

RESOLUTION NO. 287-A FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 William N. DiBacco to the position of Recreation Maintenance Worker, Grade 8, in the Parks and Recreation Department.

BE IT RESOLVED that William N. DiBacco be, and hereby is, appointed to the position of Recreation Maintenance Worker, Grade 8, in the Parks and Recreation Department at an hourly rate of \$24.83, effective August 2, 2021.

RESOLUTION NO. 287-B FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 Bethany L. Childs to the position of Water Chemist, Grade 15, in the DPW/Division of Latham Water.

BE IT RESOLVED that Bethany L. Childs be, and hereby is, provisionally promoted to the position of Water Chemist, Grade 15, in the DPW/Division of Latham Water at an annual salary of \$73,785, effective August 2, 2021, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 287-C FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 establishing one (1) position of Economic Developer, Grade 15, in the Planning and Economic Development Department and provisionally appointing Aimee Johnson to same.

BE IT RESOLVED that one (1) position of Economic Developer, Grade 15, in the Planning and Economic Development Department be, and hereby is, established; and

BE IT RESOLVED that Aimee Johnson be, and hereby is, provisionally appointed to the position of Economic Developer, Grade 15, in the Planning and Economic Development Department at an annual salary of \$64,560, effective August 2, 2021, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 288 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 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, proof of notice having been furnished, the public hearing on a proposed local law was held at 7:00 PM on July 29, 2021, with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that 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, 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 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. 289 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 John W. Danforth Company in connection with the Heating System Replacement Project for the William K. Sanford Town Library and authorizing the Supervisor to enter into an agreement for same.

WHEREAS, pursuant to advertisement on June 30, 2021, the following six (6) proposals were received in connection with the Library Heating System Replacement Project:

	VENDOR NAME	TOTAL BID
1.	John W. Danforth Company	\$284,825.00
2.	T. McElligott, Inc.	\$325,500.00
3.	Eckert Mechanical, LLC	\$328,875.00
4.	DiGesare Mechanical, Inc.	\$329,900.00
5.	Campito Plumbing & Heating Company	\$344,977.00
6.	Postler & Jaeckle Corp.	\$538,000.00

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

BE IT RESOLVED that the low bidder, John W. Danforth Company, be, and hereby is, awarded the bid in the amount of \$284,825.00; 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. 290 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 Canterbury Crossings PDD to install a pergola at 34 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 14'x10' pergola at 34 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. 291 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 establishing a Standard Work Day and Reporting Resolution, pursuant to 2 NYCRR 315.4, for elected and appointed officials for membership and service credit in the New York State and Local Retirement System.

WHEREAS, Regulations of the New York State Comptroller set forth in 2 NYCRR 315.4 require the adoption of a “standard work day” by each municipality and impose additional reporting requirements for elected and appointed officials for membership and service credit in New York State and Local Retirement System;

NOW, THEREFORE, BE IT RESOLVED that the Town of Colonie hereby establishes the standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based upon the record of activities maintained and submitted by these officials to the Town Clerk of this body as set forth in Exhibit “A” attached hereto; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to post this resolution on the Town of Colonie website for a minimum of thirty (30) days and to file a certified copy of this resolution and affidavit of posting with the Office of the State Comptroller within forty-five (45) days of adoption.

Standard Work Day and Reporting Resolution for Elected and Appointed Officials

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

RS 2417-A

(Rev. 11/19)

BE IT RESOLVED, that the Term of Office / 2001 hereby established the following standard work days for these titles and will

(Name of Employer)
 report the officials to the New York State and Local Retirement based on their record of activities:
 (Location Code)

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Brian C. Austin		R13048508	Town Board Member	03/26/2021-12/31/2021	8	2.84	☐	Bi-Weekly	☐
							☐		☐
							☐		☐
Appointed Officials:									
							☐		☐
							☐		☐
							☐		☐

I, Julie L. Gansle _____, secretary/clerk of the governing board of the _____ of the State of New York,
(Name of Secretary or Clerk) (Name of Employer)
Town of Colonie _____
(City or one)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 29 day of July, 2021 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the _____ Town of Colonie _____ on this _____ day of _____, 20____.

(Name of Employer)

_____ being duly sworn, deposes and says that the posting of the Resolution began on _____.

(Signature of Secretary or Clerk)
Julie L. Gansale
(Name of Secretary or Clerk)

_____ and continued for at least 30 days. That the Resolution was available to the public on the: _____
(Date)

☐ Employer's website at: www.colonie.org

☐ Official sign board at: **Memorial Town Hall** (seal)

	Page	of
☐ Main entrance Secretariat or Clerk's office at:	1	1
Memorial Town Hall		

(for additional rows attach a BS 2417-B form)

RESOLUTION NO. 292 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 reimburse for overestimated water usage at 1198 Central Avenue.

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

Cumberland Farms	1198 Central Avenue	\$861.30
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RESOLUTION NO. 293 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 declare an emergency in connection with repair of the sanitary sewer system at 6 Adams Drive by ANJO Construction, Ltd. and authorizing the Comptroller to expend Emergency Repair Reserve funds for the same.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to declare an emergency in connection with repair of the sanitary sewer system at 6 Adams Drive by ANJO Construction, Ltd. for the DPW/Division of Pure Waters; and

BE IT FURTHER RESOLVED that the Comptroller be, and hereby is, authorized to expend \$4,924.75 from the Emergency Repair Reserve funds for the same.

RESOLUTION NO. 294 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 Contractor Service Agreement with Koester Associates to increase the expenditure limit for the DPW/Division of Pure Waters.

WHEREAS, the DPW/Division of Pure Waters requests that the expenditure limit with Koester Associates be increased to a total of \$20,000.00; and

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Contractor Service Agreement with Koester Associates to increase the expenditure limit to a total of \$20,000.00 for the DPW/Division of Pure Waters; and

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

RESOLUTION NO. 295 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 29th 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 the Department of the Army, 3D Special Forces Group and 1st Special Forces Command, in connection with training at a Town of Colonie facility.

WHEREAS, the Department of the Army, 3D Special Forces Group and 1st Special Forces Command, will be using the Town of Colonie Fire Training Facility for training purposes in September, 2021;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement with the Department of the Army, 3D Special Forces Group and 1st Special Forces Command, in connection with training at a Town of Colonie facility.