



Minutes of the Regular Meeting of the Town Board

Thursday, September 9, 2021

7:00 PM

Town Hall

1. **REGULAR TOWN BOARD MEETING – September 9, 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. **Moment of Silence to Commemorate the Loss of 9/11**
5. **Pledge of Allegiance**
6. **Personnel: Resolution No. 325**

A. Michele L. Leto

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

B. Samantha M. Harris

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

C. Zach T. Harrison

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

D. John E. Gorman

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

7. **Public Hearings**

Public Hearing in connection to 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.

* Assistant Town Attorney, Veronica Grochowalski, provided additional explanation of the regulation and intent of the proposed local law.

Resolution No. 326 of 2021

Resolution 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.

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

Public Hearing (continuation) 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.

* No additional comments received during the public hearing;
 * Public hearing was closed

Resolution No. 327 of 2021

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

8. **Public Comment**

* No public comments received

9. **Resolutions**

Resolution No. 328 authorizing expenditure of funds from the Insurance Reserve Fund for payment of legal fees, expenses and/or settlement in connection with litigation.

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

Resolution No. 329 temporarily appointing Ulderic Boisvert as a Marriage Officer pursuant to §11-c of the Domestic Relations Law.

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

Resolution No. 330 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.

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

Resolution No. 331 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.

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

Resolution No. 332 appointing Martin J. Robinson as a member of the Zoning Board of Appeals.

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

Resolution No. 333 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.

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

Resolution No. 334 requiring the Planning and Economic Development Director to review and consider the proposed amendment of 3 Sutton Drive in the Canterbury Crossing PDD.

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

Resolution No. 335 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.

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

Resolution No. 336 authorizing the Supervisor to reimburse for overestimated water usage at 17 Coronet Court.

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

Resolution No. 337 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.

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

Resolution No. 338 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.

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

Resolution No. 339 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.

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

Resolution No. 340 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.

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

Resolution No. 341 authorizing settlement or discontinuance, subject to judicial approval of the same, pursuant to §68 of the Town Law, of various tax certiorari proceedings.

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

Resolution No. 342 authorizing the settlement of an enforcement action for a violation of the Town's protected watercourse law at 20 Balsam Way.

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