RESOLUTION NO. 262-A FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently promoting Shane D. Zyglewicz to the position of Water Meter Reader, Grade 4, in the DPW/Division of Latham Water.

WHEREAS, the Personnel Officer has certified Shane D. Zyglewicz as eligible for permanent promotion from Eligible List #21-939, established June 21, 2021;

BE IT RESOLVED that Shane D. Zyglewicz be, and hereby is, permanently promoted to the position of Water Meter Reader, Grade 4, in the DPW/Division of Latham Water at an hourly rate of $21.22, effective July 19, 2021.

RESOLUTION NO. 262-B FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently promoting Robert J. Diamond to the position of Water Meter Service Worker, Grade 9, in the DPW/Division of Latham Water.

WHEREAS, the Personnel Officer has certified Robert J. Diamond as eligible for permanent promotion from Eligible List #21-941, established June 21, 2021;

BE IT RESOLVED that Robert J. Diamond be, and hereby is, permanently promoted to the position of Water Meter Service Worker, Grade 9, in the DPW/Division of Latham Water at an hourly rate of $25.69, effective July 19, 2021.

RESOLUTION NO. 262-C FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently promoting James P. Howlan to the position of Senior Water Meter Service Worker, Grade 28, in the DPW/Division of Latham Water.

WHEREAS, the Personnel Officer has certified James P. Howlan as eligible for permanent promotion from Eligible List #21-940, established June 21, 2021;

BE IT RESOLVED that James P. Howlan be, and hereby is, permanently promoted to the position of Senior Water Meter Service Worker, Grade 28, in the DPW/Division of Latham Water at an annual salary of $66,968, effective July 19, 2021.

RESOLUTION NO. 262-D FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Scott J. Meher to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway.

BE IT RESOLVED that Scott J. Meher be, and hereby is, appointed to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of $19.86, effective July 19, 2021, pending the satisfactory completion of a pre-employment physical and pending CDL clearinghouse process.

RESOLUTION NO. 262-E FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Nikolas M. Faresta to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway.

BE IT RESOLVED that Nikolas M. Faresta be, and hereby is, appointed to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of $19.86, effective July 26, 2021, pending the satisfactory completion of a pre-employment physical and pending CDL clearinghouse process.

RESOLUTION NO. 262-F FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing John A. Ekmalian to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway.

BE IT RESOLVED that John A. Ekmalian be, and hereby is, appointed to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of $24.83, effective July 19, 2021, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 262-G FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution provisionally promoting Dana L. VanVeghten to the position of Equipment Maintenance Clerk in the DPW/Division of Highway.

BE IT RESOLVED that Dana L. VanVeghten be, and hereby is, provisionally promoted to the position of Equipment Maintenance Clerk in the DPW/Division of Highway at an annual salary of $50,740, effective July 19, 2021, pending the establishment of an appropriate eligible list and pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 262-H FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution provisionally appointing Elizabeth A. Condon to the position of Buyer, Grade 9, in the General Services Department.

BE IT RESOLVED that Elizabeth A. Condon be, and hereby is, provisionally appointed to the position of Buyer, Grade 9, in the General Services Department at an annual salary of $41,147, effective July 12, 2021, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 263 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution Pursuant to Article 12A of State of New York Town Law approving/not approving the Ridgeview Meadows at North Colonie Wetherby Court – S.I.A. 2019-004.

WHEREAS, Ridgeview Meadows at North Colonie, LLC desires to construct the proposed sewer improvement project extending municipal sewer service to 10 Wetherby Court – S.I.A.# 2019-004, pursuant to the provisions of Article 12A of State of New York Town Law; and

WHEREAS, the Town Board of the Town of Colonie desires to extend municipal sanitary sewer service to 10 Wetherby Court. The sewer main extension for the proposed subdivision will include 2,216 linear feet of 8-inch SDR26 PVC gravity sewer pipe. A new sewer main will extend from Wetherby Court and Nottingham Way along the new subdivision roads. The fifteen residential lots will connect directly to the 8-inch diameter gravity sewer main; the particulars of which are set forth in the engineer's report on file in the Town Clerk's Office; and

WHEREAS, a report, map, plan and estimate of cost has been prepared by The Chazen Companies, engineers duly licensed by the State of New York, the particulars of which are set forth in the engineer's report on file in the Town Clerk's Office; and

WHEREAS, the maximum amount proposed to be expended for said Project is One Hundred Twenty-Eight Thousand Nine Hundred Thirteen and 85/100 ($128,913.85) which will be paid entirely by the owner; and

WHEREAS, a Resolution was duly adopted by said Board on the 24th day of June, 2021, 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 15th day of July, 2021, at 7:00 p.m. Local Time; and

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

WHEREAS, said public hearing was held at the time and place aforesaid; 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. Upon the evidence given at the aforesaid public hearing, it is hereby determined that the property owners within the proposed improvement area are benefited thereby and that said benefited property and property owners are included within the limits of the proposed improvement area.

Section 2. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to construct the aforesaid improvements at the maximum amount to be expended for the aforementioned improvements is One Hundred Twenty-Eight Thousand Nine Hundred Thirteen and 85/100 ($128,913.85), which will be paid entirely by the Owner.

Section 3. This resolution shall take effect immediately.

RESOLUTION NO. 264 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting/not adopting a local law in connection with the Code of the Town of Colonie, thereof, amending Chapter 190 of the Town Code regarding permanent residence and short term rental and adding §190-20(f) short term rentals.

WHEREAS, proof of notice having been furnished, the public hearing on a proposed local law was held on May 27, 2021, adjourned to June 24, 2021 and adjourned to 7:00 PM on July 15, 2021 with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that the local law amending Chapter 190 of the Code of the Town of Colonie regarding permanent residence and short term rental and adding §190-20(f) short term rentals be, and hereby is, adopted/not adopted.

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

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Colonie
Local Law No ___of the year 2021

A local law amending Chapter 190 of the Code of the Town of Colonie

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

SECTION 1: AMENDMENT

Chapter 190, section 190-6 is hereby amended as follows:

PERMANENT RESIDENCE – the occupancy of a dwelling unit by the same natural person or family for thirty (30) or more consecutive days.

SHORT TERM RENTAL - Any permanent single or multi-family residence that is advertised and/or rented for a period of less than thirty (30) days through an online platform or application, including, but not limited to, AirBNB, VRBO, HomeAway, HometoGo, FlipKey, Booking.com, 2nd Address.

SECTION 2: AMENDMENT

Chapter 190, Section 190-20(f) of such Land Use Law is hereby created as follows:

190-20(f): SHORT TERM RENTALS

Short term rentals as defined in §190-6 shall have the following requirements:

A. Shall not be applicable to family members of the resident or property owner;
B. A resident or property owner seeking to operate a short term rental in the Town of Colonie may do so pursuant to a use variance;
C. A permit for a use variance must be obtained from the Building Department of the Town of Colonie;
D. A month-to-month tenancy shall not be considered a short term rental

SECTION 3. SEVERABILITY

If any clause, sentence or provision of this local law or the application thereof to any person or circumstance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity thereof shall not affect, impair or invalidate the remainder of the provisions of this local law or the application thereof to other persons and circumstances.

SECTION 4. SEQR DETERMINATION.

The Town Board hereby determines that this amendment is 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 5. EFFECTIVE DATE

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

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

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

I hereby certify that the local law annexed hereto, designated as local law No. of 2021 of the **Town of Colonie** was duly passed by the Town Board on in accordance with the applicable provisions of law.

2. **(Passage** by **local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer'.)**

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (Town) of was duly passed by the on 20_, and was (approved)(not disapproved)(repassed (Name of Legislative Body) after disapproval) by the and was deemed duly adopted on 20 in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (-)(Town)(of was duly passed by the on 20_, and was (approved)(not disapproved)(repassed after (Name of Legislative Body) disapproval) by on 20 Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on I 9 in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the)(Town**)(** *of* was duly passed by the (Name of Legislative Body) on 20 and was (approved)(not disapproved)(repassed after **(**disapproval) by the on 20 Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 20 in accordance with the applicable provisions of law.

_____-

***Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

5. (City **local law concerning Charter revision proposed by petition.)**
I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the City of having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on 20_, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the County of State of New York, having been submitted to the electors at the General Election of November , 20_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ALBANY
I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

_____
Signature Town of Colonie Town Attorney
Date:

RESOLUTION NO. 265 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution calling a public hearing pursuant to Section 202b of the New York State Town Law in relation to the Mohawk View Water Pollution Control Plant Blower Rehabilitation Project.

WHEREAS, the Town of Colonie owns and maintains the Mohawk View Water Pollution Control Plant ("MVWPCP") and conducted an engineering assessment and safety inspection of the Mohawk View Water Pollution Control Plant; and

WHEREAS, the Town has engaged Arcadis of New York, Inc. to perform a Flexible Technical Assistance Study to evaluate the process aeration system at the MVWPCP. As a result of that study recommendations have been made to replace the existing blower units with new high efficiency units that have increased range of operations relative to the existing configuration. Both types of turbo blowers and integrally geared single-stage centrifugal blowers meet design ranges and would be more efficient than the existing system even at the highest air flows for ECM 2.1 at Design Conditions; and

WHEREAS, a report, map, plan and estimate of cost relating to the aforementioned improvements have been prepared by Robert E. Ostapczuk, P.E. of Arcadis of New York, Inc., and has been filed with the Town Clerk of the Town of Colonie in accordance with the requirements of Town Law and is available for public inspection; and

WHEREAS, the maximum amount to be expended for the aforementioned improvements is Two Million Eight Hundred Ninety Thousand Dollars and 00/100 ($2,890,000.00); and

WHEREAS, the location and particulars of the upgrades and associated costs are described in detail in the aforementioned engineers report on file with the Town Clerk's office of the Town of Colonie; and

WHEREAS, it is now desired to call a Public Hearing pursuant to the provisions of Article 12 of the New York State 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. A meeting of the Town Board of the Town of Colonie, Albany County, New York shall be held at the Town Hall, Latham, New York on the 12th day of August, 2021 at 7:00 o'clock p.m., local time, for the purpose of conducting a public hearing on the aforesaid report, map, plan and estimate of cost, at which time and place said Town Board will hear all persons interested in the subject matter thereof.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be given by publishing and posting a copy of this resolution in the manner provided by New York State Town Law.

Section 3. This resolution shall take effect immediately.

RESOLUTION NO. 266 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution requiring the Planning and Economic Development Director to review and consider the proposed amendment of the Shelter Cove PDD at 8 Shore Lane.

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

WHEREAS, the applicant seeks to install a 10' x 10' shed at 8 Shore Lane;

BE IT RESOLVED that the Planning and Economic Development Director be, and hereby is, authorized to review and consider the proposed amendment of the Shelter Cove PDD.

RESOLUTION NO. 267 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution requiring the Planning and Economic Development Director to review and consider the proposed amendment of the Shelter Cove PDD at 9 Shore Lane.

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

WHEREAS, the applicant seeks to install a 16' x 26' deck at 9 Shore Lane;

BE IT RESOLVED that the Planning and Economic Development Director be, and hereby is, authorized to review and consider the proposed amendment of the Shelter Cove PDD.

RESOLUTION NO. 268 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting updated GEIS Development Mitigation Costs.

WHEREAS, the mitigation costs for the various GEIS areas in the Town of Colonie reflect 2015 dollar values and have not been updated since; and

WHEREAS, the Federal Government regular publishes cost indices to account for changes in the time-value-of-money; and

WHEREAS, the Town of Colonie's mitigation costs should reflect present dollar values at the time they are calculated; and

WHEREAS, the Planning & Economic Development Department has the knowledge and experience necessary to make annual adjustments based on these cost indices;

THEREFORE, BE IT RESOLVED that the Planning & Economic Development Department shall review GEIS mitigation costs annually and make the following adjustments as necessary.

1. All non-transportation mitigation costs shall be indexed to the annual Consumer Price Index (CPI-U Northeast) published by the U.S. Bureau of Labor Statistics and adjusted accordingly.
2. Transportation mitigation costs shall be updated using adjustment factors from the FHWA National Highway Construction Cost Index, unless otherwise indexed to

the annual Consumer Price Index (CPI-U Northeast) published by the U.S. Bureau of Labor Statistics and adjusted accordingly.

THEREFORE, BE IT FURTHER RESOLVED that the updated GEIS Development Mitigation Costs for 2020 be, and hereby is, adopted.

RESOLUTION NO. 269 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with the South Colonie Central School District for providing a Town Police Officer to act as a School Resource Officer.

WHEREAS, South Colonie Central School District will reimburse the Town forty thousand dollars ($40,000.00) for providing a Town Police Officer to act as School Resource Officer; and

WHEREAS, the agreement shall be from September 1, 2021 through July 1, 2022;

BE IT FURTHER RESOLVED that the Supervisor be, and hereby is, authorized to execute the agreement with the South Colonie Central School District for providing a Town Police Officer to act as a School Resource Officer; and

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

RESOLUTION NO. 270 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with the North Colonie Central School District for providing a Town Police Officer to act as a School Resource Officer.

WHEREAS, North Colonie Central School District will reimburse the Town forty thousand dollars ($40,000.00) for providing a Town Police Officer to act as School Resource Officer; and

WHEREAS, the agreement shall be from September 1, 2021 through July 1, 2022;

BE IT FURTHER RESOLVED that the Supervisor be, and hereby is, authorized to execute the agreement with the North Colonie Central School District for providing a Town Police Officer to act as a School Resource Officer; and

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

RESOLUTION NO. 271 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

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:

PAYEE	AMOUNT
N.L. Basford, Jr. (Care Environmental)	$15,000.00
Cooper Erving & Savage LLP (Niedbalec, Fusco, McMillan, AT&T, Geraci)	$9,431.45
Rema Hall (Pure Waters)	$1,472.04
CHA (Fusco)	$200.00
Total	$26,103.49

RESOLUTION NO. 272 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

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. *Walgreens Co., Walgreens Eastern Co. Inc., v. Town of Colonie, et al.,* Index No.: 904889-20

1215 Troy Schenectady Road, Tax Map Parcel No.: 8.3-1-22.2

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2020	$383,000	$380,640	$2,360

Tentative Town Refund: $10.27
Tentative School Refund: $103.47

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. 273 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with the Friends of the Pruyn House for the maintenance of the Pruyn House for 2021.

BE IT RESOLVED the Supervisor be, and hereby is, authorized to execute an Agreement with the Friends of the Pruyn House for the maintenance of the Pruyn House retroactive from January 1, 2021 until December 31, 2021; and

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

RESOLUTION NO. 274 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the General Services Director to advertise for bids in connection with repairs to the Coronet Court and Public Safety Pumping Stations.

BE IT RESOLVED that the General Services Director be, and hereby is, authorized to advertise for bids in connection with repairs to the Coronet Court and Public Safety Pumping Stations.

RESOLUTION NO. 275 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Engineering Agreement with Arcadis of New York, Inc. in connection with the Mohawk View Water Pollution Control Plant Disinfection Analyzer & Control System Replacement Project for the DPW/Division of Pure Waters.

WHEREAS, Arcadis of New York, Inc. will provide the DPW/Division of Pure Waters with Professional Engineering Services in connection with the Mohawk View Water Pollution Control Plant Disinfection Analyzer & Control System Replacement Project; and

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

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an Engineering Agreement with Arcadis of New York, Inc. in connection with the Mohawk View Water Pollution Control Plant Disinfection Analyzer & Control System Replacement Project 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. 276 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

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 Town of Colonie to opt out of on-site cannabis consumption premises pursuant to the Marijuana Regulation and Taxation Act and subject to a permissive referendum pursuant to Sections 90 and 91 of the New York State Town Law.

WHEREAS, the Town Board of the Town of Colonie will conduct a public hearing to seek input on a local law to opt out of on-site cannabis consumption premises in the Town of Colonie outside of the Villages of Colonie and Menands on Thursday, July 29, 2021 at 7:00 pm in the Town Board Meeting Room at Memorial Town Hall, 534 New Loudon Road, Latham, New York. The meeting is open to the public with socially distanced seating available for those in attendance. Masks are required for those who are not vaccinated per CDC and NYS guidance. Pursuant to the terms of the Marijuana Regulation and Taxation Act and pursuant to the terms of New York State Town Law §§90 and 91, the local law is subject to a permissive referendum.

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 2021

A local law adopted pursuant to the Marijuana Regulation and Taxation Act and specifically Cannabis Law § 131 opting out of licensing and establishing on-site cannabis consumption establishments within the Town of Colonie outside of the Villages of Colonie and Menands.

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

Section 1. Legislative Intent

It is the intent of this local law to opt the Town of Colonie out of hosting on-site cannabis consumption establishments within its boundaries and outside the boundaries of the Villages of Colonie and Menands.

Section 2. Authority

This local law is adopted pursuant to the terms of the Marijuana Regulation and Taxation Act and specifically Cannabis Law § 131, which expressly authorizes cities, towns and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis On-Site Consumption Opt-Out

The Town Board of the Town of Colonie, County of Albany, hereby opts-out of licensing and establishing cannabis on-site consumption establishments within its boundaries outside of the Villages of Colonie and Menands.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to the Marijuana Regulation and Taxation Act and Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

(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 2021 of the **Town of Colonie** was duly passed by the Town Board on in accordance with the applicable provisions of law.

2. **(Passage** by **local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer'.)**

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (Town) of was duly passed by the on 20_, and was (approved)(not disapproved)(repassed (Name of Legislative Body) after disapproval) by the and was deemed duly adopted on 20 in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (-)(Town)(of was duly passed by the on 20_, and was (approved)(not disapproved)(repassed after (Name of Legislative Body) disapproval) by on 20 Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on I 9 in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the)(Town**)(** *of* was duly passed by the (Name of Legislative Body) on 20 and was (approved)(not disapproved)(repassed after **(**disapproval) by the on 20 Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 20 in accordance with the applicable provisions of law.

_____-

***Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

5. (City **local law concerning Charter revision proposed by petition.)**
I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the City of having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on 20_, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the County of State of New York, having been submitted to the electors at the General Election of November , 20_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ALBANY
I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

_____
Signature Town of Colonie Town Attorney
Date:

RESOLUTION NO. 277 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with National Grid to participate in their Energy Conservation and Management Services.

WHEREAS, this agreement is for various energy conservation programs for the Town including, but not limited to, LED Lighting Replacement; and

WHEREAS, the agreement with National Grid is to participate in their Energy Conservation and Management Services using National Grids Utility Energy Service Contracts;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with National Grid to participate in their Energy Conservation and Management Services; and

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

RESOLUTION NO. 278 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid to Star Roofing in connection with the North Colonie Baseball Complex Roof Replacement for the Parks & Recreation Department and authorizing the Supervisor to enter into an agreement for same.

WHEREAS, pursuant to advertisement on May 26, 2021, the following four (4) proposals were received in connection with the North Colonie Baseball Complex Roof Replacement 2021:

	Vendor	Total Bid	Decking Per SF
1.	Star Roofing	$14,725.00	$3.50
2.	T.P. Monahan, Inc.	$24,525.00	$14.00
3.	Titan Roofing, Inc.	$29,900.00	$10.00
4.	Mid-State Industries, Ltd.	$41,800.00	$10.00

WHEREAS, after review of the bids and upon the recommendation of the General Services Director and the Commissioner of Public Works it is proposed that the contract be awarded to the lowest bidder;

BE IT RESOLVED that the low bidder, Star Roofing, be, and hereby is, awarded the bid in the amount of $14,725.00 plus $3.50 per square foot for decking replacement, if necessary; and

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

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

RESOLUTION NO. 279 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a contract with Systems Development Group, Inc. in connection with support for the Town of Colonie's Image Mate software in the Assessor's Office.

WHEREAS, Systems Development Group, Inc. will provide the Assessor's Office support for the Town of Colonie's Image Mate software to make sure that the system is functioning as intended; and

WHEREAS, the contract will be from July 1, 2021 through June 30, 2022 for an annual cost of $3,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a contract with Systems Development Group, Inc. in connection with support for the Town of Colonie's Image Mate software in the Assessor's Office; and

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

RESOLUTION NO. 280 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Memorandum of Agreement with the Colonie Police Supervisors Association.

WHEREAS, the Memorandum of Agreement will modify the composition of the Colonie Police Supervisor Association to include the titles in the police department of Lieutenant, Deputy Police Chief and Police Chief effective July 19, 2021;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Memorandum of Agreement with the Colonie Police Supervisors Association; and

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

RESOLUTION NO. 281 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Upstate Companies, LLC through the Gordian Group in connection with the installation of a new backup generator at Town Hall.

WHEREAS, Upstate Companies, LLC, through the Gordian Group, will install a new backup generator at Town Hall and will include the installation of an automatic transfer switch; and

WHEREAS, the cost of this service shall not exceed $68,702.96;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Upstate Companies, LLC through the Gordian Group in connection with the installation of a new backup generator at Town Hall; and

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

RESOLUTION NO. 282 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to designate the Bureau of Engineering Civil Engineer, Katelyn Reepmeyer, as a designated primary user to access the NYSDOT web based reporting system named Equitable Business Opportunities.

WHEREAS, the New York State Department of Transportation (NYSDOT) has implemented a web based reporting system called Equitable Business Opportunities (EBO) to streamline and satisfy the Title VI Civil Rights Reporting requirements for Federal-Aid locally sponsored contracts; and

WHEREAS, NYSDOT requires each local municipality as a sub-recipient to NYSDOT of Federal funds and sponsor of Federal-Aid Contracts to identify a single primary user in order to access and use the system for Title VI compliance reporting requirements;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to designate Katelyn Reepmeyer, P.E. as the Town's Responsible Local Official authorized to access the Equitable Business Opportunities system as the Town's EBO Administrator.

RESOLUTION NO. 283 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid for Sand for Ice Control to Joseph R. Wunderlich, Inc.

WHEREAS, pursuant to advertisement on June 16, 2021, the following three (3) proposals were received in connection with Sand for Ice Control:

	VENDOR	UNIT PRICE PER TON PICKED UP	UNIT PRICE PER TON DELIVERED
1.	Joseph R. Wunderlich, Inc.	$3.90	$6.40
2.	R.J. Valente Gravel	$8.99	$14.49
3.	Warren W. Fane, Inc.	$10.50	$15.50

WHEREAS, after review of the bids by the Highway Maintenance Supervisor of the DPW/Division of Highway and the General Services Director;

BE IT RESOLVED that the bid will be awarded to the low bidder, Joseph R. Wunderlich, Inc. for the period from Date of Award to July 31, 2022.

RESOLUTION NO. 284 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing a reduction of demolition permit fees for New York State Department of Environmental Conservation and its contractor, The Environmental Service Group, (NY) Inc. for the former Al Tech Steel site.

WHEREAS, the New York State Department of Environmental Conservation and its contractor, The Environmental Service Group, (NY) Inc. are undertaking demolition of 26 buildings at the former Al-Tech Steel site on Spring Street Road in the Town of Colonie; and

WHEREAS, the Building Department has calculated the demolition permit fees for this project to be $21,208; and

WHEREAS, the Town of Colonie recognizes the public benefit for demolition of the 26 buildings and agrees to a reduction in the demolition fees by fifty (50) percent totaling $10,604.

BE IT RESOLVED that the demolition permit fees are hereby reduced by fifty (50) percent.

RESOLUTION NO. 285 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to sign an updated Agreement with Infinity Med Solutions to add pediatric advanced life support training to their current contract under the Town's American Heart Association Training Center.

WHEREAS, the Town of Colonie currently has a contract with Infinity Med Solutions to teach advanced cardiac life support courses through the Town's training center; and

WHEREAS, Infinity Med Solutions seeks to add pediatric advanced life support training courses and enter into an updated Agreement for same.

BE IT THEREFORE RESOLVED that the Supervisor be, and hereby is, authorized to enter into an updated Agreement with Infinity Med Solutions to add pediatric advanced life support training to its current offerings through the Town's American Heart Association Training Center; and

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

RESOLUTION NO. 286 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 15th day of July, 2021 at 7:00 PM.

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

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 1 Alice Avenue.

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 1 Alice Avenue as a possible open development area as part of the overall application for the Senior Housing PDD at 1 Alice Avenue;

BE IT RESOLVED that the Planning Board shall review and consider the proposed project located at 1 Alice Avenue as a possible open development area and provide the Town Board with its findings, conclusions and recommendation thereon.