 Series Compaction Method, Vibratory Compaction (September 1, 2022)*.
- B. Hand rollers and plate tampers cannot be the primary source of compaction method – not considered sufficient equipment for compaction of entire wing wedge – but may be used for finish work.

End of Section

**Town of Colonie
Department of Public Works**

Section 8 – Right-of-Way Monumentation

8-1 General

(Not used)

8-2 Materials

- A. Monumentation to be installed prior to building commencement on the lot. The presence of the monumentation must be confirmed prior to road dedication and certificate of occupancy (CO).
- B. Granite minimum dimensions shall be four inches by four inches by four feet (4" x 4" x 4'), with a cross cut at the top of the monument and a one-half (1/2) inch diameter hole drilled one-half (1/2) inch deep at the point of crossing.
- C. Precast concrete minimum dimensions shall be four inches by four inches by four feet (4" x 4" x 4'), with a flush one-quarter-inch (1/4") diameter galvanized, zinc plated or copper pin at the top center of the monument.

8-3 Installation

- A. The Town highway ROW shall be cleared and graded in accordance with the *Highway and Drainage Standard Details*.
- B. All trees and stumps within the limits of the ROW shall be removed and disposed of a location approved by the Commissioner of Public Works or the Public Works Operations Supervisor.
- C. All ROW monumentation shall be in accordance with the *Highway Law §162-13, Requirements for dedication, A (13)*.
- D. All ROW monuments shall be installed at the locations shown on the approved project drawings and in accordance with the *Highway and Drainage Standard Details*.
- E. All ROW monuments shall be installed such that they will be three inches above the finished ground elevation.
- F. Completion of the ROW monumentation installation shall be certified by a land surveyor licensed to practice in the State of New York.

End of Section

Town of Colonie
Department of Public Works

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**Town of Colonie
Department of Public Works**

Section 9 – Open Channels

9-1 General

- A. All open channels shall be designed to carry a 10-year peak flow. Site conditions should be such that a 100-year peak flow will not present serious endangerment to life or personal property.
- B. Based on the velocity at peak flow conditions, an appropriate lining of the channel bed and side slopes shall be employed to eliminate erosion.
- C. When channels discharge into an existing stream appropriate measures shall be taken to minimize stream bed erosion at the point of discharge.
- D. Measures shall also be taken to minimize soil erosion prior to any construction as described in Section 11 of these specifications, Soil Erosion.
- E. All open channels that are intended to be operated and maintained by the Town shall require a utility easement or deed to the Town. The easement or deed shall be required to incorporate a minimum 30-foot-wide utility easement at the top of the channel, the entire length of the channel, in order that maintenance of the channel can be performed. The Commissioner of Public Works shall determine whether an easement or deed shall be required for the open channel.

9-2 Materials

(Not used)

9-3 Installation

(Not used)

End of Section

Town of Colonie
Department of Public Works

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**Town of Colonie
Department of Public Works**

Section 10 – Traffic Control

10-1 General

(Not used)

10-2 Materials

(Not used)

10-3 Installation

- A. The Contractor shall notify the following entities of his tentative work plans and schedule a minimum of 48 hours prior to the commencement of any work in the area:
 - a. All involved public and private utilities
 - b. Town of Colonie Public Safety Communication Center at 783-2811
 - c. North Colonie School District, Transportation Director at 785-8696
 - d. South Colonie School District, Transportation Director at 869-8527
 - e. Transportation director of any other school district which the proposed work is within
 - f. All property owners or tenants of private property who may be affected by the work
- B. The Contractor shall provide and maintain traffic signals, signage, flagmen, barricades, barriers, lights, flares, equipment, service and personnel and all other traffic control devices as required to regulate and protect all traffic and warn of hazards. All such material, equipment and labor shall conform to the requirements of the Town and be in accordance with the *NYS DOT Manual of Uniform Traffic Control Devices (MUTCD)*. The Contractor shall remove all temporary equipment and facilities when they are no longer required and restore the ground to the original conditions or to that specified.
- C. Provide and operate traffic control and directional signals required to direct and maintain an orderly flow of traffic in all areas under the control of the Contractor, or affected by the operations of the Contractor.
- D. Provide traffic control and directional signs, mounted on barricades or standard posts at the following locations for the purposes of lane closures and detours:
 - a. Each change of direction of a roadway
 - b. Each cross road
 - c. Detours and hazardous areas
 - d. Parking areas
- E. Provide qualified and suitably equipped flagman when construction operations encroach on traffic lanes, as required for regulation of traffic and in accordance with the requirements of the Town and *NYS DOT MUTCD*.

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- F. Provide flares and/or lights during periods of low visibility to clearly delineate traffic lanes, guide traffic, to warn of hazardous areas, and provide illumination of critical traffic and parking areas. Flares or lights are to be used by flagmen in directing traffic during these periods.
- G. Contractor-related vehicular parking within the limits of the work shall not interfere with the public traffic or parking, access by emergency vehicles, operations of the Town or other construction operations. Provide temporary parking facilities for the public as may be required because of construction or operations.
- H. Monitor parking of all construction and private vehicles. Contractor shall make all arrangements for and provide parking areas for private vehicles of the workmen to ensure compliance with applicable laws, regulations, codes and/or ordinances.
- I. Maintain free vehicle access to and through parking areas.
- J. Prohibit parking on or adjacent to access roads, or in non-designated areas.
- K. Confine construction traffic to designated haul routes which are **not** to be newly paved roads.
- L. Provide traffic control at critical areas of haul routes to expedite traffic flow and minimize interference.
- M. Where the Town requires traffic control plans, such plans shall be prepared by the Contractor and submitted to the Town for approval prior to the commencement of any construction work.
- N. Corridors for the routing of construction traffic shall be predetermined to minimize land disturbance. Construction traffic shall not cross ditches or streams except at appropriate and specified crossings.
- O. Construction traffic routes and staging areas shall be wetted with water or have non-corrosive calcium chloride (CaCl) applied to control dust generation from the site.

End of Section

Section 11 – Erosion and Sediment Control

11-1 General

- A. The Soil Erosion and Sediment Control Measures set forth in the following paragraphs and the *New York State Standard Specifications for Erosion and Sediment Control (Blue Book)*, 2016 or latest revision, shall be incorporated into the final plans and employed prior and during to any construction in order to minimize the degree of soil erosion and sedimentation caused by any of the construction activity.
- B. The developer shall be responsible for the implementation, construction and maintenance of all soil erosion and sediment control measures in accordance with all applicable federal, state and local laws, rules and regulations.
- C. Damage to surface waters resulting from erosion and sedimentation shall be minimized by stabilizing disturbed areas and by removing sediment from construction site discharges.
- D. Insofar as practicable, existing vegetation shall be preserved.
- E. Site preparation activities shall be planned to minimize the area and duration of soil disruption.
- F. Permanent traffic corridors shall be established and “routes of convenience” shall be avoided.
- G. Construction traffic shall not cross streams or ditches except at suitable crossing facilities, and shall not operate unnecessarily within the waterways or drainage ditches.

Storm Sewer Drainage Structure

- A. All storm sewer drainage structures having an open grate shall be required to have inlet protection in conformance with the *Blue Book*.

Stone Check Dams or Aggregate Sediment Filters

- A. Stone check dams or aggregate sediment filter shall be constructed at least every 200 feet along the course of each drainage ditch and at its downstream terminus. Dams shall be installed such that the elevation of the crest of the downstream dam is at the same elevation of the toe of the upstream dam.
- B. Ditches less than 200 feet in total length shall have a stone sediment filter constructed at the downstream termini.
- C. Additional stone check dams or aggregate sediment filters shall be constructed as deemed necessary by the Commissioner of Public Works or Public Works Operations Supervisor.

Temporary Dewatering Sediment Basins

- A. Whenever the discharge from dewatering operations cannot be directed over stable areas, i.e. paved or well vegetated areas, temporary shallow ditches shall be cut to convey the flow to temporary sediment basins.
- B. Such temporary sediment basins shall be shallow excavated basins and be of suitable size to permit settling of solids.

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- C. The outlets of all such temporary basins shall be stabilized with graded aggregate ranging up to one-and-one-half inch (1-1/2") diameter stone.

Headwalls and Riprap

- A. Headwalls shall be designed and installed such that their location will be as far from the edge of the roadway as is necessary to provide a safe and stable slope. A suitable access area for maintenance shall be provided within the ROW or easement.
- B. The soils downstream of all headwalls shall be stabilized with riprap.
- C. Rip rap shall be installed at a minimum depth thickness of 18 inches and grouted in place.
- D. Prior to the installation of riprap, a geotextile undercut fabric shall be installed upon the subgrade, in an anchoring trench one-foot deep and one-foot wide, with the length equal to the width of the riprap apron at that point. The anchoring trench shall be backfilled with pea gravel.

11-2 Materials

- A. Geotextile underdrain fabric shall be WINFAB 200W or an approved or equal. The material and manufacture of an approved or equal, must be listed in the *NYS DOT Approved Materials, Equipment, Methods and Procedures*.
- B. Aggregate used for aggregate sediment filter construction shall consist of well-graded stone ranging up to one-and-one-half inches (1-1/2") in diameter.
- C. Outlet stabilization aggregate for temporary dewatering sediment basins shall be graded, ranging up to one-and-one-half inch (1-1/2") diameter stone.
- D. All riprap will fall within the weight range of 20 to 35 pounds with 75 percent (75%) of the riprap in the 25 to 35-pound weight range. Riprap to be grouted in place.
- E. Pea gravel shall be U.S. Standard Sieve Mesh No. 6.
- F. Mulch shall be wood fiber hydromulch other sprayable products approved for erosion control (nylon web or mesh) applied according to the manufacturers' specification.
- G. Mulching blanket for steep slopes and drainage swales: "Curlex Enforcer" by American Excelsior Company, "GEOWEB Slope Protection System" by Presto Geosystems, or an approved or equal. For all slopes exceeding three-on-one (3:1), slope protection shall be "GEOWEB Slope Protection System" by Presto Geosystems. The material and manufacture of an approved or equal must be listed in the *NYS DOT Approved Materials, Equipment, Methods and Procedures*.
- H. Topsoil shall be fertile, friable, natural loam free of subsoil, clay lumps, brush, stones or other deleterious materials larger than two inches in the greatest dimension, conforming to the requirements of the *Blue Book* and meeting the gradation requirements in Table 11-1.

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Table 11-1 – Topsoil Gradation

Sieve	Percent Passing
1-1/2 inch	100
1 inch	85-100
1/4 inch	65-100
No.200	20-100

- I. Topsoil shall have a pH range of 5.5 to 7.5 standard units (s.u.) and an organic content of two (2) to 20 percent (20%).
- J. Seed shall be by weight as shown in Table 11-2 unless a specific mixture is indicated on the plans and approved by the Town.

Table 11-2 – Seed Mixture

Name	Variety	Weight of Pure Live Seed	Percent Generation
Cheeping Red Fescue (Festuca Rubra)	Commercial	20	85
Perennial Ryegrass (Lolium Perenne)	Norley	20	85
Tall Fescue (Fesyuca Elatior Var.)	Kentucky 31	30	85
Blue Grass	Merion	10	80

- K. Total pure live seed shall be 80 pounds per acre and weed seed content shall not exceed one-quarter percent (0.25%).

11-3 Installation

Storm Sewer Drainage Structure

- A. The developer or his representative shall be responsible for maintaining all inlet protection until such time as the roadways are dedicated to the Town or in the opinion of the Commissioner of Public Works or the Public Works Operations Supervisor that sufficient vegetation has been established.
- B. Immediately following completion of any and all of the proposed storm sewer drainage structures outside of the proposed roadway, storm sewer drainage structures and inlet protection shall be installed in accordance with *Blue Book*. The structure shall function to

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prevent any sediment entrance into the storm sewer drainage structure. They shall be maintained in good condition until final vegetation cover is well established.

Aggregate Sediment Filters and Silt Fence

- A. Until such time as final site stabilization is completed with permanent drainage ditches, all drainage flows will receive treatment with aggregate sediment filters so as to effectively trap sediment and minimize its release off-site in accordance with *Blue Book*.
- B. An aggregate sediment filter shall be constructed at least every 200 feet along the course of each drainage ditch and at its downstream terminus.
- C. Ditches less than two hundred 200 feet in total length shall have an aggregate sediment filter constructed at their downstream termini.
- D. Additional aggregate sediment filters shall be constructed as deemed necessary by the Commissioner of Public Works or the Public Works Operations Supervisor.
- E. Aggregate sediment filters shall be placed in a ditch prior to disturbance of the area which that ditch drains.
- F. The aggregate sediment filter shall be placed so as to fully span the ditch cross section such that all flow shall pass through rather than around or over the filters.
- G. The developer or his representative shall be responsible for maintaining the proper function of the aggregate sediment filters throughout the construction period and until such time as final stabilization of the upstream areas contributing flow is achieved.
- H. The developer or the Public Works Operations Supervisor shall be responsible for removing aggregate sediment filters after, in the opinion of the Commissioner of Public Works or the Public Works Operations Supervisor, stabilization of upstream contributory areas is achieved.
- I. Silt fence, or approved equal form of erosion and sediment control, shall be constructed around all stockpiles of fill, topsoil or excavated overburden that are to remain exposed for longer than 14 days.
- J. Silt fence shall be anchored and maintained in good condition until such time as said stockpiles are removed and stockpiling areas are brought to final grade and permanently stabilized.

Temporary Dewatering Sediment Basins

- A. Stabilize outlets of basins with graded aggregate.
- B. The aggregate shall be placed in and across the outlets and maintained so as to span the entire cross section of flow, and be of sufficient thickness and width such that all flow passes through it, rather than around or over it.
- C. Downstream of the aggregate sediment filter, exposed soil over which dewatering discharge occurs shall be protected with hay mulch anchored by stapled jute or plastic netting.

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- D. The anchored netting shall extend to the point where flow will occur over permanently stabilized areas (vegetated or paved).
- E. The developer or his representative shall be responsible for constructing and maintaining the temporary ditches and sediment traps such that they function effectively for the life of the dewatering operations.

Headwalls and Riprap

- A. Install riprap a minimum depth thickness of 18 inches.
- B. Install a geotextile undercut fabric upon the subgrade prior to the installation of riprap. The fabric shall be installed in accordance with the manufacturer's recommended methods for installation.
- C. The fabric shall be installed in an anchoring trench one-foot deep and one-foot wide with the length equal to the width of the riprap apron at that point.
- D. Backfill the anchoring trench with pea gravel.
- E. The fabric shall be installed so to extend the length and width of the area to have riprap installed.

Stockpiled Material

- A. Topsoil and fill that is to remain stockpiled on-site for periods greater than 14 days shall be stabilized and seeded. Prior to the seeding operation, the stockpiled material shall be graded as needed and feasible to permit the use of conventional equipment for seedbed preparation seeding, mulch application and mulch anchoring.
- B. Following grading, fertilizer (5-5-5) shall be applied at the rate of two pounds of nitrogen per 1,000 square feet or equivalent and pulverized dolomitic lime at the rate of 20 pounds per 1,000 square feet. Fertilizer and "lime" shall then be worked into the soil as nearly as practical to a depth of four inches with a disc, spring tooth harrow or other suitable equipment.
- C. Annual rye grass seed shall then be uniformly spread at a rate of seventh-tenths (0.7) pounds per 1,000 square feet. If seeding takes place in late fall or early winter, apply Certified "Aroostook" winter rye at a rate of two-and-one-half (2.5) pounds per 1,000 square feet. Optimum seeding dates for this type seed are during the period of March 15 to May 1, or August 15 to November 1.
- D. Seed application shall be performed by hand, cyclone, and drill or cultipack seeder or by an appropriate hydro seeding method.
- E. If stabilization by seeding cannot occur during the recommended seeding periods above, topsoil, fill and excavated materials shall be stabilized with anchored mulch, or an approved or equal until such time as effective seeding may occur.
- F. Mulch shall be spread in accordance with *Blue Book Table 4.2 (2016)*.

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- G. Liquid mulch binder when used shall consist of asphalt emulsion or cutback asphalt, applied at 0.075 gallon per square yard.
- H. Application of liquid mulch binder shall be heavier at the edges and at the crests of banks. The remainder of the stockpile shall receive a uniform treatment.
- I. In no case shall erodible material be stockpiled within 25 feet of any ditch, stream or other surface water body.

Permanent Vegetative Cover

- A. Immediately following the completion of construction activities in any portion of the site, permanent vegetation shall be established on all exposed soils. Such areas shall include, but not be limited to lawn areas, exposed soil overlying sub-surface pipes, equipment staging areas, abandoned roadways and any areas adjacent to these which have also been disturbed by construction activities.
- B. Stabilization with permanent vegetation cover shall be performed only during the periods of April 1 to October 15, or as weather permits.
- C. In the event that stabilization is necessary at a time outside these periods, the disturbed area shall be temporarily stabilized with anchored mulch or an approved or equal until such time as effective seeding may occur.
- D. Areas to be stabilized with permanent vegetation shall be prepared by applying topsoil to a uniform depth of four inches.
- E. The Contractor may amend natural topsoil with approved materials and by approved methods to meet the above specifications.
- F. Immediately prior to topsoil application, the surface shall be scarified to provide a good bond with the topsoil.
- G. When topsoil is deemed unnecessary, seedbed preparation shall be employed. Apply lime in accordance with *Blue Book page 4.29 (2016)*.
- H. The seed mixture shall be applied in accordance with *Blue Book Table 4.5 (2016)*.
- I. Mulch shall be applied to all newly seeded areas immediately following seeding.
- J. Provide and install a mulch adequate to protect the seeding during its growing period. It shall be the responsibility of the Contractor to determine the appropriate mulching techniques for the particular site conditions and acquire approval of the same from the Commissioner of Public Works or the Public Works Operations Supervisor.

End of Section

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Section 12 – Stormwater Facilities

12-1 General

- A. Stormwater detention is defined as a means by which runoff from a site is temporarily stored and gradually released at a predetermined rate. Detention is facilitated through the use of outlet control devices on storage ponds, parking lots, or building roofs.
- B. Stormwater retention is defined as a means by which runoff is permanently stored on-site until it evaporates or is absorbed into the groundwater table. Retention is facilitated through the use of dry wells and ponds or reservoirs with no outlet other than an emergency overflow.
- C. Use of these facilities, also known as post-construction stormwater management practices (SMP's) may be necessary to satisfy storm water management criteria as described in the *White Book*.
- D. All facilities that are intended to be operated and maintained by the Town shall be deeded to the Town.

Design

- A. All storm water facilities shall be in accordance with the *White Book, Chapters 5 and 6* (2016).
- B. The maximum management practice facility side slopes, both inside and outside, shall be four-on-one (4:1).
- C. Integral to the design shall be measures to ensure minimal maintenance of such facilities.
- D. All stormwater facilities shall have a minimum six-foot-high (6') black vinyl clad chain link fence installed around its perimeter, at a location to be determined by the Commissioner of Public Works or the Public Works Operations Supervisor. Chain link fence shall be designed and installed in accordance with the *Highway and Drainage Standard Details*.
- E. A four-foot (4') wide, lockable man gate is required for all locations where outlet pipes are located within the practice.
- F. Stormwater parcels to be deeded to the Town shall have a minimum of 80 feet of frontage along a Town road, or frontage equivalent to the average frontage of lots within the subdivision that contain houses.
- G. In the event that the 80 feet of frontage cannot be met as specified above, all facilities that are intended to be operated and maintained by the Town shall have a minimum 12-foot-wide access drive deeded to the Town if frontage is not available from a Town roadway. The access drive shall extend to the outlet piping system cleanout point of the practice. The access drive shall be present within 12 linear feet of any outlet control structure (OCS) within the practice. If the distance between the 20-foot wide double swing gate and the end of the access drive exceeds 20 linear feet, a collapsible two-way bollard must be installed to prevent vehicle off-street parking. The access drive in its entirety shall be built to meet the requirements of the *Highway and Drainage Standard Details*.

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- H. Measures shall also be taken to minimize soil erosion over the long term, as well as during the construction of these facilities. Refer to Section 11 of these specifications.
- I. Riprap shall be installed at the inlet point of the stormwater management practice. To minimize stream bed erosion at the point of discharge for a practice, a plunge pool and/or larger grouted riprap shall be installed.

Storm Water Retention Facilities

- A. A drywell shall be installed at the lowest point of the retention basin as part of the storm water management system that implements the usage of a retention system.
- B. An inlet control structure used to contain all sediment from accumulating in the retention basin shall be installed for the storm water management system that implements the usage of a retention system.
- C. The pond drainage system must interconnect to allow both the forebay and micro-pool to drain at the same time using one pump and/or valve system. A key for the drain valve (to be exposed outside of the open grate of the outlet structure) shall be provided on-site. The key must be a between three (3) and five (5) feet from the top of frame. If the valve for the drain system is not located within an OCS, the maximum allowable depth from frame to the top of the valve nut shall not exceed six (6) feet.
- D. For practices unable to achieve gravity drainage, the Town must be supplied with the intake and discharge hose. The pump and hose must be capable of dewatering the largest pond in the subdivision within 24-hours.

12-2 Materials

General

- A. All pipe sizing shall be in accordance with these Standards and the STANDARD FORMAT FOR STORM WATER MANAGEMENT PLANS AND REPORTS and its latest addenda.
- B. All berms or perimeter walls of the storm water management practices shall be constructed such that either the core, berm section, or walls are an impervious material that shall not allow the migration of any detained storm water. The remainder of the berm or walls shall be constructed of compacted soil materials.
- C. All chain link fence and components shall be black vinyl clad.
- D. All drywells shall be eight-foot outside diameter as manufactured by The Fort Miller Co. Inc., or an approved or equal.
- E. Pond drain gate valves shall all be in accordance with the Latham Water District gate valve standards.
- F. Concrete for spillways shall be 4,000 psi compressive strength concrete and shall be in accordance with *NYS DOT SS Section 500 - Portland Cement Concrete*.
- G. Riprap shall fall within the weight range of 20 to 35 pounds, with 75 percent (75%) of the riprap in the 25-to-35-pound weight range.

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- H. Geotextile undercut fabric shall be WINFAB 200W nylon woven or an approved or equal. The material and manufacturer of an approved or equal must be listed in the *NYS DOT Approved Materials, Equipment, Methods and Procedures*.
- I. Pea gravel shall be sized U.S. Standard Sieve Mesh No. 6.
- J. The core of berms shall be constructed of a material (i.e. clay, or other non-permeable material) and in such a manner that shall prevent the seepage of any stormwater through the berms.

12-3 Installation

General

- A. Prior to the installation of riprap, a geotextile undercut fabric shall be installed upon the subgrade. The fabric shall be installed in accordance with the manufacturer's recommended methods of installation. The fabric shall be installed in an anchoring trench one-foot deep and one-foot wide with the length equal to the width of the riprap apron at that point. The anchoring trench shall then be backfilled with pea gravel.
- B. Riprap shall be installed at a minimum depth thickness of 18 inches. Riprap shall be grouted in-place at emergency spillways and control weirs.

Storm Water Management Practices

- A. The storm water management practice shall be constructed in accordance with the approved project drawings or as directed by the Commissioner of Public Works or the Public Works Operations Supervisor.

Storm Water Retention Facilities

- A. The retention basin shall be constructed in accordance with the approved project drawings or as directed by the Commissioner of Public Works or the Public Works Operations Supervisor.
- B. Install a drywell at the lowest point of the retention basin as part of the storm water management system that implements the usage of a retention system.
- C. Install an inlet control structure to contain all sediment from accumulating in the retention basin.

End of Section

RESOLUTION NO. 254 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 miscellaneous approved private contractors in connection with the removal and hauling of road millings for the year 2023.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement with miscellaneous approved private contractors in connection with the removal and hauling of road millings for the year 2023; and

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

RESOLUTION NO. 255 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 rescinding all prior resolutions pertaining to the fee schedule for the Town Clerk's office and adopting a new fee schedule for the Town Clerk's office, including the addition of a one day marriage officiant license.

BE IT RESOLVED that all prior resolutions pertaining to the fee schedule for the Town Clerk's office be, and hereby are, rescinded; and

BE IT RESOLVED that a one day marriage officiant license has been added to the fee schedule for 2023; and

BE IT FURTHER RESOLVED that the Town Clerk's office Fee Schedule attached hereto as Exhibit "A" be, and hereby is, adopted effective April 21, 2023.

PERMITS AND LICENSES ISSUED BY TOWN CLERK'S OFFICE
2023 Fee Schedule

Resident Prices	
One-day Fishing	\$ 5.00
Seven-day Fishing	\$ 12.00
Fishing (military disabled)	\$ 5.00
Senior Fishing (70+)	\$ 5.00
Fishing- Season	\$ 25.00
Hunting	\$ 22.00
Hunting- Seniors (70+)	\$ 5.00
Hunting Military Disabled	\$ 5.00
Deer Management Permit Instant (16+)	\$ 10.00
Bow hunting	\$ 15.00
Muzzle loading	\$ 15.00
Turkey Permit	\$ 10.00
Trapping	\$ 20.00
Trapping- Senior (70+)	\$ 5.00
Jr. Trapping	\$ 5.00
Jr. Hunting	\$ 5.00
Jr. Bow hunting	\$ 4.00
Habitat Stamp	\$ 5.00
Conservation Patron	\$ 12.00
(Habitat stamp plus <i>Conservationist</i>)	
Non-resident Prices	
One-day Fishing	\$ 10.00
Seven-day Fishing	\$ 28.00
Fishing- Season	\$ 50.00
Hunting	\$ 100.00
Deer Management Permit (DMP)	\$ 10.00
Muzzle loading	\$ 30.00
Bow hunting	\$ 30.00
Bear Tag	\$ 50.00
Turkey Permit	\$ 20.00
Trapping	\$ 275.00
Jr. Hunting	\$ 5.00
Jr. Bow hunting	\$ 4.00
Jr. Trapping	\$ 5.00
Habitat Stamp	\$ 5.00
Conservation Patron	\$ 12.00
Resident Lifetime License	
Hunting, Fishing & Turkey	
Child < 5 years	\$ 380.00
Child 5-11 years	\$ 535.00
Age 12-69 years	\$ 765.00
Age 70+	\$ 65.00

EXHIBIT "A"

PERMITS AND LICENSES ISSUED BY TOWN CLERK'S OFFICE
2023 Fee Schedule

Hunting	\$ 535.00
Fishing- (Age 0-69)	\$ 460.00
Fishing Lifetime Senior (70+)	\$ 65.00
Bow hunting (All)	\$ 235.00
Muzzle loading (All)	\$ 235.00
Trapping (All)	\$ 395.00

NYS Racing & Wagering Board Licenses

Bingo licenses (each occasion)	\$ 18.75
Games of Chance licenses (each occasion)	\$ 25.00

Dog Licenses

Spayed female or neutered male	\$ 10.00
Unspayed female or unneutered male	\$ 20.00

Senior Citizen – Dog owners (age 65+)	
Spayed female or neutered male	\$ 5.00
Unspayed female or unneutered male	\$ 15.00

Purebred Licenses	
Ten or fewer purebred dogs on premises	\$ 40.00*
Eleven to twenty-five purebreds	\$ 60.00*
More than twenty-five purebreds	\$ 120.00*

*In addition to the local fee, a \$3.00 NYS surcharge will be charged for each unsprayed/unneutered dog and a \$1.00 NYS surcharge will be charged for each spayed/neutered dog.

Lost dog tag replacements	\$ 5.00
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Annual Dog Park License	
First license	\$ 35.00
Additional license(s)	\$ 15.00

Lost dog park tag replacements	\$ 5.00
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Dog Redemption:

First time picked up in one year	\$ 30.00
Second time picked up in one year	\$ 40.00
Third time picked up in one year	\$ 50.00

PERMITS AND LICENSES ISSUED BY TOWN CLERK'S OFFICE
2023 Fee Schedule

NYS Department of Health Vital Statistics

Marriage Licenses (includes Registration)	\$ 40.00
Birth Certificates	\$ 10.00
Marriage Certificates	\$ 10.00
Death Certificates	\$ 10.00
Certification of Registrar of Vital Statistics	\$ 10.00
Genealogical Research	\$ 22.00
One-day marriage officiant license	\$ 25.00

Hawkers & Peddlers Licenses

Applicant	\$ 300.00
Each additional salesperson	\$ 150.00
Renewal (if no more than 1 year elapsed)	\$ 200.00

Three Day Vendor's License

Food Vendor (per location or mobile cart)	\$ 100.00
Vendor other than food vendors (per location or mobile cart)	\$ 50.00

Going Out of Business Licenses

Applicant (30 days)	\$ 500.00
Renewal (30 days)	\$ 50.00

Maps

Town of Colonie Streets	\$ 10.00
Town of Colonie Election Districts	\$ 15.00
Zoning	\$ 20.00
Large scale maps	\$ 50.00
Fire District maps	\$ 25.00

Licensing Fee for Hotel and Motels

Sex Offender Occupancy (50 or less units)	\$ 1,500.00
Sex Offender Occupancy (51 or more units)	\$ 3,000.00

Miscellaneous

Town Clerk Certifications	\$ 5.00
Photocopies (per page)	\$.25
Notary Fee	\$2.00

Alarm Permits

Alarmed Premise Application	\$25.00
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Code of the Town of Colonie

Available free of charge at:
<https://www.ecode360.com/C00780>

RESOLUTION NO. 256 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 awarding the bid to CrafcO, Inc. in connection with the Mohawk River Park Court Coating and Lining for the year 2023 and authorizing the Supervisor to enter into a service agreement for same.

WHEREAS, pursuant to advertisement on March 22, 2023, bids were received in connection with the Mohawk River Park Court Coating and Lining 2023:

Vendor	Total Bid Price
CrafcO Inc	\$42,850.00
AstroTurf Corp.	\$64,445.00

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

BE IT RESOLVED that the bid will be awarded to the low bidder, CrafcO, Inc., for a total cost of \$42,850.00; and

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

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

RESOLUTION NO. 257 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 awarding the Request for Proposal to MJ Engineering and Land Surveying, P.C. in connection with the Bathymetric Survey and authorizing the Supervisor to enter into an agreement for same.

WHEREAS, MJ Engineering and Land Surveying, P.C. submitted a Request for Proposal in connection with the bathymetric survey as part of the Colonie Mohawk River Park Waterfront Access Revitalization Project;

BE IT RESOLVED that MJ Engineering and Land Surveying, P.C. submitted the low bid in the amount \$2,800.00; and

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

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

RESOLUTION NO. 258 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 awarding the bid to Afsco Fence Supply Co., Inc. in connection with the Mohawk River Park Court Fencing and Sports Equipment 2023 Project and authorizing the Supervisor to execute an agreement for same.

WHEREAS, pursuant to advertisement on March 22, 2023, one (1) bid was received in connection with the Mohawk River Park Court Fencing and Sports Equipment 2023:

Vendor	Total BID Price
Afsco Fence Supply Co. Inc.	\$126,140.00

WHEREAS, after review of the bid by the Director of Purchasing and General Services;
BE IT RESOLVED that the bid will be awarded to the sole bidder, Afsco Fence Supply Co., Inc., for a total cost of \$126,140.00; and

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

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

RESOLUTION NO. 259 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 a Technical Services Change Order to amend the contract with LaBella Associates in connection with construction phase services to complete construction for parking lot rehabilitation and new tennis/pickleball courts at the Mohawk River Park.

WHEREAS, LaBella Associates will perform construction phase services to complete construction for parking lot rehabilitation and new tennis/pickleball courts at the Mohawk River Park; and

WHEREAS, the construction administration and construction inspection services shall not exceed \$38,500.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Technical Services Change Order to amend the contract with LaBella Associates in connection with construction phase services to complete construction for parking lot rehabilitation and new tennis/pickleball courts at the Mohawk River Park; and

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

RESOLUTION NO. 260 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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 Axon Enterprise, Inc. in connection with the implementation of a Body Worn Camera Program for the Police Department.

WHEREAS, Axon Enterprise, Inc. will implement a Body Worn Camera Program for the Police Department; and

WHEREAS, the cost for this service shall not exceed \$997,131.76 over a 5-year period;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement with Axon Enterprise, Inc. in connection with the implementation of a Body Worn Camera Program for the Police Department; and

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

RESOLUTION NO. 261 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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/not adopting proposed local laws of the Code of the Town of Colonie, thereof, amending and replacing Chapter 162 and amending Chapter 190 of the Town Code.

WHEREAS, proof of notice having been furnished, the public hearing on a proposed local law was held at 7:00 PM on April 20, 2023 with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that local laws amending and replacing Chapter 162 and amending Chapter 190 of the Code of the Town of Colonie be, and hereby are, adopted/not adopted.

NEW YORK STATE DEPARTMENT OF STATE
99 WASHINGTON AVENUE, ALBANY, NY 12231

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 2023

A local law amending Chapter 162 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 162 shall be replaced in its entirety with the following:

§ 162-0 Legislative intent.

Pursuant to New York State Town Law § 65-a and Municipal Home Rule Law § 10, Subdivision 1(ii)d(3), the Town Board of the Town of Colonie has adopted this article, the purpose of which is to serve the public interest by limiting the liability of the Town insofar as no action shall be maintained for damages or injuries to person or property in consequence of conditions which may arise without warning unless actual written notice thereof is given to the Town Attorney of the Town.

§ 162-1 Defects in highways, bridges or signs.

No civil action shall be maintained against the Town of Colonie, the Commissioner of Public Works or any improvement district in the Town for damages or injuries to person or property, including those arising from the operation of snowmobiles, sustained by reason of any street, appurtenance or improvement thereto, bridge, culvert, sluice, stormwater drain, sewer or water pipe, street marking, sign or device or any other property owned, operated or maintained by the Town or any property owned, operated or maintained by any improvement district therein being defective, out of repair, unsafe, dangerous or obstructed, unless written notice of such defective, unsafe, dangerous or obstructed condition of such street or appurtenance or improvement thereto, bridge, culvert, sluice, stormwater drain, sewer or water pipe, street marking, sign or device or any other property owned, operated or maintained by the Town or any property owned, operated or maintained by any improvement district was provided to the Town Attorney, and there was, thereafter, a failure or neglect within a reasonable time to repair or remove the defect, danger or obstruction complained of. No such action shall be maintained for damages or injuries to persons or property sustained solely in consequence of the existence of debris, vegetation, snow or ice upon any street or appurtenance or improvement thereto, bridge, culvert, sluice, stormwater drain, sewer or water pipe or any other property owned by the Town or any property owned by any improvement district in the Town unless written notice thereof, specifying the exact location, was provided to the Town Attorney, and there was failure or neglect to cause such debris, vegetation, snow or ice to be removed or to make the place otherwise reasonably safe within a reasonable time after receipt of such notice.

§ 162-2 Defects in sidewalks.

No civil action will be maintained against the Town and/or the Commissioner of Public Works for damages or injuries to person or property sustained by reason of any defect in the sidewalks of the Town or in consequence of the existence of snow or ice upon any of its sidewalks, unless such sidewalks have been constructed or are maintained by the Town or the Commissioner of Public Works pursuant to statute, nor shall any action be

maintained for damages or injuries to person or property sustained by reason of such defect or in consequence of such existence of snow or ice unless written notice thereof, specifying the particular defect and location of same, was given to the Town Attorney of the Town, and there was a failure or neglect to remedy such defect, remove snow and/or ice or to make the location otherwise reasonably safe within a reasonable time after the receipt of such notice.

§ 162-5 Construal of provisions.

Nothing contained in this chapter shall be held to repeal or modify or waive any existing requirement or statute of limitations but, shall be held to be additional requirements to the rights to maintain such action. Nothing contained herein shall be held to modify any existing rule of law relative to the question of contributory negligence or to impose upon the Town, its officers and employees and/or any of its improvement districts any greater duty or obligations than that it shall keep its streets, sidewalks and public places in a reasonably safe condition for public use and travel.

Article II Highway Specifications

§ 162-6 Purpose.

The purpose of this article is to regulate the laying out of streets, thoroughfares and/or highways and to outline the sequence of steps in connection with street construction and dedication in the Town of Colonie, Albany County, New York, in order to ensure that such streets are designed and installed in accordance with proper engineering and construction practices.

§ 162-7 Word usage.

- A. Wherever used in this article, the word "street" shall be construed to include, but is not limited to, a thoroughfare, highway or road.
- B. Wherever used in this article, words in the singular number include the plural, and words in the plural number include the singular.
- C. The word "shall" is mandatory and not directory. Words used in the present tense include the future.

§ 162-8 Short title.

This article shall hereafter be known and cited as the "Street and Highway Law of the Town of Colonie."

§ 162-9 Definitions.

As used in this article, the following terms shall have the meanings indicated:

APPLICANT

Any person, persons, firm, corporation, partnership or association who shall submit plans and related information for construction of a street to the Town of Colonie for approval.

BASE COURSE

An asphalt concrete street paving foundation prepared and installed in accordance with the specifications of the highway and drainage standards.

CONSTRUCTION INSPECTOR

An individual or a group of individuals who shall be employed by the Town of Colonie to perform inspections during construction of a street, to ensure that the street is properly completed.

CORE SAMPLE

A specimen of the street subbase and paving material, taken on completion of the base course, to verify the depth and type of materials placed.

CUL-DE-SAC

A street closed at one end.

DEDICATION

The acceptance by resolution of the Town Board of the Town of Colonie of a parcel of land offered by an applicant for public purposes.

DEED

A conveyance of realty, by written document signed by the grantor, whereby title to realty is transferred from one party to another.

DEVELOPER

Any person, persons, firm, corporation, partnership or association who shall, directly or indirectly, undertake to construct a street.

DPW

The Town of Colonie Department of Public Works which shall include the Bureau of Engineering, Division of Highway, Division of Latham Water, Division of Pure Waters, and Division of Facilities Maintenance. See § 34-4.

DRY SEWER/WATER

Sanitary sewer or water distribution lines installed in areas beyond a workable distance from existing public facilities, to be connected to public facilities when they become available.

EASEMENT

A right granted by the owner of a parcel of real property to another party for use of all or part of the parcel for a specific use. Easements granted to the Town of Colonie for utilities or access shall be permanent easements.

FINAL DESIGN APPROVAL

The approval of the Division of Highway of final plans and details for construction of a street. The approval shall be issued in the form of final plans signed by the Commissioner of Public Works. Where a proposed street is part of a subdivision proposal, the signatures of three members of the Planning Board and the Commissioner of Public Works on the final subdivision plan shall constitute final design approval. Final design approval shall not constitute acceptance of a street by the Town of Colonie.

HIGHWAY AND DRAINAGE STANDARDS

The Town of Colonie Highway and Drainage Standards as currently in existence or as subsequently revised.

NGVD

National Geodetic Vertical Datum of 1929.

OFFICIAL HIGHWAY MAP

The Town of Colonie Official Highway Map, as presently existing or as subsequently adopted or amended.

PROJECT BOUNDARY LINES

The limit of grading, clearing or other disturbance of the land necessary for the installation of a street and related improvements.

PROJECT ENGINEER

An engineer licensed to practice under the laws of the State of New York, who shall be employed by an applicant or developer to design a street and related improvements and to supervise their installation; also referred to as Applicant Engineer.

ROW or RIGHT-OF-WAY

That parcel of land which is to be offered to the Town of Colonie for dedication for public purposes, and which will contain a proposed street.

STREET

A traveling way intended for use by the general public and dedicated to the Town of Colonie for public purposes.

SUBBASE

A gravel street foundation layer prepared and installed in accordance with the specifications of the Highway and Drainage Standards.

SUBGRADING

Grading of a street ROW or an easement in preparation for placement of utilities and street subbase and pavement materials.

TOP COURSE

The final layer of asphalt concrete street paving material, prepared and installed in accordance with the specifications of the Highway and Drainage Standards.

TOWN

The Town of Colonie.

UTILITIES

All storm sewer, sanitary sewer, water distribution, gas, electric power, telephone, cable television, and similar services, designed and installed with the intent to serve the general public.

§ 162-10 Applicability.

- A. This article shall apply to all streets located within the corporate bounds of the Town of Colonie which are offered to the Town for dedication after the effective date of this article.
- B. The exceptions to the application of the provisions of this article are for those streets offered to the Town for dedication after the effective date of this article that:
 - (1) Have a street plan which has received Final Site Plan approval prior to the effective date of this article but which were not constructed by the effective date of this article. For said streets, all the provisions of this article, with the exception of §§ **162-14** and **162-15**, shall apply to the construction, certification and acceptance of these streets.
 - (2) Have been constructed prior to the effective date of this article but have not been accepted.

§ 162-11 Classification of streets.

- A. All proposed street locations shall be reviewed with the Commissioner of Public Works or his designee prior to their final mapping and design to provide for their classification.
- B. Each street shall have one of the following classifications and shall meet the requirements thereof and the Highway and Drainage Standards:
 - (1) Type I: a local residential street used primarily by passenger cars and light trucks. Little or no heavy trucks are anticipated to use same
 - (2) Type II: a commercial, primary residential or feeder street which collects and distributes traffic to the local streets and provides access to the main arterial streets. The traffic, both in weight and volume, is anticipated to be appreciably greater than local residential street traffic. All primary residential streets and commercial streets shall be considered feeder streets.
[Amended 10-8-1992 by L.L. No. 7-1992]

§ 162-12 General requirements.

- A. Any person desiring to construct a street or improve any portion of an undedicated street shall follow the requirements of this article, §§ **190-55** and **190-56 Article XI Site Plan Review**, the Highway and

Drainage Standards, the Town of Colonie Rules and Regulations for Installation of Sanitary Sewer Lines, and the Latham Water District Standard Specifications.

- B. Any and all land grading or clearing, or tree cutting, except as required for completing a survey prior to final design approval, is prohibited from November 1st – March 31st unless a grading permit is issued by the Bureau of Engineering
- C. The developer shall comply with all applicable federal, state and local laws, rules and regulations, including but not limited to the State Environmental Quality Review Act (SEQRA), freshwater wetlands permit regulations, the Town Grading Law and § **190 Zoning and Land Use** of the Colonie Town Code..
- D. Unless otherwise provided for in the Code, no building permits shall be issued until the provisions of § **162-16F** of this article have been met.

§ 162-13 Requirements for dedication.

- A. No street offered for dedication after the date of adoption of this article shall be accepted as a Town street unless it conforms to the regulations hereinafter provided:
 - (1) All applications for dedication of a street by the Town Board shall be made in writing to the Town..
 - (2) All applications for dedication of a street shall be accompanied by a warranty deed with a lien covenant, conveying the proposed street ROW to the Town in fee simple, without restrictions on use or ownership, with all necessary releases from mortgages or other claimants, together with a proper title search and tax search covering at least 40 years up to the time application is made.
 - (3) All streets and easements shall be deeded to the Town of Colonie. Deeds to streets must clearly indicate the name of the street. An individual deed will be required for each street and each easement. Each deed shall be accompanied by a map 8 1/2 inches by 11 inches drawn to scale clearly showing the proposed street or easement, with all boundary and other dimensional information.
 - (4) If a street is part of a phased project, a separate deed for the highway and related easements shall be presented for each phase section, with the final phase section deed describing all previously presented deeds for the highway.
 - (5) The owner and/or developer shall have had the land comprising the street surveyed and mapped by a licensed surveyor, and a stamped map thereof shall be filed in the Albany County Clerk's office and a stamped copy filed with the Division of Highway.
 - (6) The arrangement of streets or highways hereinafter laid out shall be in conformance with the Town Official Highway Map and shall provide for the continuation of the principal streets existing on the adjoining properties.
 - (7) Approval in writing shall be obtained by the owner and/or developer from Albany County DPW regarding drainage and access where proposed streets or highways intersect county roads, for his permission to connect said streets with such roads. A copy of said approval shall be submitted to the Division of Highway.
 - (8) Approval in writing shall be obtained by the owner and/or developer from the New York State Department of Transportation regarding drainage and access where proposed streets or highways intersect state highways. A copy of said approval shall be submitted to the Division of Highway.
 - (9) There shall be no reserve strips of real property controlling access to streets or utilities.

- (10) The property lines at all street corners shall be rounded or otherwise set back sufficiently to allow a minimum radius on the property line of 25 feet.
- (11) The developer shall install all proposed utilities underground at the sole expense of the developer without financial contribution from the Town. No utilities shall be installed prior to final design approval. Underground utilities shall not be installed prior to the subgrading of the proposed street ROW and/or utility easements.
- (12) The installation of streets and storm sewers shall be in accordance with the provisions of this article and the Highway and Drainage Standards in effect at the time of construction.
- (13) The installation of water mains shall be under the supervision of the Project Engineer and in accordance with Latham Water District Standard Specifications for Water Distribution Systems in effect at the time of construction. The final grade of all lots at their front property line shall be constructed prior to the installation of any taps and curb shutoffs.
- (14) The installation of sanitary sewers shall be under the supervision of the Project Engineer and in accordance with Division of Pure Waters' rules and regulations in effect at the time of construction.
- (15) Prior to final design approval, the developer shall deposit sufficient moneys with the Town Comptroller to cover the costs of installation, testing and engineering review of all sanitary facilities associated with the street, such escrow deposit to be accompanied by a properly executed agreement between the Town and the developer.
- (16) In streets and highways beyond a workable distance from existing sanitary sewers or domestic water, dry sewers and/or water mains shall be installed by the developer, when directed by the Town, without expense to the Town, in accordance with the Town's requirements for sewer and water, as set forth in Subsection A(13) and (14).
- (17) Once the subbase material is in place in the street ROW, no open excavations or subsurface borings shall be made in the portion of the ROW to be paved without written permission from the Commissioner of Public Works or his designee.
- (18) Access to and from any construction site at all times must be maintained for use by emergency vehicles. Lack of proper emergency access will be grounds for the stopping of all work on the site.
- (19) The Town may employ at its discretion a construction inspector to act as its agent for the purpose of assuring satisfactory completion of improvements, except sanitary sewer, water distribution and utilities not owned and maintained by the Town, shown on the final design approval. The inspection provided for shall include, but not necessarily be limited to, all grading, street improvements, drainage, stormwater management systems and erosion control measures, and shall include core sampling of the street upon completion.
- (20) The Town will determine an amount sufficient to defray the costs of such inspection, based on the hourly rate of its construction inspector and the Bureau of Engineering's estimate of the number of hours required for inspection. The developer shall deposit said amount of moneys with the Town Comptroller in an escrow account prior to final design approval. The Town shall be authorized to pay the costs of inspection by its construction inspector from the moneys on deposit in said account and shall return to the developer any such moneys, including interest on balance in the account at the time of dedication of the street, provided that all inspection costs have been paid. If the moneys on deposit prove to be insufficient for the costs of required inspections, the Town shall require that the developer deposit additional moneys in an amount sufficient to cover the costs of such additional inspections as may be required.

(21) **Inspections.**

- (a) The developer shall notify the Town's construction inspector at least 48 hours prior to the commencement of any work to be done on the street, grading, drainage, stormwater management systems, erosion control measures, or other improvements which the developer has been informed will require inspection by the construction inspector, and shall not proceed with such work unless the construction inspector is present. Any work undertaken without proper notification and the presence of the Town's construction inspector shall be at the risk of the developer and shall not be accepted unless it is clearly shown to the satisfaction of the Division of Highway and the Bureau of Engineering to comply with approved plans and the Highway and Drainage Standards.
 - (b) The Town's construction inspector shall immediately notify the developer, the Bureau of Engineering, and the Division of Highway of any discrepancies observed in the course of inspecting the work. It shall be the responsibility of the developer to correct any such deficiencies to the satisfaction of the construction inspector, the Bureau of Engineering and the Division of Highway.
 - (c) The Town's construction inspector shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the construction, nor shall he be responsible for the contractor's failure to carry out the construction in accord with the approved drawings and specifications.
- (22) Upon completion of the base course of pavement, and prior to dedication of the street, the Bureau of Engineering or Division of Highway shall determine the number and type of traffic control signs and devices that are required for the street and shall advise the developer of its determination. The developer shall provide a cash payment to the Town for all street, regulatory signage posts, and appurtenances.
- (23) Upon completion of the construction or installation of facilities, the applicant shall file a certificate of compliance with the Bureau of Engineering stating that to the best of his knowledge the street has been completed in accordance with the approved drawings, specifications and addenda thereto and the Highway and Drainage Standards, insofar as storm sewer, paved areas and grading, or shall state any defects of which he is aware. No street shall be accepted for dedication by the Town Board until said certificate of compliance has been filed with the Bureau of Engineering.

§ 162-14 Preliminary plan submission.

- A. Prior to preparation of detailed plans, the applicant shall submit to the Planning and Economic Development Department (PEDD) a preliminary plan of the proposed streets and related improvements showing location of existing streets, features of historic concern, vegetation, watercourses, drainage ditches, wetlands and other natural features, and the location of the proposed street and other improvements.
- B. The Bureau of Engineering and the Division of Highway shall review the preliminary plan to ensure that it is in conformance with the Town Official Highway Map and is otherwise properly laid out with respect to existing streets, utilities, structures and natural features. A copy of the plan shall be forwarded by the PEDD to the Town Highway Safety Committee for its review and comment on the proposed street. The Bureau of Engineering and the Division of Highway shall also determine the classification of the proposed street in accordance with § 162-11 of this article, and the PEDD shall notify the applicant of the designated classification.

- C. The PEDD shall, after review and receipt of comments by other involved departments, notify the applicant as to the acceptability of the preliminary plan. If the plan is unacceptable, the reasons for same shall be stated.

§ 162-15 Final plan submission.

- A. The following shall be submitted to the PEDD:

- (1) Deeds to all proposed streets.
- (2) A drainage report and stormwater management plan in accordance with the Highway and Drainage Standards, signed and stamped by the project engineer with a statement that the system of drainage shown will function adequately and will not adversely affect adjacent or downstream properties.
- (3) An affidavit by the owner and/or developer that it has searched or caused to be searched all public records and the names of the adjoining owners are correct as of the date of the map.
- (4) An affidavit by the surveyor that it has searched all available public records and the limits and names of adjoining properties are correct as of the date of the map.
- (5) A copy of a letter from the Division of Latham Water stating that the water distribution system shown on the final plan is acceptable.
- (6) A complete description and executed deed by the owner of all easements shown on the map.
- (7) A copy of the letters from the Division of Pure Waters stating that the sanitary sewer system shown on the final plan is acceptable.
- (8) A metes and bounds description of any portion of the land served by the proposed street which is outside the limits of the Latham Water District, accompanied by a map. Both the description and the map shall be prepared, signed and stamped by a licensed surveyor.
- (9) A final street plan pursuant to the Code.

- B. Upon receipt of the proposed final plans and documents as required by Subsection A, the PEDD shall notify the applicant in writing of the Town's approval or disapproval of the final design. If plans and/or other submissions are not satisfactory, the PEDD shall state the reasons for same. Final plans shall be forwarded to the Commissioner of Public Works for his signature, which shall constitute final design approval of the street plan.

- C. Where proposed streets are submitted for approval in connection with a proposed subdivision plan, the requirements of this article shall be deemed the minimum requirements for approval of streets and utilities within the subdivision. The final approval by the Planning Board of the subdivision plan and the signature of the Commissioner of Public Works shall constitute final design approval of the proposed street plan.

§ 162-16 Acceptance of street.

- A. Recommendation of acceptance; imposition of additional requirements; waiver of conditions.
 - (1) If, in the opinion of the Commissioner of Public Works, the proposed street and related utilities have been completed in accordance with the final design approval and the Highway and Drainage Standards, and the Town's construction inspector verifies that the construction he is responsible for inspecting has been inspected by him and is in accordance with the final design approval and the Highway and Drainage Standards, and the applicant has filed a certificate of compliance as

required by § **162-13A(23)** of this article and the Divisions of Latham Water and Pure Waters have found the related sanitary sewer and water distribution systems acceptable, the Commissioner of Public Works shall recommend to the Town Board that the street be accepted.

- (2) Prior to acceptance of the street, the Town Board may, in its discretion, impose additional requirements or conditions if it deems that such requirements and/or conditions will best serve the public's interest.
 - (3) The Town Board may, in its discretion, accept a proposed street notwithstanding conformist nonconformance to all of the provisions of this article if it deems that acceptance of same shall best serve the public's interest. However, such an acceptance will be subject to conditions imposed by the Town Board.
- B. Before any street shall be accepted for dedication, the street shall be suitably improved up to and including the placement of the base course of asphalt concrete to the satisfaction of the Commissioner of Public Works or his designee in accordance with all applicable standards and specifications.
 - C. Determinations for final acceptance of the pavement structure shall be made from core samples taken in compliance with the Town of Colonie Highway and Drainage Standards..
 - D. Prior to the dedication of a street, the developer shall have stabilized all soil surfaces as specified in the Town of Colonie Highway and Drainage Standards.
 - E. Upon completion and certification of the base course of pavement and prior to dedication of the street or the issuance of any building permit, the applicant shall deposit with the Town a cash payment to cover the placement of the top course of asphalt concrete. Said payment shall be nonrefundable and shall be of an amount sufficient to cover the costs of raising of manholes, valves and catch basins, trueing and/or leveling, and top course of paving. The amount shall be determined by contract prices secured by the Town annually through competitive bidding for such work. The Town shall use these funds to complete or cause to be completed the necessary work, at such time as the Town deems appropriate.
 - F. No building permits shall be issued on a proposed street until all sewer, water, storm sewer and street improvements, up to and including placement of the base course of pavement, have been made to the satisfaction of each respective department head; the grading, street and storm sewers are verified as properly completed by the Town's construction inspector; and written approval is forwarded to the PEDD by each department head. Upon receipt of acceptance by each department, the PEDD shall issue a written statement to the Building Department stating that building permits may be issued. If at the time of the request for a building permit the proposed road is not completed in accordance with the final design approval, the Bureau of Engineering or Division of Highway shall require that a cash escrow sufficient to cover the cost of placing the base course of pavement, curbs and other work if required, as estimated by the Bureau of Engineering, and the deposit of moneys as required in Subsection E shall be furnished to the Town by the person seeking to obtain building permits, only after demonstrating to the Commissioner of Public Works sufficient need to build prior to the completion of the street as required in Subsection B. Such escrow shall be in a sufficient amount to assure completion of the street within a specified period of time and shall empower the Commissioner of Public Works to utilize the moneys so posted to complete the street if needed. The Bureau of Engineering shall supply the escrow agreement. In no case shall a certificate of occupancy be issued for any building until the base course of pavement is complete and the street is dedicated.
 - G. Upon the completion of the installation of the asphalt base course to the satisfaction of the Commissioner of Public Works, the stabilization of all open soil areas to the satisfaction of the Division of Highway and the proper depositing of moneys as required in Subsection E, the Town Board may dedicate the street in accordance with Subsection A and the applicable provisions of New York State Law.

§ 162-17 Miscellaneous requirements.

- A. Before any work approved under the provisions of this article is undertaken in an existing street ROW by any developer or contractor, a highway work permit must be obtained from the Division of Highway.
- B. Any damage to an existing street occurring during the course of development of lands adjacent to the street shall be the responsibility of the applicant obtaining the building permit for the building that was the cause of such damage and shall be repaired to the satisfaction of Commissioner of Public Works or his designee prior to the issuance of a certificate for use of utilities or a certificate of occupancy. If such damage occurs during the winter months, the developer shall post a cash escrow to cover the cost of said repairs. Said escrow agreement shall specify a date by when such repairs shall have been completed. If the repairs are not completed by the date specified, the Commissioner of Public Works or his designee shall have the authority to use the escrow moneys to complete the repairs.

§ 162-18 Fees.

The applicant shall submit with his application a fee for review of the application and plans to the PEDD. The amount shall be in accordance with the fee schedule established by the Town Board.

§ 162-1 Enforcement.

The provisions of this article shall be enforced by the DPW, Town Attorney, and Justice Court.

§ 162- Penalties for offenses.

- A. Any person or persons, associations or corporations committing an offense against this article or any section or provision thereof is guilty of a violation and shall, upon conviction thereof, be subject to a fine not to exceed \$250, or imprisonment not exceeding 15 days, or both.
- B. In the event of a continuing offense of any section or provision of this article, each day such offense shall continue shall be a separate violation and subject to a separate fine, imprisonment or combination thereof.
- C. In lieu of, or in addition to, any fine or imprisonment, or both, imposed for a conviction of an offense of this article or rule, 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.

SECTION 3. 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 4. SEQR DETERMINATION.

The Town Board hereby determines that this amendment is an 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 5. 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 2023 of the **Town of Colonie** was duly passed by the Town Board on _____ 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:

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 2023

A local law amending Chapter 190 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 190, Sections 75 – 78 shall be replaced in their entirety with the following:

§ 190-75 Definitions.

The terms used in this article or in documents prepared or reviewed under this article shall have the meaning as set forth in this section. If a term is not defined in this section, then the definition provided in Article **II** shall apply. Any conflict between a definition provided in Article **II** and this article shall be resolved in favor of the definition provided below.

AGRICULTURAL ACTIVITY

The activity of an active farm, including grazing and watering livestock, irrigating crops, harvesting crops, using land for growing agricultural products, and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation or the construction of new structures associated with agricultural activities.

BUILDING

Any structure, either temporary or permanent, having walls and a roof, designed for the sheltering of any person, animal or property, and occupying more than 100 square feet of area.

CHANNEL

A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

CLEARING

Any activity that removes the vegetative surface cover.

DEC

The New York State Department of Environmental Conservation.

DESIGN MANUAL

The New York State Stormwater Management Design Manual, as amended. This manual serves as the official guide for stormwater management principles, methods and practices.

EROSION CONTROL MANUAL

The New York Standards and Specifications for Erosion and Sediment Control Manual, as amended. This is commonly known as the "Blue Book."

IMPERVIOUS COVER

Surfaces, improvements and structures that cannot effectively be infiltrated by rainfall, snowmelt and water (e.g., building rooftops, pavement, sidewalks, driveways, etc.).

INDUSTRIAL STORMWATER PERMIT

A State Pollutant Discharge Elimination System permit issued to a commercial industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

INFILTRATION

The process of percolating stormwater into the subsoil.

JURISDICTIONAL WETLAND

An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as "hydrophytic vegetation."

LAND DEVELOPMENT ACTIVITY

An activity, including clearing, grading, excavating, soil disturbance or placement of fill, that results in land disturbance equal to or greater than one acre or an activity disturbing less than one acre of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules.

LANDOWNER

The legal or beneficial owner of land, including those holding the right to purchase or lease the land or any other person holding proprietary rights in the land.

MAINTENANCE AGREEMENT

A document which provides for long-term maintenance of stormwater management practices. It is anticipated this document will be recorded in the Albany County Clerk's Office and will act as a property deed restriction or encumbrance.

NON-POINT-SOURCE POLLUTION

Pollution from any source other than from any discernible, confined and discrete conveyances and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

PHASING

Clearing a parcel of land in distinct pieces or parts, with the stabilization of each piece completed before the clearing of the next.

POLLUTANT OF CONCERN

Sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or silt) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the land development activity.

PROJECT

Any construction or development activity upon real property.

RECHARGE

The replenishment of underground water reserves.

SEDIMENT CONTROL

Measures that prevent sediment from leaving the site.

SENSITIVE AREAS

Cold water fisheries, shellfish beds, swimming beaches, groundwater recharge areas, water supply reservoirs or habitats for threatened, endangered or special concern species.

SMP

See "stormwater management practices."

SPDES

The New York State Pollutant Discharge Elimination System.

SPDES GENERAL PERMIT FOR CONSTRUCTION ACTIVITIES, GP-02-01

A SPDES permit issued to developers of construction activities to regulate disturbance of one or more acres of land.

SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MUNICIPAL SEPARATE STORMWATER SEWER SYSTEMS, GP-02-02

A SPDES permit issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA-established water quality standards and/or to specify stormwater control standards.

STABILIZATION

The use of practices that prevent exposed soil from eroding.

STOP-WORK ORDER

An order issued which requires that all construction activity on a site be stopped.

STORMWATER or STORM WATER

Rainwater, surface runoff, snowmelt and drainage.

STORMWATER HOT SPOT

A land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff, based on monitoring studies.

STORMWATER MANAGEMENT

The use of structural or nonstructural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

STORMWATER MANAGEMENT FACILITY

One or a series of stormwater management practices installed, stabilized and operating for the purpose of controlling stormwater runoff.

STORMWATER MANAGEMENT OFFICER

An employee or officer designated by the Commissioner of the Department of Public Works or the Town Board to accept and review stormwater pollution prevention plans, forward the plans to the applicable Town board or department, inspect stormwater management practices, and enforce this article.

STORMWATER MANAGEMENT PRACTICES (SMPs)

Measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point-source or non-point-source pollution inputs to stormwater runoff and water bodies.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

STORMWATER RUNOFF

Flow on the surface of the ground, resulting from precipitation.

SURFACE WATERS OF THE STATE OF NEW YORK

Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial seas of the State of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except

those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction. Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition, are not waters of the state. This exclusion applies only to man-made bodies of water which neither were originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

SWPPP (aka "swipp")

See "stormwater pollution prevention plan."

WATERWAY

A channel that directs surface runoff to a watercourse or to the public storm drain.

§ 190-76 Applicability.

- A. This article shall be applicable to all real property within the Town of Colonie.
- B. All land development activities subject to subdivision and/or site plan review and approval under the Colonie Land Use Law regulations shall be reviewed subject to the standards contained in this article. In this instance, the SWPPP shall be submitted along with subdivision and site plan applications.
- C. All land development activities not subject to subdivision and/or site plan review that are over an acre of disturbance shall be required to submit a SWPPP to the Stormwater Management Office, who shall review the SWPPP for compliance with the requirements of this article.
- D. All land development activities in which there is an increase in impermeable ground cover shall be required to submit plans to the Stormwater Management Office for review.

§ 190-77 Exemptions.

The following activities are exempt from the permit requirements under this article. However, even those projects which are exempt from the permit requirements must meet the standards set forth in this article.

- A. "Agricultural activity" as defined in this article.
- B. Routine maintenance activities that disturb less than five acres and are performed to maintain the original line and grade, hydraulic capacity or original purpose of a stormwater management facility.
- C. Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.
- D. Cemetery graves.
- E. Installation of fence, sign, telephone and electric poles and other kinds of posts or poles.
- F. Emergency activities immediately necessary to protect life, property or natural resources.
- G. Activities of an individual engaging in home gardening by growing flowers, vegetables and other plants primarily for use by that person and his or her family.
- H. Landscaping and horticultural activities in connection with an existing structure that does not change the drainage patterns.
- I. Creation or restoration of wetlands pursuant to a State or Federal Wetlands Permit.
- J. Creation, restoration or preservation of pine bush habitat by the Albany Pine Bush Preserve Commission.

§ 190-78 Stormwater pollution prevention plans.

- A. Stormwater pollution prevention plan requirement. No approval of a land development activity shall be issued until a stormwater pollution prevention plan (SWPPP) has been accepted in accordance with the specifications in this Article. A grading permit shall not be issued until the SWPPP is approved in writing by the Town of Colonie.
- B. Erosion and Sediment Control Plan. All SWPPPs shall, at a minimum, have an erosion and sediment control plan that provides control measures to minimize the discharge of pollutants and prevent a violation of water quality standards. Erosion and Sediment Control plans shall meet the

requirements of the New York State Standards and Specifications for Erosion and Sediment Control and the Town of Colonie Highway and Drainage Standards.

- (1) Development within impaired watersheds or where a five-acre-variance request is submitted to DEC may require additional data.

C. Post-construction stormwater runoff control. In addition to the Erosion and Sediment Control Plan, land development activities meeting any of the three conditions below shall also be required to provide a report as to water quantity and water quality controls (post-construction stormwater runoff controls):

- (1) Stormwater runoff from project activity disturbing between one and five acres of land during the course of the project, exclusive of the construction of single-family residences and construction activities at agricultural properties;
 - (2) Stormwater runoff from land development activities disturbing five or more acres; or
 - (3) Stormwater runoff from land development activities discharging a pollutant of concern to either an impaired water identified on the New York State Department of Environmental Conservation's 303(d) list of impaired waters or a total maximum daily load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.
- (4) The additional report to be provided for post-construction stormwater controls shall be provided with the SWPPP application and shall include:
- (a) Description of each post-construction stormwater management practice;
 - (b) Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice;
 - (c) Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;
 - (d) Comparison of post-development stormwater runoff conditions with predevelopment conditions;
 - (e) Dimensions, material specifications and installation details for each post-construction stormwater management practice;
 - (f) Maintenance schedule to ensure continuous and effective operation of each post-construction stormwater management practice;
 - (g) Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property;
 - (h) Inspection and maintenance agreement binding on all subsequent landowners served by the on-site stormwater management measures in accordance with § 190-80 of this article.
 - (i) If the land development activity meets either of the conditions described in § 190-78C(1)(b) or (c) above (activity disturbs five acres or more, or runoff discharges a pollutant of concern to either an impaired water or a TMDL-designated watershed) then the SWPPP shall be prepared by a landscape architect, certified professional in erosion and sediment control (CPESC), soil scientist or professional engineer and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meet the requirements in this article.

SECTION 3. 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 4. SEQR DETERMINATION.

The Town Board hereby determines that this amendment is an 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 ("SEQR") is required.

SECTION 5. 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 2023 of the **Town of Colonie** was duly passed by the Town Board on _____ 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:

RESOLUTION NO. 262 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 20th day of April, 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/not adopting the Town of Colonie's 2023 Annual Entitlement Action Plan and authorizing the Supervisor to submit said plans to the U.S. Department of Housing and Urban Development and to execute all related documents pertaining to the Community Development Block Grant, HOME and Section 8 Programs.

WHEREAS, the Town Board of the Town of Colonie has been notified by the U.S. Department of Housing and Urban Development that it, in conjunction with the Villages of Colonie and Menands, is eligible to submit a 2023 Annual Entitlement Action Plan for a Community Development Block Grant in the amount of \$341,491, HOME funds in the amount of \$124,353, and other funds as they become available; and

WHEREAS, the Community Development Department, after consultation with other public and private agencies, and with the assistance of a Citizen Advisory Committee, had previously prepared the Town of Colonie's 2023 Annual Entitlement Action Plan; and

WHEREAS, the Town Board has determined that these plans are desirable and beneficial to the Town;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colonie hereby adopts the Town of Colonie's 2023 Annual Entitlement Action Plan, copies of which are on file in the Community Development Office and in the Town Clerk's Office, and authorizes the Supervisor to file such plans with the U.S. Department of Housing and Urban Development,

including all understandings and assurances contained therein, and to act in connection with the plans to provide such additional information as may be required; and

BE IT FURTHER RESOLVED that the Supervisor be, and hereby is, authorized to execute all necessary related documents pertaining to the Community Development Block Grant, the HOME and Section 8 Programs.