

RESOLUTION NO. 210-A FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Richard J. Langford to the position of Paramedic PT in the Emergency Medical Services Department.

WHEREAS, the Personnel Officer has certified Richard J. Langford as eligible for appointment from eligible list PM4-89, established May 19, 2020;

BE IT RESOLVED that Richard J. Langford be, and hereby is, appointed to the position of Paramedic PT in the Emergency Medical Services Department at an hourly salary of \$26.28, effective June 8, 2020, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 210-B FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Edward P. Snyder, Jr. to the position of Water Treatment Plant Operator, Grade 22, in the DPW/Division of Latham Water.

BE IT RESOLVED that Edward P. Snyder, Jr. be, and hereby is, appointed to the position of Water Treatment Plant Operator, Grade 22, in the DPW/Division of Latham Water at an annual salary of \$52,542, effective June 5, 2020.

RESOLUTION NO. 211 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting/not adopting the Town of Colonie's 2020 Five-Year Consolidated Plan and 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 2020 Five-Year Consolidated Plan and Annual Entitlement Action Plan for a Community Development Block Grant in the amount of \$356,388, HOME funds in the amount of \$111,770, 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 2020 Consolidated Plan including a Citizen Participation Plan, a Five-Year Strategic Plan and an 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 2020 Consolidated Plan and 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.

RESOLUTION NO. 212 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting/not adopting a local law rezoning 606 & 608 Loudon Road from Neighborhood Commercial Office Residential (NCOR) to a Planned Development District (PDD) Classification (Loudon Road Planned Development District) and approving the application to create an Open Development Area located at 606 & 608 Loudon Road.

WHEREAS, New Loudon Road Realty Company, LLC has requested a rezoning of 8.39 +/- acres of land known as 606 & 608 Loudon Road; and

WHEREAS, due to the Corona Virus the public hearing that was scheduled for March 26, 2020 was rescheduled to April 9, 2020 and adjourned to June 4, 2020; and

WHEREAS, proof of notice having been furnished, a public hearing on a proposed local law was held on June 4, 2020 at 7:00 PM with all persons desiring to be heard, having been heard; and

WHEREAS, by application dated July 31, 2019, Donald Zee, P.C., submitted an application to the Town Board to create an Open Development Area as defined by Town Law Section 280-a (4); and

WHEREAS, by Resolution No. 474 adopted by this Board on November 7, 2019, the application was referred to the Planning Board for its advice in accord with Town Law Section 280-a (4); and

WHEREAS, on February 25, 2020, the Planning Board conducted a public hearing on the referred application, and on February 25, 2020, the Planning Board adopted a motion to recommend approval of the Open Development Area in accord with Town Law Section 280-a (4), upon the conditions attached hereto as Exhibit “A”;

BE IT RESOLVED that a local law rezoning 606 & 608 Loudon Road from Neighborhood Commercial Office Residential (NCOR) to a Planned Development District (PDD) classification (Loudon Road Planned Development District) be, and hereby is adopted/not adopted; and

BE IT FURTHER RESOLVED that the Recommendation of the Planning Board annexed hereto as Exhibit “B” be, and hereby is, incorporated and adopted as if fully set forth in the Local Law herein; and

BE IT RESOLVED that the application of Donald Zee, P.C. to create an Open Development Area in accord with Town Law Section 280-a (4) be, and hereby is, authorized.

**SPECIAL RULE OF THE PLANNING BOARD SETTING FORTH
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS FOR THE
ESTABLISHMENT OF AN OPEN DEVELOPMENT AREA
PURSUANT TO NEW YORK STATE TOWN LAW § 280-a(4)**

**The Galleria at Loudonville (Loudon Road PDD)
606 & 608 Loudon Road**

WHEREAS, New Loudon Road Realty Company LLC (hereinafter referred to as the applicant) made application to the Colonie Town Board for creation of the Galleria at Loudonville Planned Development District, with said site plan containing two lots, one of which will contain a maximum of 26,000 square foot commercial retail building with frontage along Loudon Road, and the second lot containing a maximum of 85 senior apartments and 92 bed assisted living facility with no frontage along a public right-of-way; and

WHEREAS the Town of Colonie Planning and Economic Development Department and Building Department have determined that access to the subject property by means other than use of the property's public road frontage will require approval of an Open Development Area; and

WHEREAS, the applicant made a request for an Open Development Area to the Town of Colonie Town Board; and

WHEREAS, 280-a(4) of the New York State Town Law provides that the Town Board may establish an Open Development Area within the Town, wherein permits may be issued for the erection of structures to which access may be given by right of way or easement, upon such conditions and subject to such limitations as may be prescribed by special rule of the Planning Board; and

WHEREAS, on November 7, 2019 the Town Board referred the application for the Open Development Area to the Planning Board for review and recommendation via Town Board Resolution No. 474 for 2019; and

WHEREAS, the Open Development Area requested by the applicant is intended to allow primary access to the subject property by ingress and egress over private roads to which both lots will share equal rights of ingress and egress; and

WHEREAS, the subject property has approximately 587 feet of frontage along Loudon Road (New York State Route 9); and

WHEREAS, Loudon Road is a State-owned public road maintained by the NYSDOT.

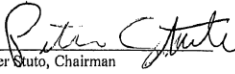
NOW THEREFORE, BE IT RESOLVED THAT, the Planning Board has determined that it is in the best interest of the public's health safety and welfare to permit access to the rear lot over an ingress/egress easement; and

EXHIBIT "A"

BE IT FURTHER RESOLVED THAT, the Planning Board recommends approval of the Open Development Area for the Galleria at Loudonville Planned Development District.

This resolution shall take effect immediately and shall be transmitted to the Colonie Town Board for consideration.

Date: February 25, 2020


Peter Stuto, Chairman

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 2020**

A local law rezoning 8.39 +/- acres of land located at 606 and 608 Loudon Road from a Neighborhood Commercial Office Residential (NCOR) district to a Planned Development District (PDD).

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

SECTION 1. REZONING

The following described area consisting of 8.39 +/- acres of land located at 606 and 608 Loudon Road is hereby rezoned from a Neighborhood Commercial Office Residential (NCOR) district to a Planned Development District (PDD):

Lot 1:

All that piece or parcel of land situate, lying and being located in the Town of Colonie, County of Albany and State of New York, reference is made to a map titled "Concept Site Plan Galleria at Loudonville, Street No.'s 606 & 608 Loudon Road", Town of Colonie, County of Albany, State of New York," dated December 10, 2018, last revised October 31, 2019, prepared by Advance Engineering & Surveying PLLC and being more particularly bounded and described as follows:

Beginning at a point in the westerly highway boundary of Loudon Road (U.S. Route 9) at its intersection with the division line between lands now or formerly of 608 Loudon Road, LLC as described in Liber 3063 of deeds at page 845 on the south and lands now or formerly of New

Loudon Road Associates, LLC on the north; thence from said point of beginning along said westerly highway boundary of Loudon Road the following four (4) courses and distances:

- 1) South 27°-34'-07" East, 92.72 feet to a point; thence
- 2) South 28°-20'-03" East, 100.04 feet to a point; thence
- 3) South 11°-18'-04" East, 325.50 feet to a point; thence
- 4) South 03°-28'-48" East, 68.43 feet to a point at its intersection with the division line between the aforementioned lands of 608 Loudon Road, LLC on the north and lands now or formerly of Newton Plaza Associates, LLC as described in Liber 2890 of deeds at page 600 on the south; thence along said division line the following two (2) courses and distances:

- 1) North 80°-45'-00" West, 209.48 feet to a point; thence
- 2) South 07°-30'-00" West, 96.00 feet to a point in the division line between the aforementioned lands of 608 Loudon Road, LLC on the north and other lands now or formerly of Newton Plaza Associates, LLC as described in Liber 2650 of deeds at page 495 on the south; thence along said division line the following three (3) courses and distances:

- 1) North 80°-45'-00" West, 582.13 feet to a point; thence
- 2) North 00°-00'-00" West, 3.00 feet to a point; thence
- 3) South 78°-10'-00" West, 146.46 feet to a point; thence through the aforementioned lands of 608 Loudon Road, LLC the following sixteen (16) courses and distances:

- 1) North 08°-30'-51" East, 153.85 feet to a point; thence
- 2) North 75°-12'-31" East, 136.29 feet to a point; thence
- 3) Along an arc of a curve to the left having a radius of 136.00 feet, an arc length of 216.78 feet and a chord bearing South 30°-28'-30" East, 194.55 feet to a point; thence
- 4) South 80°-45'-14" East, 300.37 feet to a point; thence
- 5) Along an arc of a curve to the left having a radius of 78.00 feet, an arc length of 71.30 feet and a chord bearing North 77°-33'-00" East, 68.84 feet to a point; thence
- 6) North 24°-38'-56" West, 45.50 feet to a point; thence
- 7) North 39°-55'-42" East, 41.50 feet to a point; thence
- 8) North 13°-20'-55" West, 23.20 feet to a point; thence

- 9) North 50°-04'-18" West, 71.30 feet to a point; thence
- 10) North 30°-04'-18" West, 33.94 feet to a point; thence
- 11) North 10°-04'-18" West, 81.49 feet to a point; thence
- 12) North 09°-55'-42" East, 33.94 feet to a point; thence
- 13) North 29°-55'-42" East, 71.30 feet to a point; thence
- 14) North 06°-47'-41" West, 23.20 feet to a point; thence
- 15) North 60°-04'-12" West, 46.80 feet to a point; thence
- 16) North 29°-25'-30" West, 68.33 feet to a point in the aforementioned division line between lands of 608 Loudon Road, LLC on the south and lands of New Loudon Road Associates, LLC on the north; thence along said division line the following four (4) courses and distances:

- 1) North 60°-34'-30" East, 4.08 feet to a point; thence
- 2) North 32°-09'-26" East, 28.60 feet to a point; thence
- 3) North 62°-24'-08" East, 120.53 feet to a point; thence
- 4) North 78°-10'-00" East, 158.81 feet to a point in the aforementioned westerly highway boundary of Loudon Road, the point and place of beginning and containing 4.72 acres of land more or less.

Subject to all rights, easements, covenants and restrictions of record.

Subject to any state of facts an up to date Abstract of Title would disclose.

And Lot 2:

All that piece or parcel of land situate, lying and being located in the Town of Colonie, County of Albany and State of New York, reference is made to a map titled "Concept Site Plan Galleria at Loudonville, Street No.'s 606 & 608 Loudon Road", Town of Colonie, County of Albany, State of New York," dated December 10, 2018, last revised October 31, 2019, prepared by Advance Engineering & Surveying PLLC and being more particularly bounded and described as follows:

Beginning at a point in the division line between lands now or formerly of 608 Loudon Road, LLC as described in Liber 3063 of deeds at page 845 on the south, lands now or formerly of Village at Shaker Creek Homeowners Association on the north and lands now or formerly of Saleem Ahmed & Musarrat J. Khan as described in Liber 2752 of deeds at page 1045 on the west; thence from said point of beginning along the 608 Loudon Road, LLC and Village at Shaker Creek Homeowners Association division line and the division line between lands of the aforementioned 608 Loudon Road, LLC on the south and lands now or formerly of New Loudon Road Associates, LLC on the north North 60°-34'-30" East, 709.87 feet to a point therein; thence through the aforementioned lands of 608 Loudon Road, LLC the following sixteen (16) courses and distances:

- 1) South 29°-25'-30" East, 68.33 feet to a point; thence
- 2) South 60°-04'-12" East, 46.80 feet to a point; thence
- 3) South 06°-47'-41" East, 23.20 feet to a point; thence
- 4) South 29°-55'-42" West, 71.30 feet to a point; thence
- 5) South 09°-55'-42" West, 33.94 feet to a point; thence
- 6) South 10°-04'-18" East, 81.49 feet to a point; thence
- 7) South 30°-04'-18" East, 33.94 feet to a point; thence
- 8) South 50°-04'-18" East, 71.30 feet to a point; thence
- 9) South 13°-20'-55" East, 23.20 feet to a point; thence
- 10) South 39°-55'-42" West, 41.50 feet to a point; thence
- 11) South 24°-38'-56" East, 45.50 feet to a point; thence
- 12) Along an arc of a curve to the left having a radius of 78.00 feet, an arc length of 71.30 feet and a chord bearing South 77°-33'-00" West, 68.84 feet to a point; thence
- 13) North 80°-45'-14" West, 300.37 feet to a point; thence
- 14) Along an arc of a curve to the left having a radius of 136.00 feet, an arc length of 216.78 feet and a chord bearing North 30°-28'-30" West, 194.55 feet to a point; thence
- 15) South 75°-12'-31" West, 136.29 feet to a point; thence
- 16) South 08°-30'-51" West, 153.85 feet to a point in the division line between the aforementioned lands of 608 Loudon Road, LLC on the east and the aforementioned lands of Saleem Ahmed & Musarrat J. Khan on the west; thence along said division line North 53°-26'-00" West, 150.00 feet to the point and place of beginning and containing 3.67 acres of land more or less.

Subject to all rights, easements, covenants and restrictions of record.

Subject to any state of facts an up to date Abstract of Title would disclose.

SECTION 2. ZONING MAP

Section 190-17 (A) of the Code of the Town of Colonie is amended by modifying the Town of Colonie Zoning Map described therein to reclassify those lands described in Section 1 above from a Neighborhood Commercial Office Residential (NCOR) district to a PDD. Said map shall be modified and a copy of the revised map shall be filed with the Town Clerk of the Town of Colonie.

SECTION 3. CONDITIONS

The subject 8.39 +/- acres of parcel described in Section 1 above is rezoned to a PDD upon the conditions that the property shall be developed with a 26,000 +/- square foot commercial building (retail/restaurant), 85 independent senior apartments, and a 92 bed assisted living facility on an parcel of land to be subdivided into two lots, as more fully detailed in the narrative description, plans, and additional materials provided with the request for rezoning and filed in the office of the Town Clerk. This rezoning is also subject to any express conditions of the Planning Board and the Town Board filed with the office of the Town Clerk.

SECTION 4. 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 5. SEQRA

The Town of Colonie Town Board, acting as Lead Agency, has determined that this proposal is an Unlisted action which will not have a significant impact on the environment.

SECTION 6. 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 2020 of the **Town of Colonie** was duly passed by the Town Board on _____ 2020 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:

4 - p

**PLANNED DEVELOPMENT DISTRICT
COLONIE LAND USE LAW - WRITTEN FINDINGS
OF THE COLONIE PLANNING BOARD**

**The Galleria at Loudonville (Loudon Road PDD)
606 & 608 Loudon Road**

WHEREAS, New Loudon Road Realty Company LLC (hereinafter referred to as the applicant) made application to the Colonie Town Board for Planned Development District (PDD) approval for a project that consist of a 26,000 SF commercial building (retail/restaurant), 85 independent senior apartments and a 92 bed assisted living facility on a 8.39 acre parcel of land to be subdivided into two lots (hereinafter referred to as the application); and

WHEREAS; the Colonie Town Board (Town Board) referred the project to the Town of Colonie Planning Board (Planning Board) for review and recommendation; and

WHEREAS; pursuant to Chapter 190-13 of the Colonie Land Use Law, entitled Planned Development Districts, the Planning Board shall develop written findings that document the facts and information relied upon to reach its conclusions in rendering a decision on a PDD; and

WHEREAS the PDD is consistent with the purpose and intent of this Chapter including the Design Standards; and

WHEREAS the PDD is compatible with the surrounding neighborhood context and character and is in conformance with the Comprehensive Plan; and

WHEREAS the requirements of SEQRA will be completed by the Town Board prior to making a determination on the PDD, and the PDD has mitigated potential undue adverse environmental impacts as set forth during SEQRA review to the maximum extent practicable; and

WHEREAS the PDD will add to the long-term assets of the community and will not erode the livability or economic viability of the existing neighborhood areas; and

WHEREAS the proposal is conceptually sound in that it meets local and area-wide needs and it conforms to accepted design principals in the proposed functional roadway and pedestrian system, land use configuration, open space system, drainage system and scale of elements, both absolutely and to one another; and

WHEREAS there are adequate community facilities, services and utilities available or proposed to be made available in the construction of the development; and

WHEREAS the traffic will not have an adverse impact on the adjoining transportation system.

NOW THEREFORE, BE IT RESOLVED THAT, the Planning Board recommends approval of the Planned Development District for the subject property subject to the following minimum public benefits being proposed by the Applicant which will add to the long-term assets of the

EXHIBIT "B"

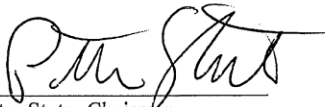
community:

1. The applicant shall contribute \$500,000 toward the completion of a traffic study of Homestead Drive and the design and installation of pedestrian improvements within the Town of Colonie.
2. The applicant shall fund the completion of a traffic study that evaluates traffic conditions along Homestead Drive and evaluates potential improvements with respect to vehicular sightlines, traffic calming, cut-through traffic, pedestrian safety and access considerations. This study is valued at approximately \$20,000.
3. Following the funding of the traffic study, the design and installation of pedestrian improvements for the remaining funds will be prioritized as follows, with the completion of each segment prioritized for installation before the next until the \$500,000 contribution is exhausted:
 - a. Design and installation of approximately 600 linear feet of sidewalk along the east side of Loudon Road from Homestead Drive heading north and terminating at the existing traffic signal for Newton Plaza, together with crosswalk accommodations. This work is valued at approximately \$200,000.
 - b. Design and installation of approximately 1,100 linear feet of sidewalk along the west side of Loudon Road from Glennon Road heading north to the Fresh Market plaza. This work is valued at approximately \$200,000.
 - c. Design and installation of approximately \$100,000 worth of sidewalk along Spring Street. Limits to be determined during final site plan review.
4. The value for the traffic study and each sidewalk segment will be verified through engineer's proposals, engineer's estimates and contractor's bids for the work. The design for any sidewalk segments funded as part of the \$500,000 contribution shall be included in the final site plans for the project and constructed simultaneously with development of the project site.
5. Restaurants within the retail building shall be limited to no more than three full service restaurants, with a combined square footage of no greater than 8,000 square feet and 340 seats (240 inside year-round and 100 outdoor seasonal, with up to 10% variation between these indoor/outdoor seating counts). No single restaurant shall have a size greater than 4,500 square feet with 200 seats.
6. Any restaurant shall be restricted from having live music outdoors between the hours of 10:00 PM to 3:00 PM. No live music shall achieve a decibel level greater than 40 decibels (typical suburban nighttime conditions) at the limit of the project site at any time.

BE IT FURTHER RESOLVED THAT, pursuant to Chapter 190-13 of the Colonie Land Use Law, entitled Planned Development Districts, the Planning Board has developed these written findings that document the facts and information relied upon to reach its conclusions in rendering a decision to recommend approval of the proposed PDD.

This resolution shall take effect immediately and shall be transmitted to the Town Supervisor and Members of the Town Board.

Date: February 25, 2020



Peter Stuto, Chairman

RESOLUTION NO. 213 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to reimburse for overestimated water usage at 1103 Loudon Road and 7 Fernwood Drive.

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

Stephen Boras	1103 Loudon Road	\$2,909.55
William Nadareski	7 Fernwood Drive	\$2,504.94

RESOLUTION NO. 214 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Professional Service Agreement with C.T. Male Associates in connection with performing Safety Inspections at Stony Creek Reservoir Dam.

WHEREAS, C.T. Male Associates will perform Safety Inspections at Stony Creek Reservoir Dam in 2020, 2021 and 2022 and updates to the Engineering Assessment at a total cost of \$18,500.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Professional Service Agreement with C.T. Male Associates in connection with performing Safety Inspections at Stony Creek Reservoir Dam; and

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

RESOLUTION NO. 215 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid to Pad Business Forms in connection with the Printing and Mailing of Water Meter Cards for the DPW/Division of Latham Water.

WHEREAS, pursuant to advertisement on May 20, 2020, the following two (2) bids were received in connection with the Printing and Mailing of Water Meter Cards 2020:

Vendor	Total Bid Price
Pad Business Forms	\$4,662.00
Graphic Image, Inc.	\$7,747.80

WHEREAS, after review of the bids and upon the recommendation of the General Services Director and the Superintendent of the DPW/Division of Latham Water; and

BE IT RESOLVED that the low bidder, Pad Business Forms be, and hereby is, awarded the bid for Printing and Mailing of Water Meter Cards, for the DPW/Division of Latham Water in the amount of \$4,662.00.

RESOLUTION NO. 216 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ 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 at the Mohawk View Water Treatment Plant for the DPW/Division of Latham Water and authorizing the Supervisor to enter into an agreement for same.

WHEREAS, pursuant to advertisement placed on April 29, 2020, the following proposals were received in connection with the Mohawk View Water Treatment Plant Granular Activated Carbon Filter Media Removal and Replacement for the DPW/Division of Latham Water:

Item #1 – Labor and Equipment for Two (2) Media Changes
Item #1a- Virgin GAC Material for Three (3) Filters
Item #2 – Sand Material for Three (3) Filters
Item #3 – Labor, Material and Equipment for Reactivation of One (1) Filter
Item #4 - Demobilize and Remobilize as needed

	VENDOR	ITEM 1	ITEM 1a	ITEM 2	ITEM 3	ITEM 4	TOTAL
1.	Calgon Carbon Corp.	\$32,975.00	\$112,156.00	\$3,500.00	\$33,276.00	\$2,500.00	\$184,407.00
2.	Carbon Activated Corp.	\$24,000.00	\$149,000.00	\$2,100.00	\$31,400.00	\$1,400.00	\$207,900.00

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

BE IT RESOLVED that the bid be awarded to the low bidder, Calgon Carbon Corporation, for Items 1, 1a, 2, 3 and 4 in the total amount of \$184,407.00; 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. 217 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 2 to Contract 1 with National Water Main Cleaning Co. in connection with the 2019 Sanitary Sewer Rehabilitation Project.

WHEREAS, repair pipe included in the base bid for CIPP lining as a result of two separate holes that occurred after the bid award;

WHEREAS, the change order will increase the contract from \$850,339.32 to \$858,976.82;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 2 to Contract 1 with National Water Main Cleaning Co. in connection with the 2019 Sanitary Sewer Rehabilitation Project; and

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

RESOLUTION NO. 218 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 23 Lake Shore Drive by ANJO Construction, Ltd. and authorizing the Comptroller to expend Emergency Repair Reserve funds for the same.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to declare an emergency in connection with repair of the sanitary sewer system at 23 Lake Shore Drive by ANJO Construction, Ltd. for the DPW/Division of Pure Waters; and

BE IT FURTHER RESOLVED that the Comptroller be, and hereby is, authorized to expend \$18,388.17 from the Emergency Repair Reserve funds for the same.

RESOLUTION NO. 219 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Contractor Service Agreement with Syna-Flow Technologies to increase the expenditure limit for the DPW/Division of Pure Waters.

WHEREAS, the DPW/Division of Pure Waters requests that the expenditure limit with Syna-Flow Technologies be increased to a total of \$10,000.00; and

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Contractor Service Agreement with Syna-Flow Technologies to increase the expenditure limit to a total of \$10,000.00 for the DPW/Division of Pure Waters; and

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

RESOLUTION NO. 220 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

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

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

<u>PAYEE</u>	<u>AMOUNT</u>
Cooper, Erving & Savage, LLP (Fusco, Niedbalec, McMillan, Mayr)	\$17,327.00
CHA (Fusco)	\$10,752.00
Total	\$28,079.00

RESOLUTION NO. 221 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution rescinding all previously adopted Citizen Participation Plans and adopting a new Citizen Participation Plan for the Town of Colonie Community Development Block Grant Program.

WHEREAS, the federal regulations require the adoption of a Citizen Participation Plan;
and

WHEREAS, the Town Board of the Town of Colonie has previously adopted Citizen Participation Plans and now has received and reviewed a new Citizen Participation Plan;

BE IT RESOLVED that all previous Citizen Participation Plans adopted by the Town Board are hereby rescinded and the Citizen Participation Plan shown on the attached Exhibit "A" entitled "Citizen Participation Plan for the Town of Colonie Community Development Block Grant Program" be, and it hereby is, adopted.

Citizen Participation Plan
for the
Community Development Block Grant Program
Town of Colonie, New York

Published for review: March 25, 2020 – April 24, 2020
Adopted by Town Board: TBD

EXHIBIT "A"

Introduction

The Consolidated Plan is a collaborative process through which the community identifies its housing, homeless, and community development needs and establishes a vision, goals, and strategies for addressing these needs. The plan also identifies how the money received from the U.S. Department of Housing and Urban Development (HUD) will be spent over the upcoming program year – taking into account the regulations governing the programs – to meet locally identified needs.

The Town of Colonie is required by law to have a detailed Citizen Participation Plan which contains the Town's policies and procedures for public involvement in the Consolidated Plan process and the use of Community Development Block Grant (CDBG) and HOME Investment Partnership money. The Citizen Participation Plan must be available to the public.

Citizen participation is a vital part of the Consolidated Plan process. Citizens, non-profit organizations and other interested parties must be afforded adequate opportunity to participate in the planning process. This includes access to meetings, access to information, technical assistance, public hearings to identify housing and community development needs and review of proposed uses of funds, and timely response to complaints and grievances.

In 1995, the Town of Colonie adopted its first Citizen Participation Plan for the Consolidated Plan 1995-2000, delineating the citizen participation roles for both CDBG and HOME programs. The Citizen Advisory Committee is a Town Board-appointed advisory body whose primary role is to provide citizen participation for the CDBG program under the terms of the Consolidated Plan.

The following describes the guiding principles for citizen participation by the Town of Colonie in the implementation of the Consolidated Plan.

Public Participation

The Citizen Participation Plan is established to encourage broad public participation in the development, implementation, and ongoing assessment of the Town's Community Development Block Grant Entitlement Program including:

- Development of the Consolidated Plan identifying housing and non-housing community development priority needs and the multi-year strategic plan to address these needs
- Development of the Entitlement Action Plan of entitlement-funded activities
- "Substantial" amendment to approved Consolidated Plan or Entitlement Action Plan
- Review and assessment of the annual performance report

Substantial Amendment

A "substantial amendment" to the Consolidated Plan or Entitlement Action Plan shall be defined as:

- Carrying out an activity not identified as a priority in the approved Consolidated Plan
- Carrying out an activity not approved in an Entitlement Action Plan

- A substantial change in the purpose of an activity approved in an Entitlement Action Plan
- A substantial change in the scope of an activity approved in an Entitlement Action Plan
- A change in the use of entitlement funds (exceeding \$30,000) from one approved activity to another

Residents of Predominantly Low-and Moderate-Income Areas Defined

Typically, low-income concentration is defined as an area, which has low- to moderate-income households exceeding 50 percent. However, the Town of Colonie qualifies as an exception community. This means that an activity that would otherwise qualify under §570.208(a)(1)(i) except that the area served contains less than 51 percent low- and moderate-income residents will also be considered to meet the objective of benefiting low- and moderate-income persons where the proportion of low- and moderate-income persons in the area is within the highest quartile of all areas in the recipient's jurisdiction in terms of the degree of concentration of such persons. In applying this exception, based on the 2011-2015 American Community Survey 5-Year Estimates, HUD has determined the lowest proportion the Town may use to qualify an area for this purpose is 43.05 percent. Townwide there are 13 Census block groups containing low- to moderate-income populations exceeding 43.05 percent.

Focused Outreach

Since the purpose of the Town's community development program is to increase the availability of decent, affordable housing, enhance the living environment, and increase economic opportunity for its residents of low and moderate income, the Town especially encourages input and participation from:

- Residents of predominantly low- and moderate-income areas or areas of significant entitlement investment
- Residents of public and assisted housing including recipients of tenant-based assistance and the public housing authority
- Minority, elderly, and disabled residents

Citizen Advisory Committee

The Town has established a Citizen Advisory Committee to promote broad public participation and assist in the development, implementation, and evaluation of the community development program. This Committee shall have the following characteristics:

- The Committee shall serve in an advisory capacity to the Town Board and Community Development Department
- The Committee shall have no more than 15 members to be appointed by the Town Board, in conjunction with the mayors of the villages of Colonie and Menands
- The Committee shall broadly represent the diversity of the Town and include, to the extent possible, persons of low and moderate income, residents of assisted housing, residents of areas of entitlement investment, members of minority groups, the elderly, the disabled, the business community, and civic groups that are concerned with the community development program

- All aspects of the Citizen Advisory Committee shall be conducted in an open manner, with freedom of access for all interested persons
- The Citizen Advisory Committee shall participate in the following:
 1. Development of a proposed Consolidated Plan and/or Entitlement Action Plan
 2. Substantial amendments to the Consolidated Plan
 3. Conducting of public hearings
 4. Community Development performance evaluation

CDBG Program Year

The Community Development Block Grant program year for the Town of Colonie is July 1 through June 30.

CDBG Guidebook

To assist in clarifying the Community Development Block Grant program and provide a reader-friendly summary of the Town's funding priorities and application process, the Town has developed "A Guide to the Community Development Block Grant (CDBG) Entitlement Program." This document is available from the Town's Community Development Department.

Technical Assistance and Efforts to Broaden Public Participation

Technical assistance shall be provided, within the limits of available staff and resources, to the Citizen Advisory Committee and groups representative of low- and moderate-income persons that request such assistance in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan.

Individual meetings with Community Development staff are available for those citizens and groups who are unable to attend the scheduled public meetings or who wish a more in-depth understanding of the CDBG process. Community Development staff also consult with a variety of other public and private agencies on an ongoing basis concerning housing, human service, economic development and other community needs.

Document Review

The Town may adopt a Consolidated Plan, Entitlement Action Plan, or substantial amendment only after residents, public agencies, and other interested parties, including those most affected, are provided with the opportunity to review and submit comment on the following:

- Description of activities to be undertaken
- Amount of expected assistance (grant funds and program income)
- Estimated amount expected to benefit residents of low and moderate income
- Plan to minimize displacement of persons and to assist any persons displaced

The Consolidated Plan, Entitlement Action Plan, substantial amendments to these plans, and annual performance reports are available for review to all interested parties at the following locations:

- Community Development Department, Memorial Town Hall, 534 New Loudon Road, Latham, NY 12110 (518) 783-2718
- William K. Sanford Town Library, 629 Albany Shaker Road, Loudonville, NY 12211 (518) 458-9274
- Village of Colonie, Village Hall, 2 Thunder Road, Colonie, New York 12205 (518) 869-7562
- Village of Menands, Village Hall, 250 Broadway, Menands, New York 12204 (518) 434-2922

Where practicable, links to these documents will be made available on the Town of Colonie Community Development web site: <http://www.colonie.org/departments/communitydev/>. Other documents relating to the Town of Colonie's Community Development Program are available for citizen review, at no charge, at the Community Development Department, 534 New Loudon Road, Memorial Town Hall, Latham, NY 12110 any weekday, Monday through Friday, except legal Town of Colonie holidays, between the hours of 8:30 AM and 12:00 noon and 1:00 PM and 4:30 PM.

Upon request these records will be available in a form accessible to persons with disabilities or with limited English proficiency. A reasonable number of these documents will also be made available at no charge and upon request to interested parties and in a form accessible to persons with disabilities including large-format and digital editions. Document translation services will be made available at no charge and upon request to non-English speaking persons.

Publication

The Town will publish a notice of the proposed Consolidated Plan, Entitlement Action Plan, substantial amendments to the plans, and performance reports in the Colonie Spotlight (Town-designated official newspaper) to provide interested parties the opportunity to review and submit comments on these documents. This notice may take the form of a display ad and will describe the contents and purpose of the proposed plans and identify the locations where documents may be examined.

The Town will publish at least seven (7) days before any formal public hearing a notice in the Colonie Spotlight (Town-designated official newspaper) indicating the date, time, place, and procedures of the public hearing with sufficient information about the subject of the hearing to permit informed comment.

Outreach to Minority, Non-English Speaking, and Disabled Populations

In compliance with Executive Order 13166, the Town of Colonie has developed a Language Assistance Plan/Four Factor Analysis for Limited English Proficiency persons. Special arrangements to accommodate non-English speaking persons or persons with visual or hearing impairments will be made upon request. The needs of non-English speaking residents will be met where a significant number of non-English speaking residents can reasonably be expected to participate by requesting the assistance of an interpreter from the area colleges and/or area interpreter and translation services providers.

Public Meetings

At least two public hearings will be held each year to obtain citizens' views. The hearings will be conducted at two different stages of the program year. At least one of the hearings will be held before the proposed Consolidated Plan/Entitlement Action is published for comment.

The hearings will address housing and community development needs including priority non-housing community development needs, development of proposed activities, and review of program performance.

Accessibility

All public meetings of the Citizen Advisory Committee shall be conducted in an open manner with freedom of access for all interested persons. Public meetings shall be held in facilities accessible to the mobility-impaired, with accommodation for persons with visual and hearing disabilities available upon request, and in locations that promote attendance by residents of low and moderate income, residents of low and moderate income areas, and areas of significant entitlement investment. In general, the meetings shall be held at times outside of the traditional workday to avoid conflict with the traditional 9 to 5 work week. The needs of non-English speaking residents will be met, as needed, through the assistance of an interpreter from an area college and/or area interpreter and translation services providers.

Public Comment

The Town of Colonie Community Development Department will receive comments from citizens or units of general local government on consolidated plans or substantial amendments for a period of 30 days before these documents are submitted to the U.S. Department of Housing and Urban Development. The Town shall consider these written and oral public hearing comments and attach a summary of these comments to the final Consolidated Plan/Entitlement Action, substantial amendment of the plan, or performance report.

The Town of Colonie Community Development Department will receive comments from citizens or units of general local government on performance reports for a period of 15 days before these documents are submitted to HUD.

Written answers to written complaints and grievances will be provided in a timely manner, within 15 working days, where practicable.

Anti-displacement

The Town of Colonie will administer its Community Development Block Grant and HOME Investment Partnership programs in full compliance with federal anti-displacement strategies. The Town will undertake a range of steps to minimize displacement of residents including the following:

- The Town of Colonie will not include activities that will result in residential displacement under its Community Development Block Grant and HOME Investment Partnership programs unless the Town determines that the overall public benefit of such activities is sufficient to allow their implementation

- Where such activities which will produce sufficient public benefit to allow implementation are proposed, the Town will consider all appropriate alternative sites prior to approving the activities and will give preference, all other conditions being equal, to those sites resulting in the least displacement of residential households.
- The Town of Colonie will provide location assistance, as described in 24 CFR 570.606(b)(2), to each household displaced by demolition of housing or by the conversion of a low/moderate income to another use as a direct result of assisted activities. It is understood that any person may elect assistance under the Uniform Relocation Assistance Act in lieu of the assistance described in 24 CFR 570.606(b)(1).

Continuity Protocols for Emergency Situations, Including but not Limited to Public Health and/or Safety

Unexpected circumstances may arise that prevent the implementation of the Citizen Participation Plan policies as outlined. Circumstances such as the 2020 Novel Coronavirus Disease (COVID19) Outbreak National Emergency restrict the number of citizens that can congregate, eliminating the ability to hold public hearings. The following protocols provide an alternative method for ensuring the public engagement requirements are carried out and a continuity for the programs to be implemented during difficult times.

1. Comment Period: The Town will meet comment period requirement and implement the reduction of a 30-day public comment period to a 5-day public comment period.
2. Public Hearings: The Town will meet public hearing requirements with virtual public hearings. If the Town is concerned about significant public health risks that may result for holding in-person public hearings, the Town may undertake a virtual public hearing (alone, or in concert with an in-person hearing) if it allows questions in real time, with answers coming directly from the elected representatives or designee to all "attendees". The virtual hearings should provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, public access to all questions and responses. As with an in-person hearing, the grantee must select a virtual hearing method or platform provides for accessibility for persons with disabilities and LEP to participate. The grantee must document its efforts and the reason for them, and update its citizen participation plan as soon as possible.

Complaint Procedures

The Town of Colonie assures that it will provide for a timely, substantive written response to every written citizen complaint within 15 working days, where practicable. In the event that a concern is of a more complex nature, the Community Development Department shall respond within 15 days with an estimation of the time required to adequately address such concern. All citizen complaints regarding the Consolidated Plan, substantial amendments, and the performance reports shall be addressed to the Town of Colonie Community Development Department, 534 New Loudon Road, Latham NY 12110. A summary of these comments or views and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final Consolidated Plan, substantial amendment of the plan, or performance report.

Amending the Citizen Participation Plan

The Citizen Participation Plan can be changed only after the public has been notified of the intent to modify it, and only after the public has had a reasonable chance to review and comment on the proposed substantial changes to it.

DRAFT

RESOLUTION NO. 222 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the General Services Director to approve contract renewals and authorizing the Supervisor to enter into service agreements with diverse vendors in connection with various goods and services for 2020.

WHEREAS the General Services Director has recommended contract renewals with diverse vendors in connection with various goods and services; and

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into agreements with diverse vendors for contract renewals in connection with various goods and services for 2020 as set forth in Exhibit "A", attached hereto; and

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

2020 Bid and Quote Renewal

Item	Vendor	2019 Estimated Expense	2020 Estimated Expense	Renewals Remaining
Golf Course Score Cards	Indiana Printing and Publishing CO. Inc.	\$2,239.50	\$2,239.50	YE 3/31/22
Storm Water Drainage System	Anjo Construction, LTD	\$574,450.00	\$574,450.00	None
Copy Paper	W. B. Mason Company, Inc.	\$19,532.26	\$19,532.26	Y/E 3/31/22
Polyvinyl Chloride Pipe (PVC)	Core & Main	As Needed	As Needed	None
In-place Recycled Base Course	Peckham Road Corp.	\$122,267.91	\$122,267.91	None
Cold Milling of Bituminous Concrete	A. Colarusso & Sons, Inc.	\$52,656.75	\$52,656.75	None
Fleet Maintenance Equipment and Parts 3/8/18	Montage Enterprises, Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Grassland Equipment & Irrigation Corp.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Fleet Pride	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Spitzie's Motorcycle Center, Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	R. H. Scales Co., Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	MTE Turf Equipment Solutions	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	DeNooyer Chevrolet	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Vantage Equipment LLC	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Keystone Automotive Ind. Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	North Eastern Rescue Vehicles Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Jasper Engines and Transmissions	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Albany Truck Sales	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Satch Sales, Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Zwack Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Tracey Freight Liner	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	CEJJ, Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	DePaula Ford	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Nortrax	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	T & T Sales, Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Mooradian Hydraulics Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	McCarthy Tire Service	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Abele Tractor	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 3/8/18	Southworth-Milton, Inc. DBA Milton CAT	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 4/3/18	Eagle Equipment Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 4/3/18	Joe Johnson Equipment	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 4/30/18	Goldstein CJDJR	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 4/30/18	Vantage Equipment LLC	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 4/30/18	LKQ Corporation	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 4/30/18	Watkins Spring Co., Inc.	As Needed	As Needed	3/31/2022
Fleet Maintenance Equipment and Parts 4/30/18	Service Tire Truck CTR	As Needed	As Needed	3/31/2022

EXHIBIT "A"

RESOLUTION NO. 223 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution rejecting all bids in connection with the MTB Concrete Stairs and Railing Project for 2020.

WHEREAS, bids were received from two (2) vendors in connection with the MTB Concrete Stairs and Railing Project for 2020:

Vendor	Bases Bid	Alternate 1	Alternate 2	Grand Total
AJ Catalfamo Construction	\$20,950.00	\$3,350.00	\$7,600.00	\$31,900.00
Bubonia Holding Corp.	\$27,326.00	\$13,105.00	\$4,700.00	\$45,131.00

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

BE IT RESOLVED that all bids be, and hereby are, rejected due to the bids all being over the budget.

RESOLUTION NO. 224 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution approving a change order to the contract with Stonewell Bodies in connection with the re-chassis of EMS Vehicle TSU-1.

WHEREAS, Stonewell Bodies was low bidder in connection with the re-chassis of EMS Vehicle TSU-1; and

WHEREAS, Stonewell Bodies found that additional items were needed after the body of the vehicle was removed; and

WHEREAS, the additional items to be purchased will not change the fact that Stonewell Bodies is the low bidder;

BE IT RESOLVED that the change order be, and hereby is, approved to the contract with Stonewell Bodies in connection with the re-chassis of EMS Vehicle TSU-1.

RESOLUTION NO. 225 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with B&L Control Services, Inc. in connection with the chemical treatment services of two (2) cooling towers at the Public Operations and Public Safety Facilities.

WHEREAS, B&L Control Services, Inc. will provide chemical treatment services to two (2) cooling towers at the Public Operations and Public Safety Facilities from April 1, 2020 to March 31, 2021 at a cost not to exceed \$5,310.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with B&L Control Services, Inc. in connection with the chemical treatment services of two (2) cooling towers at the Public Operations and Public Safety Facilities; and

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

RESOLUTION NO. 226 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing acceptance of a proposal from Arthur J. Gallagher & Co. to provide Property Insurance through Travelers Property Casualty Company of America.

WHEREAS, a proposal has been received from Arthur J. Gallagher & Co. to provide the Town of Colonie with Property Insurance for the period of June 1, 2020 to June 1, 2021 at a premium of \$159,234.00;

BE IT RESOLVED that the proposal be and hereby is accepted and expenditure of funds in connection therewith be, and hereby is, authorized.

RESOLUTION NO. 227 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing acceptance of a proposal from Arthur J. Gallagher Risk Management Services to provide Boiler & Machinery Insurance coverage through Travelers Property Casualty Company of America.

WHEREAS, the Arthur J. Gallagher Risk Management Services has provided the Town of Colonie with a proposal for Boiler & Machinery Insurance coverage for the period of June 1, 2020 to June 1, 2021;

NOW THEREFORE BE IT RESOLVED that a proposal from Arthur J. Gallagher Risk Management Services to provide the Town of Colonie with Boiler & Machinery Insurance coverage for the period of June 1, 2020 to June 1, 2021 at a cost of \$11,838.00 through Travelers Property Casualty Company of America be, and it hereby is, accepted; and

BE IT FURTHER RESOLVED that expenditure of funds in connection therewith be, and hereby is, authorized.

RESOLUTION NO. 228 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing acceptance of a proposal from Arthur J. Gallagher Risk Management Services to provide Crime Insurance Coverage through Travelers Insurance.

WHEREAS, a proposal has been received from Arthur J. Gallagher Risk Management Services to provide the Town of Colonie with Crime Insurance Coverage for the period of June 1, 2020 to June 1, 2021; and

WHEREAS, the Commercial Crime Insurance premium will be \$7,879.00;

BE IT RESOLVED that the proposal be and hereby is accepted and expenditure of funds in connection therewith be, and hereby is, authorized.

RESOLUTION NO. 229 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 005 to the contract with Gallo Construction Corp. for general construction services at the William K. Sanford Library.

WHEREAS, the contract is being modified due to additional electrical improvements including power to the new projector and projection screen in the Conference Room;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 005 to the general construction contract with Gallo Construction Corp. at the William K. Sanford Library in the amount of \$3,751.30; 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. 230 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Idemia Identity & Security USA, LLC in connection with the purchase of a New York RICI LiveScan system for the Police Department.

WHEREAS, Idemia's LiveScan system will enable law enforcement agencies to search data across jurisdictional boundaries and the ability to retrieve and link more available data than ever before to support their investigative operations;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Idemia Identity & Security USA, LLC in connection with the purchase of a New York RICI LiveScan system 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. 231 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Stone Industries, LLC in connection with renting portable handwashing stations for the Town of Colonie Farmers Market.

WHEREAS, the rental of the portable handwashing stations will be from June 12, 2020 to September 28, 2020 at a total cost of \$1,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Stone Industries, LLC in connection with renting portable handwashing stations for the Town of Colonie Farmers Market; and

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

RESOLUTION NO. 232 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing settlement or discontinuance, subject to judicial approval of the same, pursuant to §68 of the Town Law, of various tax certiorari proceedings.

WHEREAS, it has been tentatively agreed by the parties to reduce the assessment on the properties, in the amounts set forth below, or the Petitioner(s) has agreed to discontinue the proceeding(s) without cost to either party, as indicated below:

1. *JMR Development Co., LLC v. Town of Colonie*, Index No. 904576-18; 904477-19
14 Corporate Woods Blvd., Tax Map Parcel No. 54.3-1-35.3

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2018	\$2,668,910	\$2,296,938	\$371,972
2019	\$2,668,910	\$2,234,375	\$434,535

Tentative Town Refund: \$3,425.77

Tentative School District Refund: \$21,212.17

2. *JMR Development Co., LLC v. Town of Colonie*, Index No. 904576-18; 904477-19
16 Corporate Woods Blvd., Tax Map Parcel No. 54.3-1-35.2

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2018	\$2,668,910	\$2,184,500	\$484,410
2019	\$2,668,910	\$2,125,000	\$543,910

Tentative Town Refund: \$4,367.15

Tentative School District Refund: \$27,040.95

3. *JMR Development Co., LLC v. Town of Colonie*, Index No. 904576-18; 904477-19

18 Corporate Woods Blvd., Tax Map Parcel No. 54.3-1-35.5

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2018	\$5,983,000	\$5,621,875	\$361,125
2019	\$5,983,000	\$5,468,750	\$514,250

Tentative Town Refund: \$3,721.73

Tentative School District Refund: \$23,045.29

4. *17 Corporate Woods, LLC v. Town of Colonie*, Index No. 904576-18; 904477-19

17 Corporate Woods Blvd., Tax Map Parcel No. 54.3-1-35.7-1

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2018	\$10,600,000	\$4,786,625	\$5,813,375
2019	\$6,800,000	\$4,656,250	\$2,143,750

Tentative Town Refund: \$33,626.68

Tentative School District Refund: \$208,185.70

5. *17 Corporate Woods, LLC v. Town of Colonie*, Index No. 904576-18; 904477-19

17A Corporate Woods Blvd., Tax Map Parcel No. 54.3-1-35.7-2

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2018	\$900,000	\$443,325	\$456,675
2019	\$900,000	\$431,250	\$468,750

Tentative Town Refund: \$3,928.49

Tentative School District Refund: \$25,164.48

6. *17 Corporate Woods, LLC v. Town of Colonie*, Index No. 904576-18; 904477-19

19 Corporate Woods Blvd., Tax Map Parcel No. 54.3-1-35.6

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2018	\$525,000	\$468,813	\$56,187
2019	\$525,000	\$453,125	\$71,875

Tentative Town Refund: \$544.20

Tentative School District Refund: \$3,483.11

7. *8 Southwoods, LLC v. Town of Colonie*, Index No. 904576-18; 904477-19

8 Southwoods Blvd., Tax Map Parcel No. 54.3-1-40.12

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2018	\$5,700,000	\$5,140,000	\$560,000
2019	\$5,700,000	\$5,000,000	\$700,000

Tentative Town Refund: \$5,353.76

Tentative School District Refund: \$34,269.48

8. *Corporate Woods Partners v. Town of Colonie*, Index No. 904368-19

5 Southwoods Boulevard, Tax Map Parcel No. 54.3-1-40.3

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2018	\$2,800,000	\$2,800,000	\$0
2019	\$2,800,000	\$2,781,250	\$18,750

Tentative Town Refund: \$112.62

Tentative School District Refund: \$510.92

THEREFORE, BE IT RESOLVED that settlement or discontinuance, pursuant to §68 of Town Law, of the above listed tax certiorari proceedings be, and it hereby is, authorized, subject to judicial approval.

RESOLUTION NO. 233 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall and telephonically on the 4th day of June, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Westlaw in connection with legal research software.

WHEREAS, Westlaw will provide legal research software to the Town Attorney's Office for a 36 month term at \$2,453.63 per month;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Westlaw in connection with legal research software; and

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