

RESOLUTION NO. 358-A FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais Melissa Jeffers
Councilmen	Rick Field, Sr. Alvin Gamble Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution provisionally promoting Thomas J. Verenini to the position of Senior Water Pumping System Monitor, Grade 26, in the DPW/Division of Latham Water at an annual salary of \$63,720.

BE IT RESOLVED that Thomas J. Verenini be, and hereby is, provisionally promoted to the position of Senior Water Pumping System Monitor, Grade 26, in the DPW/Division of Latham Water at an annual salary of \$63,720, effective July 17, 2023, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 358-B FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

**Resolution permanently appointing Neil C. Martin to the position of
Emergency Medical Technician in the Emergency Medical Services
Department at an annual salary of \$43,382.**

WHEREAS, the Personnel Officer has certified Neil C. Martin as eligible for permanent appointment from Eligible List #EMT-03, established January 4, 2023;

BE IT RESOLVED that Neil C. Martin be, and hereby is, permanently appointed to the position of Emergency Medical Technician in the Emergency Medical Services Department at an annual salary of \$43,382, effective July 17, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 359 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
 Councilwomen Kristen Blais
 Melissa Jeffers
 Councilmen Rick Field, Sr.
 Alvin Gamble
 Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

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

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

<u>PAYEE</u>	<u>AMOUNT</u>
Cooper Erving & Savage LLP (Fusco)	\$23,185.01
Clough Harbour & Associates (Fusco)	\$4,133.17
Total	\$27,318.18

RESOLUTION NO. 360 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
 Councilwomen Kristen Blais
 Melissa Jeffers
 Councilmen Rick Field, Sr.
 Alvin Gamble
 Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid to Saxton Sign Corporation in connection with the digital site sign at Memorial Town Hall and authorizing the Supervisor to enter into an Agreement for same.

WHEREAS, pursuant to advertisement on June 16, 2023, bids were received in connection with the digital site sign at Memorial Town Hall:

VENDOR	TOTAL COST
1. <i>United Signs - did not meet qualifications</i>	\$32,853.00
2. <i>Complete Signs – did not meet qualifications</i>	\$64,450.00
3. Saxton Sign Corp	\$70,447.68
4. Top Line Ltd.Inc DBA AJ Signs	\$73,000.00

WHEREAS, after review of the bids by the Director of Purchasing and General Services;
BE IT RESOLVED that the bid will be awarded to the low bidder, Saxton Sign Corporation, that met the qualifications for a total cost of \$70,447.68; 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. 361 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey

Councilwomen Kristen Blais

Melissa Jeffers

Councilmen Rick Field, Sr.

Alvin Gamble

Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid to F.W. Webb, Ferguson Water Works and Core & Main for Pipe, Fittings and Hydrants for 2023.

WHEREAS, pursuant to an advertisement placed on May 17, 2023, the following proposals were received in connection with Pipe, Fittings and Hydrants for 2023 for the DPW/Division of Latham Water; and

Vendor:	F.W. WEBB CO.	Ferguson Waterworks	Core + Main LP	Ti-Sales Inc
Category #	Total	Total	Total	Total
1	\$21,565.85	\$29,305.05	\$22,000.50	*\$23,130.48
2	\$20,800.00	\$21,071.57	\$20,566.00	No Bid
3	\$17,986.63	\$21,661.31	\$19,696.32	No Bid
4	\$38,382.00	\$50,170.68	\$51,209.20	No Bid
5	\$172,292.00	\$175,244.81	\$174,022.00	*\$188,369.14
6	NO BID	\$16,095.60	\$16,502.40	No Bid
7	\$464,451.00	*\$492,991.79	*\$468,916	No Bid
8	\$167,129.00	*\$174,927.35	\$176,985.50	No Bid
9	NO BID	NO BID	\$24,150.00	No Bid
10	NO BID	NO BID	NO BID	No Bid
11	NO BID	\$496.30	\$454.00	No Bid

Bold type indicates the apparent low bid. * indicates the submitted bid was incomplete.

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

WHEREAS, no bids were received for Category 10 and it will not be rebid at this time;

BE IT RESOLVED that the bid be awarded to the low bidders, F.W. Webb for Categories 1, 3, 4, 5, 7 and 8, Ferguson Water Works for Category 6 and to Core & Main for Categories 2, 9 and 11.

RESOLUTION NO. 362 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Contractor Service Agreement with Atlantic Testing Laboratories in connection with 2 UST Inspections and Cathodic Testing at the Mohawk View Water Treatment Plant and to be used by various Town Departments.

WHEREAS, Atlantic Testing Laboratories will perform 2 UST Inspections and Cathodic Testing with reports and certifications at the Mohawk View Water Treatment Plant and to be used by various Town Departments at a cost not to exceed \$10,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Contractor Service Agreement with Atlantic Testing Laboratories in connection with 2 UST Inspections and Cathodic Testing at the Mohawk View Water Treatment Plant and to be used by various Town Departments; and

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

RESOLUTION NO. 363 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Contractor Service Agreement with Capital Safety Services, Inc. in connection with Safety Training at the Mohawk View Water Treatment Plant and to be used by various Town Departments.

WHEREAS, Capital Safety Services, Inc. will provide safety training at the Mohawk View Water Treatment Plant and will be used by other various Town Departments; and

WHEREAS, the cost for their services shall not exceed \$5,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Contractor Service Agreement with Capital Safety Services, Inc. in connection with Safety Training at the Mohawk View Water Treatment Plant and to be used by various Town Departments; and

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

RESOLUTION NO. 364 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Time Warner Cable Northeast, LLC d/b/a Spectrum in connection with providing ethernet access service at the Mohawk View Water Treatment Plant and Department of Public Works for the DPW/Division of Latham Water.

WHEREAS, Time Warner Cable Northeast, LLC d/b/a Spectrum shall provide the DPW/Division of Latham Water ethernet access service at the Mohawk View Water Treatment Plant and Department of Public Works based on the terms and conditions of the New York State Office of General Services Contract PS68706; and

WHEREAS, the cost for this service shall not exceed \$700.00 per month;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Time Warner Cable Northeast, LLC d/b/a Spectrum in connection with providing ethernet access service at the Mohawk View Water Treatment Plant and Department of Public Works for the DPW/Division of Latham Water; and

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

RESOLUTION NO. 365 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Convey911, LLC in connection with the RapidSOS platform to track 911 cell calls more accurately.

WHEREAS, RapidSOS tracks 911 cell calls more accurately than the 911 system; and

WHEREAS, Convey911 software will allow the delivery of text information to citizens for police, fire or EMS activities; and

WHEREAS, the term of the agreement will be from July 1, 2023 through June 30, 2024; and

WHEREAS, the cost for this feature will be \$8,000.00 annually;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Convey911, LLC in connection with the RapidSOS platform to track 911 cell calls more accurately; and

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

RESOLUTION NO. 366 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
 Councilwomen Kristen Blais
 Melissa Jeffers
 Councilmen Rick Field, Sr.
 Alvin Gamble
 Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

**Resolution awarding the bid to G&H Auto Group, Inc. d/b/a
Mohawk Chevrolet in connection with the purchase of a 2023 Cargo
High Roof Sprinter van for the DPW/Facilities Division.**

WHEREAS, pursuant to advertisement on June 14, 2023, the following proposal was received in connection with the purchase of a 2023 Cargo High Roof Sprinter van for the DPW/Facilities Division:

Bidder	Total Bid Amount
G&H Auto Group, Inc. DBA Mohawk Chevrolet	\$91,674.43

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

BE IT RESOLVED that the award go to the sole bidder, G&H Auto Group, Inc. d/b/a Mohawk Chevrolet, for a total of \$91,674.43.

RESOLUTION NO. 367 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Director of Purchasing and General Services to advertise for bids in connection with the Public Safety site lighting upgrade.

WHEREAS, the Director of Purchasing and General Services will advertise for bids in connection with the Public Safety site lighting upgrade; and

WHEREAS, the upgrade will replace the existing Public Safety site lighting fixtures with high efficiency LED fixtures; and

WHEREAS, the upgrade will be partially funded through a Clean Energy Communities Grant in the amount of \$27,150.00;

BE IT RESOLVED that the Director of Purchasing and General Services be, and hereby is, authorized to advertise for bids in connection with the Public Safety site lighting upgrade.

RESOLUTION NO. 368 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution appointing the Village of Menands Mayor Brian Marsh as a member of the Emergency Management Committee.

BE IT RESOLVED that the Village of Menands Mayor Brian Marsh be, and hereby is, appointed as a member of the Emergency Management Committee, serving at the pleasure of the Town Board, to fill the vacancy created by the retirement of Mayor Megan Grenier.

RESOLUTION NO. 369 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Intermunicipal Agreement with the County of Albany in connection with waiving the Town's zoning, site plan and building code jurisdiction and establishing standards for screening of a solar array on County owned property on Route 155 and further conditioning the same upon the County's completion of review of the solar array project under provisions of SEQR .

WHEREAS, the Town of Colonie has been asked by Albany County to enter into an Intermunicipal Agreement with the County of Albany in connection with waiving the Town's zoning, site plan and building code jurisdiction involving the placement of a solar array on County deemed property; and

WHEREAS, such agreement will establish standards for complying with various solar farm requirements, including set-backs and screening of the solar array planned for County owned property on Route 155; and

WHEREAS, the Town has considered the standards for granting immunity from its zoning, planning and building code jurisdiction based upon a "balancing of the public interest" approach as set forth by the Court of Appeals in Matter of County of Monroe v. City of Rochester 72NY2d 338 (1988), as follows:

1. The nature and scope of the instrumentality seeking immunity;
2. The encroaching government's legislative grant of authority;
3. The kind of function or land use involved;

4. The effect local land use regulation would have upon the enterprise concerned;
5. Alternative locations for the facility in less restrictive zoning areas;
6. The impact upon legitimate local interests;
7. Alternative methods of providing the proposed improvement;
8. The extent of the public interest to be served by the improvements; and
9. Intergovernmental participation in the project development process and an opportunity to be heard.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Intermunicipal Agreement with the County of Albany in connection with granting the County and its contractors immunity from the Town's zoning, site plan and building code jurisdiction and establishing standards for set backs and screening of the solar array on County owned property on Route 155; and

BE IT FURTHER RESOLVED that the authority for entering into the Intermunicipal Agreement is conditioned upon the County first offering proof of completion of its review of its proposed construction under provisions of the State Environmental Quality Review Act (SEQR); and

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

RESOLUTION NO. 370 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a PILOT Agreement with Calibrant NY II LLC in connection with the solar array on County owned property on Route 155.

WHEREAS, Calibrant NY II LLC is the lessee and developer of a proposed solar array on County owned property on Route 155; and

WHEREAS, the Town and Calibrant NY II LLC have negotiated a PILOT (payment in lieu of taxes) agreement as set out in provisions of the Real Property Tax Law;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a PILOT Agreement with Calibrant NY II LLC in connection with the solar array on County owned property on Route 155; and

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

RESOLUTION NO. 371 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
 Councilwomen Kristen Blais
 Melissa Jeffers
 Councilmen Rick Field, Sr.
 Alvin Gamble
 Jeffrey Madden

ABSENT: None

Councilwoman _____ 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:

Colonie Center, v. Town of Colonie et al.

Index Nos. 905333-20; 905684-21; 905149-22

Colonie Center (15 Wolf Road), Tax Map Parcel No. 43.2-1-2

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2020	\$62,200,000	\$62,200,000	0
2021	\$60,117,500	\$47,692,100	\$12,425,400
2022	\$56,800,000	\$47,126,800	\$9,673,200
2023	\$52,000,000	\$47,422,700	\$4,577,300

Tentative Town Refund: \$142,167.56

Tentative School District Refund: \$627,205.12

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. 372 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution acknowledging the resignation of C. Michele Zilgme as Receiver of Taxes and appointing Kimberly J. Cuva as Receiver of Taxes.

WHEREAS, Public Officers Law §31 provides that a public officer of a town may resign their office to the Town Clerk; and

WHEREAS, C. Michele Zilgme has submitted to the Town Clerk a letter of resignation as Receiver of Taxes to be effective July 18, 2023; and

WHEREAS, that the Town Board is forever grateful for the long-time service of C. Michele Zilgme and thanks her for her dedication to the citizens of the Town of Colonie; and

WHEREAS, the Town Board may appoint a qualified person to fill the vacancy; and

WHEREAS, due to the resignation of C. Michele Zilgme, it has been determined that Deputy Receiver of Taxes Kimberly J. Cuva be appointed as Receiver of Taxes effective July 18, 2023 at an annual salary of \$95,093;

BE IT RESOLVED that Kimberly J. Cuva be, and hereby is, appointed as Receiver of Taxes.

RESOLUTION NO. 373 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution temporarily appointing C. Michele Zilgme to the position of Tax Office Project Assistant (PT) in the Tax Office.

BE IT RESOLVED that C. Michele Zilgme be, and hereby is, temporarily appointed to the position of Tax Office Project Assistant (PT) in the Tax Office at an hourly rate of \$40.71, effective July 19, 2023.

RESOLUTION NO. 374 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais Melissa Jeffers
Councilmen	Rick Field, Sr. Alvin Gamble Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution acknowledging the resignation of Town Board Member Jill Penn and appointing Mark McCumber to fill the vacancy as Town Board Member effective immediately through December 31, 2023.

WHEREAS, Public Officers Law §31 provides that a public officer of a town may resign their office to the Town Clerk; and

WHEREAS, Jill Penn has submitted her resignation as Town of Colonie Town Board Member on July 11, 2023, effective immediately, to the Town Clerk; and

WHEREAS, the Town Board is forever grateful for the long time service of Jill Penn and thanks her for her dedication to the citizens of the Town of Colonie; and

WHEREAS, a vacancy now exists in the Office of Town Board in the Town of Colonie due to the resignation of Jill Penn who was elected for a term of four (4) years expiring on the 31st day of December, 2023; and

WHEREAS, the Town Board may appoint a qualified person to fill the vacancy;

THEREFORE, BE IT RESOLVED that Mark McCumber, a current member of our Town's Conservation Advisory Council, be, and hereby is, appointed as Colonie Town Board Member, effective immediately to hold office until the 31st day of December, 2023.

RESOLUTION NO. 375 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 13th day of July, 2023 at 7:00 PM.

PRESENT: Supervisor	Peter G. Crummey
Councilwomen	Kristen Blais
	Melissa Jeffers
Councilmen	Rick Field, Sr.
	Alvin Gamble
	Jeffrey Madden

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution Pursuant to Section 202b of the New York State Town Law approving/not approving the proposed River Road Storage & Mohawk View Water Treatment Plant Mixing Upgrades.

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

WHEREAS, the Town of Colonie Department of Public Works, Division of Latham Water (Latham Water), provides drinking water and fire protection for a population of 81,000, as well as commercial and industrial customers. Raw water obtained from three sources – the Mohawk River, Mohawk View Well Field and Stony Creek Reservoir (emergency source only) – is treated at the Mohawk View Water Treatment Plant (MVWTP) located on Onderdonk Avenue. Following treatment, finished water storage is provided by three Clearwell tanks located at the Mohawk View site, as well as three additional Clearwell tanks located at the “River Road” site. Treated water is pumped from the respective Clearwells to the distribution system by two separate pumping stations – the Mohawk View High Lift Pumping Station (MVHLPS) and the River Road High Lift Pumping Station (RRHLPS); and

WHEREAS, the Town of Colonie retained the services of O’Brien & Gere Engineers, Inc., to evaluate (1) the capability of existing facilities to convey water from the MVWTP to the River Road site, (2) storage requirements at the River Road site, and (3) potential improvements to chemical mixing at the MVWTP; and

WHEREAS, based on said evaluation, areas of deterioration were determined, and repair and/or replacement recommendations were made as follows, the particulars of which are outlined in an engineer’s report which has been filed with the Town Clerk of the Town of Colonie in accordance with the requirements of New York State Town Law and are available for public inspection:

- Upgrades to River Road Clearwell storage tanks, including:
 - Demolition of existing Clearwell Nos. 2 and 3 which have exceeded their useful life; demolition includes lead and/or PCB remediation
 - New, larger Clearwell storage tank
 - New interconnecting piping and valves
 - Internal mixers, to improve water quality
 - Additional water quality monitoring instrumentation (pH and chlorine residual)
- Rehabilitation and improvements to the altitude valve and valve vault at the site of the RRHLPS and Clearwells;
- Improvements to the high-pressure interconnection to the 30-inch finished water pipeline to River Road, at the MVWTP site;
- Modifications to the inlet piping at the BWPS to improve sodium hydroxide chemical mixing;
- Replacement of several valves in the distribution system between the RRHLPS and NYS Route 7 (Troy-Schenectady Road); and
- Modifications to Filter Nos. 1 – 6 piping in the MVWTP, to facilitate filter-to-waste and replace existing valves and electric actuators.

WHEREAS, on December 19, 2019, the Town Board issued a Notice of Public Hearing for the proposed construction. A legal notice was thereafter published in the Spotlight on January 1, 2020. The Town Board then held a public hearing on January 16, 2020. At that same meeting, the Town Board approved the project and authorized the expenditure of \$6,050,000; and

WHEREAS, by subsequent Agreement executed November 19, 2020, the Colonie Town Board authorized O'Brien & Gere Engineers, Inc., a Ramboll company (Ramboll) to provide schematic design, detailed design, and construction phase engineering services for the River Road Storage and Mohawk View Water Treatment Plant Mixing Upgrades project; and

WHEREAS, due to unforeseen subsurface conditions identified by explorations conducted during schematic design, it then become apparent that the project cost previously estimated and approved by the Town was not sufficient to implement the project as previously conceived with revisions to the project scope being required; and

WHEREAS, in accordance with the above, the Town Board approved the revised scope and an updated project cost of Nine Million Six Hundred Eighty Thousand and 00/100 Dollars (\$9,680,000) by Resolution 487 of 2021; and

WHEREAS, thereafter due to various commercial factors, the low bid for the updated project scope exceeded the project estimate and previously approved budget. As such, the Town Board authorized Ramboll to provide engineering services necessary to re-bid the project and an updated engineering report to this effect has been filed with the Town Clerk's Office; and

WHEREAS, based on the updated engineering study it is now recommended that the scope of work as outlined in Ramboll's April 2023 engineering report, a copy of which is on file

with the Town Clerk, be approved for this project with an increase in the maximum estimated project cost to Sixteen Million Dollars and 00/100 (\$16,000,000.00):

WHEREAS, a Resolution was duly adopted by said Board on the 8th day of June, 2023, pursuant to Article 12A of the State of New York Town Law calling for a public hearing on said map, plan and estimate of cost to be held at the Town Hall, Latham, New York on the 13th day of July, 2023, at 7:00 p.m. Local Time; and

WHEREAS, notice of such public hearing was duly published and posted in the manner required by State of New York Town Law; and

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

Section 1. That the Town hereby reaffirms its previously adopted SEQRA determination that the proposed project is an Unlisted action that will not have a significant effect on the environment and, therefore, no other procedure under the State Environmental Quality Review Act is required

Section 2. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to construct the aforesaid improvements and approves an increase in the maximum estimated project cost to Sixteen Million Dollars and 00/100 (\$16,000,000.00); and

Section 3. The General Services Director is hereby authorized to advertise for bids in connection with this project.

Section 4. This resolution shall take effect immediately.