

RESOLUTION NO. 325-A FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 Legal Secretary I (PT)
in the Town Attorney's Office and provisionally appointing
Michele L. Leto to same.**

BE IT RESOLVED that one (1) position of Legal Secretary I (PT) in the Town Attorney's Office be, and hereby is, established;

BE IT RESOLVED that Michele L. Leto be, and hereby is, provisionally appointed to the position of Legal Secretary I (PT) in the Town Attorney's Office at an hourly rate of \$19.22, effective September 13, 2021, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 325-B FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution provisionally appointing Samantha M. Harris to the position of Environmental Laboratory Technician, Grade 22, in the DPW/Division of Latham Water.

BE IT RESOLVED that Samantha M. Harris be, and hereby is, provisionally appointed to the position of Environmental Laboratory Technician, Grade 22, in the DPW/Division of Latham Water at an annual salary of \$52,542, effective September 27, 2021, pending the establishment of an appropriate eligible list and pending the completion of a pre-employment physical.

RESOLUTION NO. 325-C FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 Storm Water Management Coordinator, Grade 17, in the DPW/Division of Highway and provisionally appointing Zach T. Harrison to same.

BE IT RESOLVED that one (1) position of Storm Water Management Coordinator, Grade 17, in the DPW/Division of Highway be, and hereby is, established;

BE IT RESOLVED that Zach T. Harrison be, and hereby is, provisionally appointed to the position of Storm Water Management Coordinator, Grade 17, in the DPW/Division of Highway at an annual salary of \$78,908, effective September 27, 2021, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 325-D FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

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

BE IT RESOLVED that John E. Gorman be, and hereby is, appointed to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of \$19.86, effective September 27, 2021, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 326 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

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

WHEREAS, proof of notice having been furnished, the public hearing on a proposed local law was held on May 27, 2021, adjourned to June 24, 2021, adjourned to July 15, 2021 and now being heard on September 9, 2021 at 7:00 PM with all persons desiring to be heard, having been heard;

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

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

Local Law Filing

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

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

Town of Colonie
Local Law No ____ of the year 2021

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

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

SECTION 1: AMENDMENT

Chapter 190, section 190-6 is hereby amended to include the following definitions:

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

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

SECTION 2: AMENDMENT

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

190-20(f): SHORT TERM RENTALS

Short term rentals as defined in §190-6 shall be subject to the following conditions:

- A. The short term rental property or parcel must be the owner's primary residence;
- B. A short term rental may only be operated pursuant to a permit issued by the Town of Colonie Building Department;
- C. Any permit obtained for a short term rental shall only be valid for one (1) year and shall be renewable on an annual basis;
- D. Permits shall be limited to one per owner per parcel;
- E. The number of permits issued annually shall be limited to fifty (50) throughout the Town of Colonie;
- F. Any parcel for which a resident seeks a permit shall be subject to an inspection by the Town of Colonie Building Department. Inspections shall be required on an annual basis;

G. Property owners may not advertise short term rentals on their premises.

SECTION 3. SEVERABILITY

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

SECTION 4. SEQR DETERMINATION.

The Town Board hereby determines that this amendment is a Type 1 action that will not have a significant effect on the environment and, therefore, no other determination or procedure under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 5. EFFECTIVE DATE

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

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

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

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

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

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

3. (Final adoption by referendum.)

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

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

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

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***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. 327 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 on July 29, 2021 and now being heard on September 9, 2021 at 7:00 PM 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.

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

Local Law Filing

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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.

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***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. 328 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

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

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

<u>PAYEE</u>	<u>AMOUNT</u>
Cooper Erving & Savage LLP (Fusco, Geraci, Bugman, Hoffay, 200 Sunset Blvd. Zoning Issue, Falace-Mayr)	\$13,395.46
Total	\$13,395.46

RESOLUTION NO. 329 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 temporarily appointing Ulderic Boisvert as a Marriage Officer pursuant to §11-c of the Domestic Relations Law.

WHEREAS, §11-c of Domestic Relations Law permits the Town Board to appoint marriage officers who shall have the authority to solemnize marriages within the Town of Colonie; and

WHEREAS, Ulderic Boisvert has expressed a desire to be temporarily appointed as a marriage officer;

NOW, THEREFORE, BE IT RESOLVED that Ulderic Boisvert be, and hereby is, temporarily appointed to serve as a marriage officer, without compensation from the Town of Colonie, for a term commencing October 7, 2021 and expiring October 10, 2021.

RESOLUTION NO. 330 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 acceptance of a proposal from Arthur J. Gallagher & Co. to provide excess automobile insurance coverage for the Town of Colonie through The Travelers Indemnity Company.

WHEREAS, the Arthur J. Gallagher & Co. has provided the Town of Colonie with a proposal for excess automobile insurance coverage for the period of August 15, 2021 to August 15, 2022; and

WHEREAS, the total cost of the excess automobile policy for this period is \$123,260.00; and

NOW THEREFORE BE IT RESOLVED that a proposal from Arthur J. Gallagher & Co. to provide the Town of Colonie with excess automobile insurance through The Travelers Indemnity Company for the period of August 15, 2021 to August 15, 2022 be, and it hereby is, accepted; and

BE IT FURTHER RESOLVED that expenditure of funds in connection therewith be, and hereby is, authorized.

RESOLUTION NO. 331 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 acceptance of a proposal from Arthur J. Gallagher & Co. to provide primary automobile insurance coverage for the Town of Colonie through Selective Insurance Company of New York.

WHEREAS, the Arthur J. Gallagher & Co. has provided the Town of Colonie with a proposal for primary automobile insurance coverage for the period of August 15, 2021 to August 15, 2022; and

WHEREAS, the lowest cost able to be obtained for the coverage required for the automobile renewal policy is \$399,571.00 from the Selective Insurance Company of New York; and

NOW THEREFORE BE IT RESOLVED that a proposal from Arthur J. Gallagher & Co. to provide the Town of Colonie with automobile insurance through Selective Insurance Company of New York coverage for the period of August 15, 2021 to August 15, 2022 be, and it hereby is, accepted; and

BE IT FURTHER RESOLVED that expenditure of funds in connection therewith be, and hereby is, authorized.

RESOLUTION NO. 332 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 Martin J. Robinson as a member of the
Zoning Board of Appeals.**

BE IT RESOLVED that Martin J. Robinson be, and hereby is, appointed as a member of the Zoning Board of Appeals, filling the vacancy created by David Rosenthal's resignation, for the balance of the unexpired term ending December 31, 2023.

RESOLUTION NO. 333 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a Contract with Capital District Transportation Committee in connection with the preparation of traffic impact assessments in GEIS areas.

WHEREAS, Capital District Transportation Committee will prepare a traffic impact assessment in GEIS areas; and

WHEREAS, costs for the assessments will be charged to the applicants;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a contract with Capital District Transportation Committee in connection with the preparation of traffic impact assessments in GEIS areas; and

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

RESOLUTION NO. 334 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 3 Sutton Drive in the Canterbury Crossing PDD.

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

WHEREAS, the applicant seeks to install a 12 x 28 deck at 3 Sutton Drive;

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 Crossing PDD.

RESOLUTION NO. 335 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 Natalex Enterprises in connection with the clean up of overgrowth and debris at 205 Wolf Road.

WHEREAS, Natalex Enterprises will clean up the overgrowth and debris at 205 Wolf Road at a cost not to exceed \$15,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an agreement with Natalex Enterprises in connection with the clean up of overgrowth and debris at 205 Wolf Road; and

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

RESOLUTION NO. 336 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 17 Coronet Court.**

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

Matthew Faddegon	17 Coronet Court	\$4,347.39
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RESOLUTION NO. 337 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 Fred A. Cook, Jr., Inc. in connection with the Lisha Kill Pump Station Wet Well Cleaning Project for the DPW/Division of Pure Waters and authorizing the Supervisor to enter into an agreement for same.

WHEREAS, pursuant to advertisement on August 18, 2021, the following two (2) proposals were received in connection with the Lisha Kill Pump Station Wet Well Cleaning Project:

Vendor	Base Bid Per Hour	Total for Estimated 15 Hrs.
Fred A. Cook, Jr. Inc	\$595.00	\$8,925.00
National Water Main Cleaning Co.	\$595.00	\$8,925.00

WHEREAS, identical bids were received from both companies and were determined from a coin tossed by Douglas Sippel from the Purchasing Department and witnessed by Tucker Cox from the Pure Waters Department, Timothy MacPherson, Esq. of the Town Attorney's Office and Andrew Clermont from the Purchasing Department to determine the award; and

WHEREAS, Fred A. Cook, Jr. won the coin toss and will be awarded the bid;

BE IT RESOLVED that Fred A. Cook, Jr. be, and hereby is, awarded the base bid per hour in the amount of \$595.00; 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. 338 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 Change Order No. 1E to the contract with CKM Electrical Services, Inc. in connection with the Albany-Shaker Road Pumping Station Rehabilitation Project.

WHEREAS, after construction began in connection with the Albany-Shaker Road Pumping Station Rehabilitation Project, the existing emergency generator failed; and

WHEREAS, in order to provide emergency standby power and to be in compliance with the NYS Environmental Conservation Law, it was necessary to install a temporary generator until a permanent unit was available; and

WHEREAS, the work of providing and installing the temporary generator was performed by CKM Electrical Services, Inc. at a cost of \$14,537.00; and

WHEREAS, the increase has changed the contract price from \$69,735.00 to \$84,272.00;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1E to the contract with CKM Electrical Services, Inc. in connection with the Albany-Shaker Road Pumping Station Rehabilitation Project; and

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

RESOLUTION NO. 339 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 Change Order No. 1G to the contract with ANJO Construction, Ltd. in connection with the Albany-Shaker Road Pumping Station Rehabilitation Project.

WHEREAS, during construction, it was determined that some of the allowances were not necessary which reduces the total contract amount; and

WHEREAS, there is a decrease of \$14,537.00 from the contract price of \$667,291.11 to \$652,754.11;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1G to the contract with ANJO Construction, Ltd. in connection with the Albany-Shaker Road Pumping Station Rehabilitation Project; and

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

RESOLUTION NO. 340 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a 38 month Agreement with Direct Energy Business to provide natural gas supply for various Town facilities with National Grid accounts as part of the MEGA, Municipal Electric & Gas Alliance.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a 38 month agreement with Direct Energy Business to provide natural gas supply for various Town facilities with National Grid accounts as part of the MEGA, Municipal Electric & Gas Alliance; and

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a 38 month agreement with Direct Energy Business to provide natural gas supply for various Town facilities with National Grid accounts as part of the MEGA, Municipal Electric & Gas Alliance; and

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

RESOLUTION NO. 341 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing settlement or discontinuance, subject to judicial approval of the same, pursuant to §68 of the Town Law, of various tax certiorari proceedings.

WHEREAS, it has been tentatively agreed by the parties to reduce the assessment on the properties, in the amounts set forth below, or the Petitioner(s) has agreed to discontinue the proceeding(s) without cost to either party, as indicated below:

1. *Brian Enright. v. Town of Colonie, et al.*, Index No.: 905495-20

76 Schuyler Road, Tax Map Parcel No.: 43.2-2-13

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2020	\$900,000	\$604,750	\$295,250
2021	\$900,000	\$604,750	\$295,250

Tentative Town Refund: \$1,944.07

Tentative School Refund: \$15,045.25

*This settlement shall satisfy the 2020 and 2021 assessment roll years.

THEREFORE, BE IT RESOLVED that settlement or discontinuance, pursuant to §68 of Town Law, of the above listed tax certiorari proceedings be, and it hereby is, authorized, subject to judicial approval.

RESOLUTION NO. 342 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 9th day of September, 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 settlement of an enforcement action
for a violation of the Town's protected watercourse law at 20
Balsam Way.**

WHEREAS, in July of 2019 and July of 2020 the Town received complaints about the removal of vegetation by Michael Defilippi behind his residence at 20 Balsam Way which disturbed areas within the protected watercourse and is a violation of the Code of the Town of Colonie; and

WHEREAS, the Town and Mr. Defilippi have tentatively agreed to settle this matter without fines or penalties with the understanding that Mr. Defilippi shall install eighteen (18) plantings in the disturbed area together with one bird house and new grass, which all must be completed by October 15, 2021;

BE IT RESOVLED that the settlement of an enforcement action for a violation of the Town's protected watercourse law at 20 Balsam Way be, and hereby is, authorized according to the terms and conditions set forth in this resolution.