

RESOLUTION NO. 277-A FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Helen Welch to the position of Public Safety Dispatcher in the Police Department.

WHEREAS, the Personnel Officer has certified Helen Welch as eligible for permanent appointment from Eligible List #20-928, established June 17, 2020;

BE IT RESOLVED that Helen Welch be, and hereby is, permanently appointed to the position of Public Safety Dispatcher in the Police Department at an annual salary of \$43,729, effective July 27, 2020, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 277-B FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Gregory P. Holt to the position of Public Safety Dispatcher in the Police Department.

WHEREAS, the Personnel Officer has certified Gregory P. Holt as eligible for appointment from Eligible List #20-928, established June 17, 2020;

BE IT RESOLVED that Gregory P. Holt be, and hereby is, appointed to the position of Public Safety Dispatcher in the Police Department at an annual salary of \$43,729, effective July 27, 2020, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 277-C FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently promoting Matthew J. Merolle to the position of Building Maintenance Technician in the DPW/Facilities Maintenance Department.

BE IT RESOLVED that Matthew J. Merolle be, and hereby is, permanently promoted to the position of Building Maintenance Technician in the DPW/Facilities Maintenance Department at an annual salary of \$55,320, effective July 27, 2020.

RESOLUTION NO. 278 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution pursuant to Article 12A of the Town Law of the State of New York approving/not approving the 21 Green Mountain Drive Sewer Improvement Area – SIA #2019-003.

WHEREAS, the owner of certain property located at 21 Green Mountain Drive in the Town of Colonie desires to construct the proposed sewer improvement project extending municipal sewer service to 21 Green Mountain Drive (Tax Map Parcel No. 5.01-1-31) – SIA #2019-003, 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 21 Green Mountain Drive. The proposed sanitary sewer extension, known as SIA# 2019-003 will consist of installation of 435 lineal feet of 3" HDPE SDR21 force main sewer pipe and a force main flushing manhole at the intersection of Green Mountain Drive and Arrowhead Lane along with the installation of individual sewer laterals which will provide sanitary sewer service to the existing commercial building located at 21 Green Mountain Drive; 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 Hershberg & Hershberg, 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 Seventeen Thousand Eight Hundred and Seventy-Two Dollars and 00/100 (\$17,872.00) which will be paid entirely by the Developer for said Project; and

WHEREAS, a Resolution was duly adopted by said Board on the 27th day of February, 2020, 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 26th day of March, 2020, 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

WHEREAS, due to the national public health crisis the public hearing did not take place on March 26, 2020; and

WHEREAS, a Resolution was duly adopted by said Board on the 9th day of April, 2020, adjourning the public hearing to a date to be established after the first Town Board meeting in June, 2020;

WHEREAS, it is now desired to reschedule the public hearing, pursuant to the provisions of the State of New York Town Law to approve such construction and costs, to be held on the 23rd day of July, 2020 at 7:00 p.m. Local Time

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

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

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 Seventeen Thousand Eight Hundred and Seventy-Two Dollars and 00/100 (\$17,872.00) which will be paid entirely by the Developer for said Project.

Section 3. This resolution shall take effect immediately.

RESOLUTION NO. 279 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting/not adopting a local law for the Rezoning of land located at 606 & 608 Loudon Road from Neighborhood Commercial Office Residential (NCOR) to Planned Development District (PDD).

WHEREAS, proof of notice having been furnished, the public hearing on a proposed local law was held at 7:00 PM on July 23, 2020 with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that a local law for the Rezoning of land located at 606 & 608 Loudon Road from Neighborhood Commercial Office Residential (NCOR) to Planned Development District (PDD) be, and hereby is, adopted/not adopted.

Local Law Filing

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

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

Town of Colonie
Local Law No ____ of the year 2020

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

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

SECTION 1. REZONING

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

Lot 1:

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

Beginning at a point in the westerly highway boundary of Loudon Road (U.S. Route 9) at its intersection with the division line between lands now or formerly of 608 Loudon Road, LLC as described in Liber 3063 of deeds at page 845 on the south and lands now or formerly of New Loudon Road Associates, LLC on the north; thence from said point of beginning along said westerly highway boundary of Loudon Road the following four (4) courses and distances:

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

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

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

1) North 08°-30'-51" East, 153.85 feet to a point; thence
2) North 75°-12'-31" East, 136.29 feet to a point; thence
3) Along an arc of a curve to the left having a radius of 136.00 feet, an arc length of 216.78 feet and a chord bearing South 30°-28'-30" East, 194.55 feet to a point; thence
4) South 80°-45'-14" East, 300.37 feet to a point; thence
5) Along an arc of a curve to the left having a radius of 78.00 feet, an arc length of 71.30 feet and a chord bearing North 77°-33'-00" East, 68.84 feet to a point; thence
6) North 24°-38'-56" West, 45.50 feet to a point; thence
7) North 39°-55'-42" East, 41.50 feet to a point; thence
8) North 13°-20'-55" West, 23.20 feet to a point; thence
9) North 50°-04'-18" West, 71.30 feet to a point; thence
10) North 30°-04'-18" West, 33.94 feet to a point; thence
11) North 10°-04'-18" West, 81.49 feet to a point; thence
12) North 09°-55'-42" East, 33.94 feet to a point; thence
13) North 29°-55'-42" East, 71.30 feet to a point; thence
14) North 06°-47'-41" West, 23.20 feet to a point; thence
15) North 60°-04'-12" West, 46.80 feet to a point; thence
16) North 29°-25'-30" West, 68.33 feet to a point in the aforementioned division line between lands of 608 Loudon Road, LLC on the south and lands of New Loudon Road Associates, LLC on the north; thence along said division line the following four (4) courses and distances:

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

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

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

And Lot 2:

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

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

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

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

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

SECTION 2. ZONING MAP

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

SECTION 3. CONDITIONS

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

SECTION 4. SEVERABILITY

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

SECTION 5. SEQRA

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

SECTION 6. EFFECTIVE DATE

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

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

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

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2020 of the **Town of Colonie** was duly passed by the Town Board on June 18, 2020 in accordance with the applicable provisions of law.

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

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

3. (Final adoption by referendum.)

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

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

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

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

5. (City local law concerning Charter revision proposed by petition.)

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

6. (County local law concerning adoption of Charter.)

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

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

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

(Seal)

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

STATE OF NEW YORK
COUNTY OF ALBANY

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

Signature Town of Colonie Town Attorney

Date:

RESOLUTION NO. 280 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting/not adopting a local law amending Chapter 181 of the Town Code.

WHEREAS, proof of notice having been furnished, the public hearing on a proposed local law was held at 7:00 PM on July 23, 2020 with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that a local law of the Code of the Town of Colonie, thereof, amending section 181-36 of the Code of the Town of Colonie, relating to weight limit restriction on the residentially zoned portion of Arrowhead Lane be, and hereby is, adopted/not adopted.

Local Law Filing

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

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

Town of Colonie

Local Law No. of the year 2020

A local law amending Chapter 181 of the Code of the Town of Colonie - "Vehicle & Traffic Codification" by amending Schedule VIII (§181-36) entitled "Vehicle Weight Limitations".

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

SECTION 1.

Chapter 181 of the Code of the Town of Colonie, Schedule VIII (§181-36) entitled "Vehicle Weight Limitations" is hereby amended by adding the following:

Name of Street

Arrowhead Lane

Location

For a distance of 465 plus or minus feet East of Route 9

SECTION 2. EFFECTIVE DATE.

This local law shall take effect upon its proper filing with 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. 2 of 2020 of the **Town of Colonie** was duly passed by the Town Board on July 23, 2020 in accordance with the applicable provisions of law.

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

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

3. (Final adoption by referendum.)

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

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

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

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

5. (City local law concerning Charter revision proposed by petition.)

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

6. (County local law concerning adoption of Charter.)

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

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

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

(Seal)

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

STATE OF NEW YORK
COUNTY OF ALBANY

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

Signature Town of Colonie Town Attorney
Date:

RESOLUTION NO. 281 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution amending Resolution No. 259-B adopted on July 9, 2020.

WHEREAS, Resolution No. 259-B for 2020 was adopted on July 9, 2020 appointing Veronika Grochowalski as Attorney in the Town Attorney's Office; and

WHEREAS, due to unforeseen circumstances, the effective date of July 27, 2020 must be changed to August 3, 2020;

BE IT RESOLVED that Resolution No. 259-B adopted on July 9, 2020 be, and hereby is, amended.

RESOLUTION NO. 282 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution rescinding all prior resolutions pertaining to Land Use Review Fees and adopting a new Planning and Economic Development Land Use Review Fee Schedule for 2020.

BE IT RESOLVED that all prior resolutions pertaining to Land Use Review Fees be, and they hereby are, rescinded; and

BE IT FURTHER RESOLVED that a new Planning and Economic Development Land Use Review Fee Schedule be, and hereby is adopted as set forth in the attached Exhibit "A".

LAND USE REVIEW FEES
TOWN OF COLONIE

COMMERCIAL SITE REVIEW

CHANGE IN TENANCY	\$ 25.00
ANNUAL APPROVAL	\$ 100.00
CHANGE IN USE	\$ 50.00
SITE ALTERATIONS AND/OR BUILDING ADDITIONS:	
UNDER 300 SQ. FT.	\$ 125.00
301 TO 999 SQ. FT.	\$ 250.00
1000 TO 9999 SQ. FT.	\$ 500.00

**NEW SITES AND SITE ALTERATIONS AND/OR BUILDINGS ADDITIONS 10,000 SQ. FT. OR
GREATER**

MINIMUM CHARGE	\$ 500.00
LESS THAN 10 ACRES	\$ 100.00 PLUS \$500.00 PER ACRE
10 ACRES OR MORE	\$5,100.00 PLUS \$300.00 PER ACRE OVER TEN ACRES
FINAL APPROVAL AMENDMENT	10% OF ABOVE AMOUNT
FINAL APPROVAL RENEWAL	\$ 50.00

RESIDENTIAL SUBDIVISION REVIEW

MINOR	\$ 300.00
FEWER THAN 10 LOTS	\$ 700.00
10 TO 25 LOTS	\$ 100.00 PLUS \$70.00 PER LOT
26 TO 50 LOTS	\$1,850.00 PLUS \$60.00 PER LOT OVER 25 LOTS
51 OR MORE LOTS	\$3,350.00 PLUS \$50.00 PER LOT OVER 50 LOTS
BOUNDARY LINE REVISIONS	\$ 50.00 PER AFFECTED LOT

COMMERCIAL SUBDIVISION REVIEW

MINOR	\$ 300.00
LESS THAN 10 ACRES	\$ 600.00
10 TO 25 ACRES	\$ 600.00 PLUS \$30.00 PER ACRE OVER 10 ACRES
25 OR MORE ACRES	\$1,050.00 PLUS \$25.00 PER ACRE OVER 25 ACRES
BOUNDARY LINE REVISIONS	\$ 50.00 PER AFFECTED LOT

HIGHWAY AND UTILITY EXTENSIONS (OTHER THAN IN RESIDENTIAL SUBDIVISIONS)

PUBLIC HIGHWAY EXTENSION	\$ 2.50 PER LINEAL FOOT OF HIGHWAY EXTENSION IN ADDITION TO ABOVE FEES
PUBLIC SANITARY SEWER, STORM SEWER, WATER EXTENSIONS OUTSIDE OF PUBLIC HIGHWAY	\$ 400.00 PER EXTENSION

OPEN SPACE ACQUISITION, MAINTENANCE AND IMPROVEMENT FEE

PER APPROVED BUILDING AND/OR SUBDIVISION LOT IN NON-GEIS AREAS	\$250.00
PER ACRE OR FRACTION THEREOF FOR EACH APPROVED COMMERCIAL PROJECT IN NON-GEIS AREAS	\$250.00

EXHIBIT "A"

SEQR

DRAFT EIS REVIEW (FOR REVIEW BY TOWN STAFF) \$ 500.00 MINIMUM PLUS \$25.00 PER PAGE OVER 20 PAGES
FINAL EIS REVIEW (FOR REVIEW BY TOWN STAFF) \$ 250.00 MINIMUM PLUS \$25.00 PER PAGE FOR ANY NEW MATERIAL NOT INCLUDED IN DRAFT EIS

IF TOWN EMPLOYS A CONSULTANT TO REVIEW AN E.I.S. SUBMITTED BY APPLICANT, FEE SHALL BE EQUAL TO THE COST OF CONSULTANT SERVICES, PLUS \$200.00 FOR TOWN STAFF COORDINATION SERVICES.

IF TOWN PREPARES EIS, FEE SHALL BE EQUAL TO THE COST OF PREPARATION.

COST OF ANY AND ALL LEGAL NOTICES SHALL BE BORNE BY THE APPLICANT.

REZONING REVIEW

\$1,000.00

WATERCOURSES AND FLOOD PLAINS

PERMIT APPLICATION INCLUDING	\$50.00	(ONE-FAMILY DWELLING, ACCESSORY STRUCTURES)
	\$150.00	(ALL OTHERS)
VARIANCE APPLICATION (INCLUDING PERMIT)	\$125.00	(ONE-FAMILY DWELLING INCLUDING ACCESSORY STRUCTURES)
	\$450.00	(ALL OTHERS)

OPEN DEVELOPMENT AREA REVIEW

\$1,500.00

MINOR PDD AMENDMENT

\$50.00 PER AFFECTED LOT

ALL REVIEW FEES ARE DUE WITH INITIAL APPLICATION AND ARE NON-REFUNDABLE.

CLOTHING/DONATION BIN FEE SCHEDULE

INITIAL APPLICATION FEE	\$ 100.00
RENEWAL APPLICATION FEE	\$ 50.00
STICKER FEE	\$ 25.00
REPLACEMENT STICKER FEE	\$ 15.00
PERFORMANCE BOND	\$2,500.00

FEES WAIVED FOR NOT-FOR-PROFITS

RESOLUTION NO. 283 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution requiring the Planning and Economic Development Director to review and consider the proposed amendment of the Canterbury Crossings PDD to install a pool and shed at 28 Buckingham Lane.

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

WHEREAS, the applicant seeks to install a 16'x32' pool and 8'x12' shed at 28 Buckingham 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 Canterbury Crossings PDD.

RESOLUTION NO. 284 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Memorandum of Understanding with UPSEU EMS Unit E awarding additional Personal Service Time to members who reported to work during the period of March 17, 2020 through May 31, 2020.

WHEREAS, during March 17, 2020 through May 31, 2020 several full-time and part-time employees reported to work and worked their regular schedules while other employees were working from home and/or reduced schedules due to COVID-19; and

WHEREAS, UPSEU EMS Unit E members would be awarded additional Personal Service Time for working during that time period;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Memorandum of Understanding with UPSEU EMS Unit E awarding additional Personal Service Time to members who reported to work and worked their regular schedules during the period of March 17, 2020 through May 31, 2020.

RESOLUTION NO. 285 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution awarding additional Personal Service Time to the Police Chief, Deputy Police Chief and EMS Chief who reported to work during the period of March 17, 2020 through May 31, 2020.

WHEREAS, during March 17, 2020 through May 31, 2020 several full-time and part-time employees reported to work and worked their regular schedules while other employees were working from home and/or reduced schedules due to COVID-19; and

WHEREAS, the Police Chief, Deputy Police Chief and EMS Chief would be awarded additional Personal Service Time for working during that time period; and

WHEREAS, the award is subject to the terms and conditions of the Memorandum of Agreements with the PBA and EMS Unit E, respectively;

BE IT RESOLVED that additional Personal Service Time to the Police Chief, Deputy Police Chief and EMS Chief be, and hereby is, awarded for reporting to work and worked their regular schedules during the period of March 17, 2020 through May 31, 2020.

RESOLUTION NO. 286 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Memorandum of Understanding with the Colonie Police Supervisors Association awarding additional Personal Service Time to members who reported to work during the period of March 17, 2020 through May 31, 2020.

WHEREAS, during March 17, 2020 through May 31, 2020 several full-time and part-time employees reported to work and worked their regular schedules while other employees were working from home and/or reduced schedules due to COVID-19; and

WHEREAS, the Colonie Police Supervisors Association members would be awarded additional Personal Service Time for working during that time period;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Memorandum of Understanding with the Colonie Police Supervisors Association awarding additional Personal Service Time to members who reported to work and worked their regular schedules during the period of March 17, 2020 through May 31, 2020.

RESOLUTION NO. 287 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Memorandum of Understanding with the Colonie Police Benevolent Association awarding additional Personal Service Time to members who reported to work during the period of March 17, 2020 through May 31, 2020.

WHEREAS, during March 17, 2020 through May 31, 2020 several full-time and part-time employees reported to work and worked their regular schedules while other employees were working from home and/or reduced schedules due to COVID-19; and

WHEREAS, the Colonie Police Benevolent Association members would be awarded additional Personal Service Time for working during that time period;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Memorandum of Understanding with the Colonie Police Benevolent Association awarding additional Personal Service Time to members who reported to work and worked their regular schedules during the period of March 17, 2020 through May 31, 2020.

RESOLUTION NO. 288 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Memorandum of Understanding with CSEA Unit D awarding additional Personal Service Time to members who reported to work during the period of March 17, 2020 through May 31, 2020.

WHEREAS, during March 17, 2020 through May 31, 2020 several full-time and part-time employees reported to work and worked their regular schedules while other employees were working from home and/or reduced schedules due to COVID-19; and

WHEREAS, CSEA Unit D members would be awarded additional Personal Service Time for working during that time period;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Memorandum of Understanding with CSEA Unit D awarding additional Personal Service Time to members who reported to work and worked their regular schedules during the period of March 17, 2020 through May 31, 2020.

RESOLUTION NO. 289 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Memorandum of Understanding with the UPSEU Administrative Unit awarding additional Personal Service Time to members who reported to work during the period of March 17, 2020 through May 31, 2020.

WHEREAS, during March 17, 2020 through May 31, 2020 several full-time and part-time employees reported to work and worked their regular schedules while other employees were working from home and/or reduced schedules due to COVID-19; and

WHEREAS, the UPSEU Administrative Unit members would be awarded additional Personal Service Time for working during that time period;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Memorandum of Understanding with the UPSEU Administrative Unit awarding additional Personal Service Time to members who reported to work and worked their regular schedules during the period of March 17, 2020 through May 31, 2020.

RESOLUTION NO. 290 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the purchase of sixteen (16) Zoll X Series Manual Monitor/Defibrillators with accessories through the GSA Disaster Purchasing Program and further declaring fifteen (15) LifePak 15 Biphasic monitors surplus and authorize the trade in to Zoll and authorizing the Supervisor to enter into any agreements with Zoll for a Worry-Free Service Maintenance Agreement and Case Review program from Zoll and to lease/purchase the remainder of the cost of this purchase, if necessary.

WHEREAS, on March 13, 2020, the President declared the ongoing Coronavirus Disease 2019 pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C 5121-5207. Based upon this declaration, full access to order against Federal Supply Schedules, including VA Schedules, is available to State and Local Governments; and

WHEREAS, the Town conducted a GSA eBuy quote for the items requested which closed on June 19, 2020 and one proposal was received from the ten (10) vendors eligible to respond to the quote request; and

WHEREAS, this order is placed under GSA/VA Schedule number 65 IIA under the authority of the GSA Disaster Purchasing Program. The products and services purchases will be

used in preparation or response to disasters or recovery from major disaster declared by the President, or recovery from terrorism or nuclear, biological, chemical, or radiological attack; and WHEREAS, The Worry-Free Service Maintenance agreement and the Case Review Program are being purchased as a sole source purchase from Zoll per the information provided by Zoll and EMS;

BE IT RESOLVED that the purchase of sixteen (16) Zoll X Series Manual Monitor/Defibrillators with accessories through the GSA Disaster Purchasing Program be, and hereby are, approved; and

BE IT RESOLVED that fifteen (15) LifePak 15 Biphasic monitors be, and hereby are, declared as surplus and authorize the trade in to Zoll; and

BE IT FURTHER RESOLVED that the Supervisor be, and hereby is, authorized to execute any and all documents with Zoll for a Worry-Free Service Maintenance Agreement and Case Review program from Zoll and to lease/purchase the remainder of the cost of this purchase, if necessary; and

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

RESOLUTION NO. 291 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution amending Resolution No. 187 for 2020 for the purchase of two (2) ambulances for the Emergency Medical Services Department.

WHEREAS, on April 23, 2020 Town Board approved Resolution No. 187 for 2020 for the purchase of two (2) ambulances for the Emergency Medical Services Department including Options 2 and 3; and

WHEREAS, the Emergency Medical Services Department would like to now add Option 1 and remove Option 2 as seen below:

Vendor	Total Cost for 2 Vehicles	Option 1 Upgraded Cot Mount	Option 2 Trade Unit 1516	Option 3 Trade Unit 1517
North Eastern Rescue Vehicles	\$334,878.00	\$22,375.00	(\$9,500.00)	(\$10,500.00)

WHEREAS, Option #1 would be for an upgraded cot mount system in the amount of \$22,375.00 and the Town will not be trading in Unit 1517 and, therefore, we will remove Option #3 which would add on the amount of \$10,500.00;

THEREFORE, BE IT RESOLVED that Resolution No. 187 for 2020 be, and hereby is, amended for the purchase of (2) ambulances by adding Option #1 and removing Option #3 for the total amount of \$347,753.00.

RESOLUTION NO. 292 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into 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, 2020 through June 30, 2021 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. 293 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to reimburse for overestimated water usage at 18 Dogwood Lane.

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

James Lyman	18 Dogwood Lane	\$10,613.94
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RESOLUTION NO. 294 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the General Services Director to advertise for bids in connection with the replacement of a 20-inch butterfly valve, two (2) 14-inch butterfly valves and actuators for each of the valves for the filters at the Mohawk View Water Treatment Plant.

BE IT RESOLVED that the General Services Director be, and hereby is, authorized to advertise for bids in connection with the replacement of a 20-inch butterfly valve, two (2) 14-inch butterfly valves and actuators for each of the valves for the filters at the Mohawk View Water Treatment Plant.

RESOLUTION NO. 295 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 1 with Callanan Industries, Inc. in connection with the Year 2020 In Place Asphalt Concrete Paving.

WHEREAS, since the award of the bid for the Year 2020 In Place Asphalt Concrete Paving, additional curb replacement work was necessary on British American Boulevard; and

WHEREAS, due to this additional work, we will need to increase the original amount of the contract with Callanan Industries, Inc. by \$45,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1 with Callanan Industries, Inc. in connection with the Year 2020 In Place Asphalt Concrete Paving; and

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

RESOLUTION NO. 296 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid to Federal Resources Supply Company in connection with the bid for the Multi Breach Breaching Door and Door Frame for the Police Department.

WHEREAS, pursuant to advertisement on July 1, 2020, the following bid was received in connection with the Multi Breach Breaching Door and Door Frame:

Vendor	Multi Breach	Door Frame
Breaching Door		
Federal Resources Supply Company	\$4,460.00*	\$1,475.00

*Includes Shipping

WHEREAS, after review of the bid and upon the recommendation of the General Services Director and the Chief of Police it is proposed that the bid be awarded to the sole bidder, Federal Resources Supply Company;

BE IT RESOLVED that the sole bidder, Federal Resources Supply Company, be, and hereby is, awarded the bid in the amount of \$5,935.00.

RESOLUTION NO. 297 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution rejecting the bid for Mailing of Newsletters.

WHEREAS, the bid for Mailing of Newsletters was advertised on June 10, 2020 and the following bid was received:

	VENDOR	TOTAL COST
1	Premium Production, Inc.	\$7,289.00

WHEREAS, due to the lack of competition, the General Services Director would like to reject the bid received and rebid with a revised mail list in the near future;

BE IT RESOLVED that the General Services Director be, and hereby is, authorized to reject bids in connection with the Mailing of Newsletters.

RESOLUTION NO. 298 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the General Services Director to approve a contract renewal with S.M. Gallivan, LLC in connection with certified playground mulch.

WHEREAS, S.M. Gallivan, LLC would like to renew their contract for certified playground mulch at the same pricing to expire on March 31, 2021;

BE IT RESOLVED that the General Services Director be, and hereby is, approving a contract renewal with S.M. Gallivan, LLC in connection with certified playground mulch.

RESOLUTION NO. 299 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid to S & L Roofing and Sheetmetal, Inc. in connection with the bid for the Library Roof Improvement Project and authorizing the Supervisor to execute agreements for same.

WHEREAS, pursuant to advertisement on June 17, 2020, the following bids were received in connection with the Library Roof Improvement Project:

Bidder	Total Bid
S & L Roofing and Sheetmetal	\$379,000.00
Titan Roofing, Inc.	\$381,100.00
Monahan & Loughlin LLC	\$383,000.00
Mid-State Industries, Ltd	\$383,811.00
Aktor Corporation	\$407,300.00
Diamond Roofing Company, Inc.	\$461,232.00
A & J Construction of NY, Inc.	\$1,197,875.00

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

BE IT RESOLVED that the low bidder, S & L Roofing and Sheetmetal, be, and hereby is, awarded the bid in the amount of \$379,000.00; and

BE IT FURTHER RESOLVED that the Supervisor be, and hereby is, authorized to enter into agreements 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. 300 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution amending the Service Award Program Point System.

WHEREAS, during to the COVID-19 pandemic, the Town's fire service played an active role on the front line of defense; and

WHEREAS, Governor Cuomo recently signed into law Senate Bill S8251b amending the (LOSAP) Service Award Program Point System; and

WHEREAS, Senate Bill S8251b awards up to five (5) points per month to the active volunteer firefighter during the COVID-19 pandemic;

BE IT RESOLVED that the Service Award Program Point System be, and hereby is, amended pursuant to Senate Bill S8251b.

RESOLUTION NO. 301 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution calling a Public Hearing in connection with a proposed Local Law enacting a Code to the Town of Colonie, thereof, entitled “Aggressive and Unsafe Panhandling”.

BE IT RESOLVED that a public hearing be, and it hereby is, scheduled for August 13, 2020 at 7:00 PM in Memorial Town Hall in connection with a proposed local law enacting a Code of the Town of Colonie, by adding Chapter 47 thereof, entitled “Aggressive and Unsafe Panhandling”.

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 2020

A local law adding a Chapter, Chapter 47, to the Code of the Town of Colonie to be entitled “Aggressive and Unsafe Panhandling”.

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

SECTION 1. Title

This chapter shall be known and may be cited as “Aggressive and Unsafe Panhandling”.

SECTION 2. § 47-1 Legislative Intent.

The Town Board finds that legislation is necessary in order to protect persons from threatening, intimidating or harassing behavior, to keep public places safe and attractive for use by all members of the community and to maintain and preserve public places where all of the community can interact in a peaceful manner. This legislation is also intended to provide for the free flow of pedestrian and vehicular traffic on streets, parking areas and sidewalks in the Town of Colonie, to promote tourism and business and preserve the quality of suburban life. The Town Board finds that aggressive acts associated with solicitation tend to interfere with the free flow of pedestrian and vehicular traffic and intimidate persons in public and private places, and can lead to disruption and disorder in public and private places. Aggressive acts can also cause persons to avoid public and private places and lead to declining patronage of commercial establishments and tourism. Further, during the current pandemic, aggressive acts can also cause persons to violate social distancing requirements and lead to exposure to Covid-19 with its attendant threat to the public health, safety and welfare of the people of the Town of Colonie. The Town Board further finds that solicitation in certain public and private places is inconsistent with the use of those places, is inherently intimidating, targets persons who are captive audiences or constitutes an invasion of privacy as persons are not able to simply move on if they do not wish to speak to the person soliciting. Solicitation in proximity to bank entrances or check-cashing businesses or automated teller machines is inherently intimidating and should be restricted. This legislation is intended to promote the health, safety and welfare of the citizens and visitors to the Town of Colonie.

SECTION 3. § 47-2 Definitions.

For the purposes of this chapter, the following terms shall have the following meanings:

AGGRESSIVE BEHAVIOR OR MANNER

A. Intentionally or recklessly making or attempting to make any physical contact with or touching another person in the course of the solicitation, or approaching within arm's length of the person, or coming within six (6') feet of the person in violation of the social distancing requirements necessitated by the current pandemic, except with the person's express consent; or

B. Following the person being solicited, if that conduct is intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession, or is intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation; or

C. Continuing to solicit within six (6') feet of the person being solicited after the person has made a negative response, if continuing the solicitation is intended to or is likely to cause a reasonable person to feel unsafe or uncomfortable or fear imminent bodily harm or the commission of a criminal act upon the person or the property in the person's possession, or is intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation; or

D. Intentionally or recklessly blocking the safe or free passage of the person being solicited or requiring the person, or the driver of a vehicle, to take action to avoid physical contact with the person making the solicitation, or to avoid coming within six (6') feet of the person soliciting so as not to violate the social distancing requirements mandated by the pandemic; or

E. Intentionally or recklessly using words intended to or likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon the person or property in the person's possession, or intended or likely to intimidate the person into responding affirmatively to the solicitation; or

F. Approaching the person being solicited in a manner that is intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession or intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation; or

G. Occupying a location readily visible to occupants of a motor vehicle at or near an intersection, roadside or curb of a public or private street or a parking area while soliciting contributions or other things of value from occupants of said motor vehicles. This conduct is inherently disruptive to the drivers of those motor vehicles and diverts their attention from traffic and impairs situational awareness. Even if the motor vehicle is completely stopped, the driver's attention is often diverted to the person or persons making the solicitation and the driver's attention to potential hazards in the road, parking areas or to traffic control signals is impeded.

AUTOMATED TELLER MACHINE

A device, linked to a financial institution's account records, which is able to carry out transactions, including but not limited to account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments.

AUTOMATED TELLER MACHINE FACILITY

The area comprised of one or more automated teller machines, and any adjacent space which is made available to banking customers after regular banking hours.

BANKING ORGANIZATION

All banks, trust companies, private bankers, savings banks, industrial banks, safe deposit companies, savings and loan associations, credit unions and investment companies as defined in § 2 of the New York State Banking Law.

LICENSED CASHER OF CHECKS

Any individual, partnership, unincorporated association or corporation duly licensed by the New York State Superintendent of Banks to engage in business pursuant to the provisions of Article IX-A of the New York State Banking Law.

PARKING AREA

An off-street area used for the temporary storage of self-propelled vehicles and available for public use, whether free, for compensation or as an accommodation for clients or customers. Parking areas shall also include parking garages, parking ramps, curb side designated parking spaces and municipal parking lots.

PUBLIC PLACE

Any area or building owned, leased, operated or controlled by or on behalf of any government, municipality, public authority or public corporation in the Town of Colonie which is generally accessible by the public, including but not limited to any street, including the sidewalk portion thereof, skyway, bridge, tunnel, park, playground, recreation area, cemetery, school, or school grounds, building, facility, driveway, parking lot or parking garage, and the doorways and entrances to buildings and dwellings.

SOLICIT

Shall include, without limitation, the spoken, written, or printed word or such other acts or bodily gestures as are conducted in furtherance of the purposes of immediately obtaining money or any other benefit or thing of value.

SECTION 4. § 47-3 Prohibited conduct.

- A. No person shall solicit in an aggressive or unsafe manner in a public or private place.
- B. No person shall solicit within 20 feet of an automated teller machine or an entrance or exit of an automated teller machine facility during the time the automated teller machine is available for customers' use; or within 20 feet of an entrance or exit to a banking organization or a licensed casher of checks during its business hours.
- C. No person shall solicit when either the person soliciting or the person being solicited is in a bus shelter or at a bus stop.
- D. No person shall solicit in a parking area as defined in this chapter.
- E. No person shall solicit in any portion of a public skyway, overpass or tunnel.
- F. No person on a sidewalk or alongside a roadway shall solicit from any occupant of a motor vehicle that is on a street or other public place or parking area.

SECTION 5. § 47-4 Penalties for offenses.

A violation of this chapter shall be classified as a "violation" as that term is defined in the Penal Law of the State of New York. A person convicted of violating this chapter shall be fined not less than \$25 nor more than \$250 and, in addition for a second conviction within 12 months of a preceding conviction, may be imprisoned for a term not longer than 15 days. In lieu of a

fine, the court may impose an appropriate alternative sentence; provided, however, that an alternative sentence shall not be an unconditional discharge.

SECTION 6. § 47-5 Severability.

If any clause, sentence, paragraph, or part of this chapter or application thereof to any person or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof or the application thereof to other persons and circumstances, but shall be confined in its operation to the clause, sentence, paragraph or part thereof and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7. 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. 1 of 2020 of the **Town of Colonie** was duly passed by the Town Board on June 18, 2020 in accordance with the applicable provisions of law.

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

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

3. (Final adoption by referendum.)

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

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

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

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

5. (City local law concerning Charter revision proposed by petition.)

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

6. (County local law concerning adoption of Charter.)

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

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

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

(Seal)

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

STATE OF NEW YORK
COUNTY OF ALBANY

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

Signature Town of Colonie Town Attorney

Date:

RESOLUTION NO. 302 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution extending the current furloughs of certain Town job titles to October 2, 2020 and returning some Town job titles to work effective July 27, 2020.

BE IT RESOLVED that current furloughs of certain Town job titles be, and hereby are, extended to October 2, 2020; and

BE IT FURTHER RESOLVED that some furloughed Town job titles be, and hereby are, returning to work effective July 27, 2020; and

BE IT FURTHER RESOLVED that the said job titles referred to immediately above are more particularly listed in Exhibit "A" annexed hereto and made a part hereof.

Town of Colonie Furlough Return Dates						
Department	Title	# Positions	7/27/2020	10/05/2020		
Town Clerk	Records Management Coordinator	1	X			
	Typist, Part-Time	1				X
Assessor	Real Property Appraiser	1				X
	Buyer	1				X
Civil Service	Civil Service Aide, Part-Time	1	X			
Human Resources	Personnel Clerk	1	X			
Police - Youth Court	Youth Court Program Director	1	X			
	Youth Court Program Assn't, Part-Time	1				X
Police - Traffic	Crossing Guard	7				TBD
Police Administration	Clerical Aide, Part-Time	1				X
	Typist, Part-Time	1				X
Planning & Economic Development	Senior Planner	1				X
Building	Typist Part-Time	1	X			
	Code Safety Inspector	2	X			
Latham Water District	Typist, Part-Time	1				X
Fleet Maintenance	Principal Fleet Maintenance Clerk	1				X
Pure Waters	Typist, Part-Time	1	X			

EXHIBIT "A"

Department	Title	# Positions	7/27/2020	10/05/2020
Building-Shared Services	Custodial Worker	2	1	1
	Custodial Worker, Part-Time			X
Library	Librarian 1	1		X
	Library Assistant, Part-Time	1	X	
	Principal Library Clerk	1	X	
	Senior Typist, Part-Time	1	X	
	Library Clerk, Part-Time	5	3	2
	Librarian, Aide	3	1	2
	Page	10	3	7
	Assn't Pruyn House Curator, Part-Time	1		X
	Pruyn House Program Aide Part-Time	1		X

RESOLUTION NO. 303 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 23rd day of July, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Fifth Avenue Forensics.

WHEREAS, there will be an examination performed by Alexander S. Bardey, MD in an amount not to exceed \$3,500.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Fifth Avenue Forensics; and

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