

RESOLUTION NO. 293-A FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Todd C. Gardner to the position of Sewer Maintenance Worker, Grade 8, in the DPW/Division of Pure Waters.

BE IT RESOLVED that Todd C. Gardner be, and hereby is, appointed to the position of Sewer Maintenance Worker, Grade 8, in the DPW/Division of Pure Waters at an hourly salary of \$23.63, effective July 16, 2018.

RESOLUTION NO. 293-B FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing William F. Carroll to the position of Sewer Maintenance Worker, Grade 8, in the DPW/Division of Pure Waters.

BE IT RESOLVED that William F. Carroll be, and hereby is, appointed to the position of Sewer Maintenance Worker, Grade 8, in the DPW/Division of Pure Waters at an hourly salary of \$18.91, effective July 30, 2018, pending satisfactory completion of a pre-employment physical.

RESOLUTION NO. 293-C FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Andrew J. Poole to the position of Animal Control Officer, PT, in the Police Department.

WHEREAS, the Personnel Officer has certified Andrew J. Poole as eligible for permanent appointment from eligible list 18-871, established March 28, 2018;

BE IT RESOLVED that Andrew J. Poole be, and hereby is, permanently appointed to the position of Animal Control Officer, PT, in the Police Department at an hourly salary of \$17.13, effective July 16, 2018, pending satisfactory completion of a pre-employment physical.

RESOLUTION NO. 293-D FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Benjamin C. Wilkens to the position of Animal Control Officer, PT, in the Police Department.

WHEREAS, the Personnel Officer has certified Benjamin C. Wilkens as eligible for permanent appointment from eligible list 18-871, established March 28, 2018;

BE IT RESOLVED that Benjamin C. Wilkens be, and hereby is, permanently appointed to the position of Animal Control Officer, PT, in the Police Department at an hourly salary of \$17.13, effective July 16, 2018, pending satisfactory completion of a pre-employment physical.

RESOLUTION NO. 293-E FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently promoting Julie M. Pfeiffer to the position of Personnel Clerk, Grade 8, in the DPW/Division of Latham Water.

WHEREAS, the Personnel Officer has certified Julie M. Pfeiffer as eligible for permanent promotion from Eligible List #18-881, established March 28, 2018;

BE IT RESOLVED that Julie M. Pfeiffer be, and hereby is, permanently promoted to the position of Personnel Clerk, Grade 8, in the DPW/Division of Latham Water at an annual salary of \$36,763, effective July 13, 2018.

RESOLUTION NO. 293-F FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution establishing one (1) position of Clerk to Town Justice, Grade 8, and voluntarily demoting Julia A. Allen to the position of Clerk to Town Justice in the Justice Department.

BE IT RESOLVED that one (1) position of Clerk to Town Justice, Grade 8, in the Justice Department be, and hereby is, established; and

BE IT RESOLVED that Julia A. Allen be, and hereby is, voluntarily demoted to the position of Clerk to Town Justice, Grade 8, in the Justice Department at an annual salary of \$39,556, effective July 10, 2018.

RESOLUTION NO. 294 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor Paula A. Mahan
Councilwomen Linda J. Murphy
Melissa Jeffers VonDollen
Jennifer Whalen
Councilmen Christopher Carey
David Green
Paul L. Rosano

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 tort litigation.

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

<u>PAYEE</u>	<u>AMOUNT</u>
Bailey Johnson (Wolleben)	\$4,057.20
Total	\$4,057.20

RESOLUTION NO. 295 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a Memorandum of Agreement with CSEA Unit D effective January 1, 2017 through December 31, 2020.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a Memorandum of Agreement with CSEA Unit D effective January 1, 2017 through December 31, 2020.

RESOLUTION NO. 296 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

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 BCI Construction in connection with the Lisha Kill Pumping Station Rehabilitation Project.

WHEREAS, Change Order No. 2 is being made to revise the contract amount from \$2,335,984.00 to \$2,307,873.00; and

WHEREAS, the work is now complete and a change order is required to reflect the actual amount of contingency used so that the final contract amount corresponds to the invoices for the Lisha Kill Pumping Station Rehabilitation Project;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 2 to Contract 1 with BCI Construction in connection with the Lisha Kill Pumping Station 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. 297 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 1 to Contract 2 with DLC Electric in connection with the Lisha Kill Pumping Station Rehabilitation Project.

WHEREAS, Change Order No. 1 is being made to revise the contract amount from \$788,850.00 to \$696,709.53; and

WHEREAS, the work is now complete and a change order is required to reflect the actual amount of contingency used so that the final contract amount corresponds to the invoices for the Lisha Kill Pumping Station Rehabilitation Project;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1 to Contract 2 with DLC Electric in connection with the Lisha Kill Pumping Station 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. 298 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 1 to Contract 3 with Collett Mechanical in connection with the Lisha Kill Pumping Station Rehabilitation Project.

WHEREAS, Change Order No. 1 is being made to revise the contract amount from \$119,000.00 to \$118,165.06; and

WHEREAS, the work is now complete and a change order is required to reflect the actual amount of contingency used so that the final contract amount corresponds to the invoices for the Lisha Kill Pumping Station Rehabilitation Project;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1 to Contract 3 with Collett Mechanical in connection with the Lisha Kill Pumping Station 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. 299 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Annual Maintenance Agreement with Hewlett-Packard Company in connection with the CAD/RMS servers at the Police Department.

WHEREAS, Hewlett-Packard Company will provide maintenance to the CAD/RMS servers at the Police Department from August 1, 2018 through July 31, 2019 at a cost of \$5,371.56;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Annual Maintenance Agreement with Hewlett-Packard Company in connection with the CAD/RMS servers at 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. 300 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the General Services Director to advertise for bids in connection with the renovations of the concession stand at the Town of Colonie Mohawk River Park.

BE IT RESOLVED that the General Services Director be, and hereby is, authorized to advertise for bids in connection with the renovations of the concession stand at the Town of Colonie Mohawk River Park.

RESOLUTION NO. 301 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution rejecting all bids in connection with the Pruyn House Renovation Project and authorizing the General Services Director to re-advertise for same.

WHEREAS, pursuant to advertisement on May 2, 2018, the following bids were received in connection with the Pruyn House Renovation Project as shown on Exhibit "A" attached hereto; and

WHEREAS, all bids received in connection with the Pruyn House Renovation Project will be rejected due to the fact that all bids received were over the established budget; and

THEREFORE, BE IT RESOLVED that the bids in connection with the Pruyn House Renovation Project be, and hereby, are rejected; and

BE IT RESOLVED that the General Services Director be, and hereby is, authorized to re-bid for same.

Vendor	Base Bid	Alternative 1 - New Shutters	Alternative 2 - Interior Woordork	Alternative 3 - Front Paving and French Drain	Alternative 4 - Paint Exterior Surface	Alternative 5a - Rear Roof	Alternative 5b - Front Portico	Alternative 5c - Main Roof	Brick Unit Price
Lupini Construction, Inc.	\$597,308.00	\$56,710.00	\$24,058.00	\$51,643.00	\$33,040.00	\$12,980.00	\$10,620.00	\$14,514.00	\$55.83
Mid-State Industries, Ltd.	\$663,000.00	\$56,000.00	\$13,800.00	\$14,000.00	\$33,600.00	\$7,500.00	\$8,500.00	\$15,000.00	\$30.00
Louis C. Allegrone, Inc.	\$747,200.00	\$65,900.00	\$23,500.00	\$16,300.00	\$35,300.00	\$16,000.00	\$13,000.00	\$18,000.00	\$25.00
Ganem Contracting Corp.	\$833,000.00	\$67,000.00	\$15,000.00	\$23,000.00	\$30,000.00	\$14,000.00	\$12,000.00	\$14,000.00	\$30.00

RESOLUTION NO. 302 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor Paula A. Mahan
Councilwomen Linda J. Murphy
Melissa Jeffers VonDollen
Jennifer Whalen
Councilmen Christopher Carey
David Green
Paul L. Rosano

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. *Northway Mall Sub v. Town of Colonie*, Index No. 904110-17
 - a. 1482 Central Ave., Tax Map Parcel No. 41.16-5-2 (Lowe's)

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2017	\$7,850,000	\$7,700,000	\$150,000

Tentative School District Refund: \$3,985.94

Tentative Town Refund: \$559.45

2. *Loudon Road I, LLC v. Town of Colonie*, Index No. 904109-17, the subject of which is 790 Loudon Road, Tax Map Parcel No. 19.18-3-18.2, will be discontinued.

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. 303 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution calling a public hearing in regard to the Planning Board recommendation for the proposed amendment of the Canterbury Crossings PDD.

WHEREAS, at its regular meeting on May 24, 2018, the Town Board of the Town of Colonie required the Planning Board to review and consider the proposed amendment of the Canterbury Crossings PDD to allow for the construction of a 24' x 24' open pavilion at the Boght Community Fire Department, 8 Preston Drive; and

WHEREAS, it is now desired to call a public hearing in connection with the proposed amendment of the Shaker Pointe at Carondelet PDD;

BE IT RESOLVED that a public hearing be, and hereby is, scheduled for July 26, 2018 at 7:00 PM in Memorial Town Hall, 534 Loudon Road, Newtonville, NY in connection with the proposed amendment of the Canterbury Crossings PDD.

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 2018

A local law amending Local Law 2 of 2009, which rezoned 196.74± acres of land at 1035 Loudon Road and 418 Boght Road to a Planned Development District (PDD) (also known as Canterbury Crossing PDD), by revising the plans to include an open pavilion at the Boght Community Fire Department at 8 Preston Drive.

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

SECTION 1. AMENDMENT

Local Law 2 of 2009 is hereby amended by revising the plans to include an open pavilion at the Boght Community Fire Department at 8 Preston Drive.

SECTION 2. CONDITIONS

The amendment described in Section 1 above is more fully detailed in the narrative description, amended site plans, and additional materials provided with the amendment request and filed in the office of the Town Clerk. This amendment remains subject to any express conditions of the Town Board filed with the office of the Town Clerk.

SECTION 3. SEQRA

The Town Board hereby determines that this amendment to Local Law 2 of 2009 is a Type 1 action that will not have a significant effect on the environment and, therefore, no other determination or procedure under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 4. EFFECTIVE DATE

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 2018 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018, in accordance with applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018. 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 _____ 2012, 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2018, 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 2018 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 _____ 2018, 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 2018 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 2018, 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.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

(Seal)

Clerk of the Town or officer designated by local legislative body
Date:

(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.

Town of Colonie Town Attorney
Date:

RESOLUTION NO. 304 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution calling a public hearing in connection with a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 190 of the Town Code.

BE IT RESOLVED that a public hearing be, and it hereby is, scheduled for July 26, 2018 at 7:00 PM in Memorial Town Hall in connection with a proposed local law of the Code of the Town of Colonie, thereof, amending section 190-19 of the Code of the Town of Colonie, relating to updating the employee parking lot provisions.

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 2018

A local law amending Chapter 190 of the Code of the Town of Colonie to update the employee parking lot provisions.

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

SECTION 1. AMENDMENT.

Chapter 190, Section 190-19, is hereby amended as follows:

D. In an **OR**, HCOR, NCOR or COR zoning district, a parking lot shall be permitted subject to a special use permit pursuant to 190-57 as an accessory use to a primary business if used by the owners or employees of the business for employee parking only, where the parking lot parcel and the primary business parcel share a common owner and where the parking lot parcel is contiguous to the primary business parcel but for a secondary town road which separates the parcels. If either use is changed or sold, this accessory use shall be extinguished.

SECTION 2. SEQR DETERMINATION.

The Town hereby determines that this amendment is a Type 1 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 3. EFFECTIVE DATE.

This local law shall become effective upon its 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 2018 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018, in accordance with applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018. 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 _____ 2012, 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2018, 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 2018 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 _____ 2018, 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 2018 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 2018, 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.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

(Seal) _____
Clerk of the Town or officer designated by local legislative body
Date:

(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.

Town of Colonie Town Attorney
Date:

RESOLUTION NO. 305 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Order on Consent issued by the New York State Department of Environmental Conservation.

WHEREAS, the New York State Department of Environmental Conservation ("NYSDEC") has alleged that certain operations at the Town's landfill violated the State's solid waste regulations and NYSDEC issued notices of violation to the Town of Colonie (the "Town"); and

WHEREAS, to settle this matter, NYSDEC has issued a proposed Order on Consent ("Order") to the Town; and

WHEREAS, the Town Board has examined the terms of the proposed Order; and

WHEREAS, any action required of the Town by the Order is a "Type II Action," as this term is defined in the regulations implementing the State Environmental Quality Review Act ("SEQRA"), as set forth in 6 NYCRR Section 617.5(c)(29), and therefore, any such action is not subject to review under SEQRA;

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby approves entering into the Order with NYSDEC and authorizes execution of the Order by the Town Supervisor, and further authorizes any actions required to comply with the terms of the Order; and

BE IT FURTHER RESOLVED, that the Town Supervisor, Town Clerk, and Town staff are authorized to take whatever steps are necessary to carry out this Resolution; and

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

RESOLUTION NO. 306 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with the property owner of 5 and 7 Rooney Avenue in connection with a delinquent water bill.

WHEREAS, the property owner of 5 and 7 Rooney Avenue has a water bill due in the amount of \$15,266.30, plus late fees in the amount of \$763.32; and

WHEREAS, the Town Board previously on May 24, 2018 created a committee with respect to the possibility of entering into Agreements for payment of delinquent water bills in unique circumstances; and

WHEREAS, the property owner of 5 and 7 Rooney Avenue has paid the Town to date \$10,266.30 toward his outstanding water bill leaving a balance of \$5,000.00; and

WHEREAS, the Town is waiving the late charges of \$763.32 due to the fact that the property owner of 5 and 7 Rooney Avenue made a good faith effort to resolve his outstanding water bill prior to the inclusion of the late fees;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a payment plan Agreement with the property owner in connection with the remaining balance of the delinquent water bill at 5 and 7 Rooney Avenue; and

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

RESOLUTION NO. 307 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

**Resolution calling a public hearing in regard to the recommendation
for the Open Development Area located at 34 Denison Road.**

WHEREAS, at its regular meeting on September 7, 2017, the Town Board of the Town of Colonie required the Planning Board to review and consider the Open Development Area of land located at 34 Denison Road; and

WHEREAS, at its regular meeting on January 23, 2018, the Planning Board of the Town of Colonie adopted findings with regard to the Open Development Area located at 34 Denison Road, which findings are annexed hereto as Exhibit "A"; and

WHEREAS, it is now desired to call a public hearing in connection with the proposed Open Development Area of land located at 34 Denison Road;

BE IT RESOLVED that a public hearing be, and hereby is, scheduled for July 26, 2018 at 7:00 PM in Memorial Town Hall, 534 Loudon Road, Newtonville, NY in connection with the proposed Open Development Area at 34 Denison Road.

**SPECIAL RULE OF PLANNING BOARD SETTING CONDITIONS AND LIMITATIONS
AND RECOMMENDING ESTABLISHMENT OF AN OPEN DEVELOPMENT AREA FOR
34 DENISON ROAD, TOWN OF COLONIE, PURSUANT TO TOWN LAW SECTION 280-a**

WHEREAS, SHELCO Developers, LLC the applicant, made a request for an Open Development Area to the Town Board; and

WHEREAS, the Town Board referred this matter to the Planning Board for review and recommendation via Town Board Resolution No. 382 for 2017; and

WHEREAS, NY State Town Law 280-a provides 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, the use of the proposed consolidated single point of access to Denison Road promotes good corridor access management planning; and

WHEREAS, due the existing steep terrain, a single driveway will minimize clearing and grading limits and site disturbance to the mature wooded area retaining much of the existing natural buffer; and

WHEREAS, the two proposed lots of 34 & 38 Denison Road will have suitable access to allow the ingress and egress of emergency vehicles as required by NY State Town Law 280-a and other applicable laws by way of a permanent easement over the third proposed lot at 36 Denison Road.

NOW, THEREFORE BE IT RESOLVED

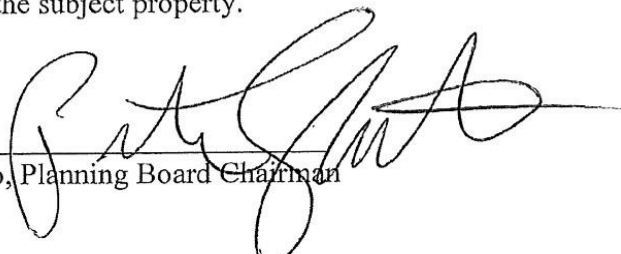
The Planning Board recommends the Open Development Area as requested by the applicant be approved in all respect subject to the following conditions:

1. The address of these two parcels will be 34 & 38 Denison consistent with the 911 communication designations; and be it further
2. Any further changes to the recommended Open Development Area, including but not limited to additions, demolition, structural or site changes, subdivision, and/or change in use must comply with all applicable Town of Colonie processes and approvals; and be it further
3. A hold harmless and indemnity agreement shall be entered into with the Town protecting the Town from liability in connection with the access and maintenance of the roadway to the subject property; and be it further

EXHIBIT "A"

Re: SHELCO ODA
34 Denison Road
Page 2

4. A copy of the all the filed easements for ingress/egress and utilities must be provided to the Town Attorney's Office and PEDD prior to the issuance of a building permit; and be it further
5. The granting of the Open Development Area does not relieve the applicant from compliance with all other underlying SFR zoning district requirements, or applicable environmental, building and Land Use Law requirements.
6. The owners of proposed lots 34, 36 & 38 Denison Road to be constructed thereon, their heirs, assigns and successors in interest shall be fully responsible for all maintenance, upkeep, required improvements, snow plowing, etc. of the private road which abuts and provides access to the subject property.


Peter Stuto, Planning Board Chairman

Dated: JANUARY 23, 2018

RESOLUTION NO. 308 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an amendment to the existing Contractor Service Agreement with Advanced Sewer & Drain to increase the expenditure limit for use by the DPW/Division of Pure Waters.

WHEREAS, the DPW/Division of Pure Waters requests that the expenditure limit with Advanced Sewer & Drain be increased to a total of \$15,000.00; and

WHEREAS, the request for the increase is due to Pure Waters utilizing Advanced Sewer & Drain throughout the year to provide support services for cutting, cleaning, closed circuit televising and locating sewer laterals within the sanitary collection system;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an amendment to the existing Contractor Service Agreement with Advanced Sewer & Drain to increase the expenditure limit to a total of \$15,000.00 for the DPW/Division of Pure Waters; and

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

RESOLUTION NO. 309 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor Paula A. Mahan
Councilwomen Linda J. Murphy
Melissa Jeffers VonDollen
Jennifer Whalen
Councilmen Christopher Carey
David Green
Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid to ANJO Construction in connection with the 2018 Sanitary Sewer Repair Program – Group 1 and authorizing the Supervisor to enter into an Agreement for same.

WHEREAS, pursuant to advertisement placed on June 6, 2018, the following bids were received in connection with the 2018 Sanitary Sewer Repair Program – Group 1 as shown below and on Exhibit “A” attached hereto:

Vendor	Grand Total for Group 1
Anjo Construction	\$208,770.00
Grant Street Construction	\$228,000.00
Coppola & Sons Construction	\$364,806.30
F. P. Kane Construction, Inc.	\$448,450.00

BE IT RESOLVED that the bid be awarded to the low bidder, ANJO Construction, for a total amount of \$208,770.00 for a base bid; additional pipe unit prices, if needed; Alt – B1 for \$23,970.00; and, Alt – B2 for \$16,829.00; and

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement for the 2018 Sanitary Sewer Repair Program – Group 1 with ANJO Construction; and

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

Vendor	Base Bid for Group 1	Unit Price 1 - 6" Gravity Pipe (LF)	Unit Price 2 - 6" Pressure Pipe (LF)	Unit Price 3 - 8" Gravity Pipe (LF)	Unit Price 4 - 10" Gravity Pipe (LF)	Alt B1 - Ahl Aveat Kinder Lane	Alt B2 - 116 Latham Ridge Road
Anjo Construction	\$208,770.00	\$365.00	\$395.00	\$475.00	\$525.00	\$23,970.00	\$16,829.00
Grant Street Construction	\$228,000.00	\$75.00	\$80.00	\$100.00	\$105.00	\$25,000.00	\$22,000.00
Coppola & Sons Construction	\$364,806.30	\$150.00	\$180.00	\$160.00	\$170.00	\$42,496.35	\$33,381.85
F. P. Kane Construction	\$448,450.00	\$90.00	\$110.00	\$100.00	\$120.00	\$58,600.00	\$39,100.00

RESOLUTION NO. 310 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of July, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution requiring the Planning Board to review and consider an open development area at 241 Sand Creek Road.

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

WHEREAS, the Town Board would like to recommend that the Planning Board review the proposed project located at 241 Sand Creek Road as a possible open development area;

BE IT RESOLVED that the Planning Board shall review and consider the proposed project located at 241 Sand Creek Road as a possible open development area and provide the Town Board with its findings, conclusions and recommendation thereon.