



Minutes of the Regular Meeting of the Town Board

Thursday, July 29, 2021

7:00 PM

Town Hall

1. **REGULAR TOWN BOARD MEETING – July 29, 2021 - 7:00 PM**
2. **Agenda Review Session – 6:00 PM Supervisor Conference Room**
3. **Call to Order**

Attendee Name	Title	Status	Arrived
Paula Mahan	Town Supervisor	Present	
Jill Penn	Councilwoman	Present	
Danielle Futia	Councilwoman	Present	
Melissa Jeffers	Councilwoman	Present	
Linda J. Murphy	Councilwoman	Present	
Brian C. Austin	Councilman	Present	
Rick J Field	Councilman	Present	
Michael C Magguilli	Town Attorney	Present	
Julie Gansle	Town Clerk	Present	

4. **Pledge of Allegiance**
5. **Personnel: Resolution No. 287**

A. William N. DiBacco

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Brian C. Austin, Councilman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field

B. Bethany L. Childs

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field

C. Aimee Johnson

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field

6. Public Hearings

Public Hearing in connection with 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.

- * Town Attorney provided background on the legislation, options available to municipalities, time frames associated with the process, permissive referendum, concerns surrounding enforcement, tax and disbursement;
- * Supervisor and Board members provided comments and concerns in connection with the legislation, enforcement, medical benefits, revenue distribution and need for additional information to be learned;
- * Comments and requests for clarification as to the amount and allocation of sales tax, potential revenue amounts, usage and appreciation for the explanation provided;
- * Public Hearing was adjourned, without date, and kept open for additional public comments.

Resolution No. 288 of 2021

Resolution adopting/not adopting a local law 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.

RESULT:	ADJOURNED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field

Adjourned without date

7. Public Comment

- * Comment supporting Colonie Little League 12U

8. Resolutions

Resolution No. 289 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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda J. Murphy, Councilwoman
SECONDER:	Brian C. Austin, Councilman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field

Resolution No. 290 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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian C. Austin, Councilman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field

Resolution No. 291 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.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Field
ABSTAIN:	Brian C. Austin

Resolution No. 292 authorizing the Supervisor to reimburse for overestimated water usage at 1198 Central Avenue.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Danielle Futia, Councilwoman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field

Resolution amended during agenda review to read:
Resolution authorizing the Supervisor to reimburse for overpayment due to a billing error for water usage at 1198 Central Avenue.

Resolution No. 293 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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian C. Austin, Councilman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field

Resolution No. 294 authorizing the Supervisor to execute a Contractor Service Agreement with Koester Associates to increase the expenditure limit for the DPW/Division of Pure Waters.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jill Penn, Councilwoman
SECONDER:	Linda J. Murphy, Councilwoman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field

Resolution No. 295 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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian C. Austin, Councilman
SECONDER:	Jill Penn, Councilwoman
AYES:	Mahan, Penn, Futia, Jeffers, Murphy, Austin, Field