

RESOLUTION NO. 346 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 Mark J. Yetto to the position of
Sewer Maintenance Supervisor in the DPW/Division of Pure Waters.**

WHEREAS, the Personnel Officer has certified Mark J. Yetto as eligible for permanent promotion from Eligible List #20-930, established August 26, 2020;

BE IT RESOLVED that Mark J. Yetto be, and hereby is, permanently promoted to the position of Sewer Maintenance Supervisor in the DPW/Division of Pure Waters at an annual salary of \$84,444.00, effective September 14, 2020.

RESOLUTION NO. 347 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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/adjourning a local law in regard to the proposed rezoning of land located at 44 Waterford Avenue East from Single Family Residential (SFR) to Multi-Family Residential.

WHEREAS, proof of notice having been furnished, the public hearing on the proposed local law was held at 7:00 PM on September 10, 2020 with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that local law in regard to the proposed rezoning of land located at 44 Waterford Avenue East from Single Family Residential (SFR) to Multi-Family Residential be, and hereby is, adopted/not adopted/adjourned.

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 rezoning 2.35 +/- acres of land located at 44 Waterford Avenue East from a Single Family Residential district to a Multi-Family Residential district.

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

SECTION 1. REZONING

Schedule "B" of Local Law No. 1 of 2007, adopted pursuant to Section 4 of such Local Law, is commonly known as the "Land Use Law" of the Town of Colonie. Chapter 190, Section 17 (A) of such Land Use Law is hereby amended as follows:

The following described area consisting of 2.35 +/- acres of land located at 44 Waterford Avenue East is hereby rezoned from a Single Family Residential (SFR) district to a Mutli-Family Residential (MFR) district as described in Exhibit "A", attached hereto.

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. 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. 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. 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. 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:

BEGINNING at a point in the easterly margin of Waterford Avenue East; said POINT OF BEGINNING marking the most southwest corner of Lot #1319 (a/k/a 28 Waterford Avenue East and lands now or formerly owned by Andres Vera in Liber 3040 at Page 75, SBL #19.14-2-7) as shown on the above referenced Kauffman Subdivision; THENCE running S 69 deg. 40 min. E along the south line of said Lot #1319 for a distance of 96.02 feet to a point; THENCE running N 20 deg. 20 min. E along the easterly line of Lots #1319 through 1326 (a/k/a 28 Waterford Avenue East and lands now or formerly owned by Andres Vera in Liber 3040 at Page 75, SBL #19.14-2-7) for a distance of 200.00 feet to a point marking the most northeasterly corner of said Lot #1326; THENCE running S 69 deg. 40 min. E along the southerly lines of Lots #1331 through 1334 (a/k/a 16 Cohoes Avenue now or formerly owned by Daniel k. and Susan Kravitz Chura in Liber 2762 at Page 333, SBL #19.14-2-22) for a distance of 100.00 to a point in the westerly margin of a paper street known as Cohoes Avenue; THENCE running S 20 deg. 20 min. W for a distance of 100.00 feet to the northeast corner of Lot 1339 on the Kauffman Subdivision; THENCE running S 69 deg. 40 min. E at a perpendicular to Cohoes Street and across Cohoes Street for a distance of 40.00 feet to a point in the easterly margin of 100 Cohoes Street (SBL 19.14-2-40.1), Said point marking the most northwest corner of lot 1368 in the Kauffman Subdivision; THENCE running S 20 deg. 20 min. W along the easterly margin of Cohoes Avenue and along the west lines of Lots #1368 through 1356 (lands now or formerly owned by BV Properties, LLC in Liber 3050 at Page 977, P/O SBL 19.14-2-34) for a distance of 342.98 feet to a point marking the southwest corner of said Lot 1356; THENCE running S 73 deg. 20 min. W for a distance of 50.02 feet to point in the westerly margin of Cohoes Avenue; THENCE running S 73 deg. 20 min. W for a distance of 125.52 feet to a point; THENCE running S 73 deg. 20 min. W for a distance of 112.11 feet to a point in the easterly margin of Waterford Avenue East; THENCE running N 19 deg. 27 min. E along the easterly margin of Waterford Avenue East for a distance of 418.13 feet to a point of curvature in the east margin of Waterford Avenue East; THENCE running along a curve to the left having a radius of 290.00 feet and an arc length of 4.01 feet to the point or PLACE OF BEGINNING.

CONTAINING 102,396 Square Feet of land. (2.35 Acres)

EXHIBIT "A"

RESOLUTION NO. 348 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 Capital District Physicians Health Plan in connection with providing health insurance for 2021.

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a Contract with Capital District Physicians Health Plan in connection with providing health insurance for 2021; and

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

RESOLUTION NO. 349 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 Capital District Physicians Health Plan to administer the Flexible Spending Account program.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a Contract with Capital District Physicians Health Plan to administer the Flexible Spending Account program in 2021; and

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

RESOLUTION NO. 350 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 for manual and air powered patient lifting devices.

WHEREAS, the Emergency Medical Services Department would like to purchase manual and air powered patient lifting devices to improve patient comfort and safety and to reduce risk of employee injury;

BE IT RESOLVED that the General Services Director be, and hereby is, authorized to advertise for bids for manual and air powered patient lifting devices.

RESOLUTION NO. 351 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 an Agreement with Spectrum Communications to add a new internet service account at EMS Station 3 (494 Albany Shaker Road).

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Spectrum Communications to add a new internet service account at EMS Station 3 (494 Albany Shaker Road); and

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

RESOLUTION NO. 352 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 Stryker Medical Sales Corp. in connection with the bid for Stryker Ambulance Equipment and authorizing the EMS Chief to trade in surplus stretchers and mounting equipment.

WHEREAS, pursuant to advertisement on July 29, 2020, the following bids, attached hereto as Exhibit "A", were received in connection with Stryker Ambulance Equipment 2020; and

WHEREAS, after review of the bids and upon the recommendation of the General Services Director and the Emergency Medical Services Department Chief it is proposed that the bids be awarded to the sole bidder and/or low bidder; and

BE IT RESOLVED that the purchase of the stretchers and equipment and the trade in pricing shall be awarded to the sole bidder, Stryker Medical Sales Corp., for 2020 and 2021; and

BE IT RESOLVED that the installation portion of the bid shall be awarded to the low bidder, Stryker Medical Sales Corp., for 2020 and 2021; and

BE IT FURTHER RESOLVED that the EMS Chief be, and hereby authorized, to trade in surplus stretchers and mounting equipment where appropriate.

2020

Town of Colonie Stryker Ambulance Equipment Bid Tabulation

Bid Date 8/13/2020

Vendor	Stryker Medical Sales Corp. 2020	New England Fire Equipment 2020	Stryker Medical Sales Corp. 2021	New England Fire Equipment 2021
Stryker Powered Ambulance Cot	\$16,489.26	No Bid	\$17,538.26	No Bid
Optional Pricing				
X-Restraint Package				
SMRT Pak	\$173.58	No Bid	\$180.43	No Bid
	\$372.99	No Bid	\$387.71	No Bid
SMRT Charger	\$1,112.31	No Bid	\$1,156.22	No Bid
Complete Power Load Cot Fastener	\$21,605.37	No Bid	\$22,117.86	No Bid
Upgrade K'its 6506 to Power Load	\$1,905.93	No Bid	\$1,905.93	No Bid
Upgrade 6506 to Load Compatability	\$1,905.93	No Bid	\$1,905.93	No Bid
Upgrade 6506 to power and Performance Load	\$1,905.93	No Bid	\$1,905.93	No Bid
XPS Side Rails	\$2,163.65	No Bid	\$2,163.65	No Bid
Knee-Gatch with Trendelenburg	\$983.00	No Bid	\$983.00	No Bid
Optional Installation Pricing				
Install Powerload system to units already equipped with Inductive Charging	\$900.00	\$1,200.00	\$900.00	\$1,200.00
Install Powerload to units without either performance or power load systems	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00
Trade In Pricing				
Pricing for Cot Model 6500	\$2,500.00	No Bid	\$2,500.00	No Bid
Pricing for Cot Model 6506	\$2,500.00	No Bid	\$2,500.00	No Bid
Pricing for Performance Load Model 6392	\$1,000.00	No Bid	\$1,000.00	No Bid

EXHIBIT "A"

RESOLUTION NO. 353 FOR 2020

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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 the Colonie Youth Center, Inc. in connection with providing scholarships for the School-Age childcare programs.

WHEREAS, the Town has been designated by the U.S. Department of Housing and Urban Development as an Entitlement Community under the Community Development Block Grant Program as authorized under Title I of the Housing and Community Development Act of 1974; and

WHEREAS, in response to the Coronavirus Pandemic (COVID-19) the U.S. Department of Housing and Urban Development has notified the Town of Colonie that it will receive Community Development Block Grant (CDBG-CV) funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19); and

WHEREAS, the subrecipient has applied for Community Development Block Grant funds through the Town of Colonie CDBG Entitlement Program for the purpose of providing scholarships to families participating in the School Age Child Care Program; and

WHEREAS, this agreement shall be in effect from September 15, 2020 through September 15, 2021;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with the Colonie Youth Center, Inc. in connection with providing scholarships for the School-Age childcare programs; and

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

RESOLUTION NO. 354 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 the Affordable Housing Partnership of the Capital Region, Inc. in connection with providing a COVID-19 Mortgage Relief Program to Town of Colonie homeowners.

WHEREAS, the Town has been designated by the U.S. Department of Housing and Urban Development as an Entitlement Community under the Community Development Block Grant Program as authorized under Title I of the Housing and Community Development Act of 1974; and

WHEREAS, in response to the Coronavirus Pandemic (COVID-19) the U.S. Department of Housing and Urban Development has notified the Town of Colonie that it will receive Community Development Block Grant (CDBG-CV) funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19); and

WHEREAS, the subrecipient has applied for Community Development Block Grant funds through the Town of Colonie CDBG Entitlement Program for the purpose of providing counseling and financial assistance to help low-moderate income persons in the Town of Colonie homeowners who have become delinquent with their mortgages as a result of loss of income due to the COVID-19 pandemic; and

WHEREAS, this agreement shall be in effect from September 15, 2020 through September 15, 2021;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with the Affordable Housing Partnership of the Capital Region, Inc. in connection with providing a COVID-19 Mortgage Relief Program to Town of Colonie homeowners; and

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

RESOLUTION NO. 355 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 the Community Loan Fund of the Capital Region, Inc. in connection with providing a COVID-19 Small Business Grant Program to Town of Colonie businesses.

WHEREAS, the Town has been designated by the U.S. Department of Housing and Urban Development as an Entitlement Community under the Community Development Block Grant Program as authorized under Title I of the Housing and Community Development Act of 1974; and

WHEREAS, in response to the Coronavirus Pandemic (COVID-19) the U.S. Department of Housing and Urban Development has notified the Town of Colonie that it will receive Community Development Block Grant (CDBG-CV) funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19); and

WHEREAS, the subrecipient has applied for Community Development Block Grant funds through the Town of Colonie CDBG Entitlement Program for the purpose of providing financial assistance awards to small business owners in the Town of Colonie who have been impacted by the COVID-19 pandemic; and

WHEREAS, this agreement shall be in effect from September 15, 2020 through September 15, 2021;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with the Community Loan Fund of the Capital Region, Inc. in connection with providing a COVID-19 Small Business Grant Program to Town of Colonie businesses; and

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

RESOLUTION NO. 356 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 the Legal Aid Society of Northeastern New York in connection with providing COVID-19 Homeless Prevention Program to Town of Colonie residents.

WHEREAS, the Town has been designated by the U.S. Department of Housing and Urban Development as an Entitlement Community under the Community Development Block Grant Program as authorized under Title I of the Housing and Community Development Act of 1974; and

WHEREAS, in response to the Coronavirus Pandemic (COVID-19) the U.S. Department of Housing and Urban Development has notified the Town of Colonie that it will receive Community Development Block Grant (CDBG-CV) funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19); and

WHEREAS, the subrecipient has applied for Community Development Block Grant funds through the Town of Colonie CDBG Entitlement Program for the purpose of providing free legal advice, referrals, and representation to prevent unwarranted or illegal evictions related to the coronavirus pandemic of low-moderate income persons in the Town of Colonie; and

WHEREAS, this agreement shall be in effect from September 15, 2020 through September 15, 2021;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with the Legal Aid Society of Northeastern New York in connection with providing COVID-19 Homeless Prevention Program to Town of Colonie residents; and

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

RESOLUTION NO. 357 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 to the contract with RMB Mechanical, Inc. in connection with the HVAC portion for the new Highway Salt Storage Building.

WHEREAS, Change Order No. 1 is being made due to changing the models of the unit heaters needed to meet the code requirements;

WHEREAS, the change will increase the contract by \$1,136.70;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1 to the contract with RMB Mechanical, Inc. in connection with the HVAC portion for the new Highway Salt Storage Building; 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. 358 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 regard to the proposed rezoning of land located at 28 Everett Road, 11 Duffy Street and 12 Duffy Street (t/b/k/a 28 Everett Road Extension) from Neighborhood Commercial Office Residential (NCOR) to a Planned Development District (PDD) (known as Crisafulli Senior Living Planned Development District).

WHEREAS, at its regular meeting on December 5, 2019, the Town Board of the Town of Colonie required the Planning Board to review and consider the proposed rezoning of land located at 28 Everett Road, 11 Duffy Street and 12 Duffy Street (t/b/k/a 28 Everett Road Extension) from Neighborhood Commercial Office Residential (NCOR) to a Planned Development District (PDD) (known as Loudon Road Planned Development District); and

WHEREAS, at its regular meeting on August 25, 2020, the Planning Board of the Town of Colonie adopted findings, attached hereto as Exhibit “A”, and recommended that the Town Board approve the rezoning of 28 Everett Road, 11 Duffy Street and 12 Duffy Street (t/b/k/a 28 Everett Road Extension) from Neighborhood Commercial Office Residential (NCOR) to a Planned Development District (PDD) (known Crisafulli Senior Living Planned Development District) described in the proposed Local Law attached hereto as Exhibit “B”; and

WHEREAS, it is now desired to call a public hearing pursuant to the proposed rezoning of land located at 28 Everett Road, 11 Duffy Street and 12 Duffy Street (t/b/k/a 28 Everett Road

Extension) from Neighborhood Commercial Office Residential (NCOR) to a Planned Development District (PDD) (known as Crisafulli Senior Living Planned Development District); and

THEREFORE, BE IT RESOLVED that a public hearing be, and hereby is, scheduled for September 24, 2020 at 7:00 PM in Memorial Town Hall, 534 New Loudon Road, Latham, NY in connection with the proposed rezoning of 28 Everett Road, 11 Duffy Street and 12 Duffy Street (t/b/k/a 28 Everett Road Extension) and the establishment of a Planned Development District (PDD) (known as Crisafulli Senior Living Planned Development District).

**PLANNED DEVELOPMENT DISTRICT
COLONIE LAND USE LAW - WRITTEN FINDINGS
OF THE COLONIE PLANNING BOARD**

**Crisafulli Senior Living PDD
28 Everett Road Extension**

WHEREAS, Crisafulli Associates LLC (hereinafter referred to as the applicant) made application to the Colonie Town Board for Planned Development District (PDD) approval for a project that consist of a three story, approximate 139,248 square foot building with 113 independent senior apartments on a 10.0 acre parcel of land (hereinafter referred to as the project); and

WHEREAS; the Colonie Town Board (Town Board) referred the project to the Town of Colonie Planning Board (Planning Board) for review and recommendation; and

WHEREAS; pursuant to Chapter 190-13 of the Colonie Land Use Law, entitled Planned Development Districts, the Planning Board shall develop written findings that document the facts and information relied upon to reach its conclusions in rendering a decision on a PDD; and

WHEREAS the project is consistent with the purpose and intent of this Chapter including the Design Standards; and

WHEREAS the project is compatible with the surrounding neighborhood context and character and is in conformance with the Comprehensive Plan; and

WHEREAS the requirements of SEQRA will be completed by the Town Board prior to making a determination on the project, and the project will mitigate potential undue adverse environmental impacts as set forth during the SEQRA review to the maximum extent practicable; and

WHEREAS the project will add to the long-term assets of the community and will not erode the livability or economic viability of the existing neighborhood areas; and

WHEREAS the project is conceptually sound in that it meets local and area-wide needs and it conforms to accepted design principals in the proposed functional roadway and pedestrian system, land use configuration, open space system, drainage system and scale of elements, both absolutely and to one another; and

WHEREAS there are adequate community facilities, services and utilities available or proposed to be made available in the construction of the development; and

WHEREAS the traffic will not have an adverse impact on the adjoining transportation system.

EXHIBIT "A"

NOW THEREFORE, BE IT RESOLVED THAT, the Planning Board recommends approval of the Crisafulli Senior Living Planned Development District for the subject property subject to the following minimum public benefits being proposed by the Applicant which will add to the long-term assets of the community:

1. The applicant shall contribute \$357,500 to the Town to benefit the surrounding areas in the following priority order, which includes but is not necessarily limited to:
 - a. The study and or mitigation of exiting flooding issues within the Sand Creek watershed and adjacent to the project site.
 - b. Public improvements to streets, sidewalks, parks and other public infrastructure in the West Albany neighborhood.
 - c. A contribution to the Town of Colonie Local Development Corporation to support local economic development.

and be it **RESOLVED**, that pursuant to Chapter 190-13 of the Colonie Land Use Law, entitled Planned Development Districts, the Planning Board has developed these written findings that document the facts and information relied upon to reach its conclusions in rendering a decision to recommend approval of the proposed PDD.

This resolution shall take effect immediately and shall be transmitted to the Town Supervisor and Members of the Town Board.

Date: August 25, 2020

By: Peter Stuto, Chairman

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 rezoning 10 +/- acres of land located at 28 Everett Road Extension from a Neighborhood Commercial Office Residential district to a Planned Development District.

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

SECTION 1. REZONING

The following described area consisting of 10 +/- acres of land located at 28 Everett Road Extension is hereby rezoned from a Neighborhood Commercial Office Residential (NCOR) district to a Planned Development District (PDD):

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Colonie, County of Albany, and State of New York more particularly described as follows and as depicted upon the map attached hereto:

BEGINNING at the point of intersection of the southeast right of way line of Everett Road Extension (Interstate Route 541-1-1) with the northwest line of a parcel of land acquired by the People of the State of New York, Map No. 106, Parcel 113; THENCE S 31°57'38"E, and running along the northwest line of a parcel of land acquired by the People of the State of New York, Map No. 106, Parcel 113 a distance of 24.23 feet to a point in the westerly bounds of lands now or formerly of Joseph Leblanc; thence along the westerly bounds of lands now or formerly of Joseph Leblanc by the following seven (7) courses:

1. S 6°12'00"E, a distance of 58.85 feet a point;
2. S 41°27'00"E, a distance of 66.00 feet a point;
3. S 15°59'00"E, a distance of 155.53 feet to a point;
4. S 61°49'00"E, a distance of 136.55 feet to a point;
5. S 14°53'00"E, a distance of 197.00 feet to a point;
6. S 06°43'00"W, a distance of 119.37 feet to a point;
7. S 33°06'00"W, a distance of 119.00 feet to a point;

EXHIBIT "B"

Thence along lands now or formerly of Joseph Leblanc and along lands now or formerly of Dawn Frankenbeck, S 35°23'00"W, a distance of 109.75 feet to a point; thence along lands now or formerly of Burke Community Service Corp., N 48°49'00" W, a distance of 301.05 feet to a point; thence along lands now or formerly of Burke Community Service Corp. and along lands now or formerly of St. Francis de Sale Church, S 41°11'00" W, a distance of 250.00 feet to a point in the terminus of Duffy Street; thence along the terminus of Duffy Street, N 48°49'00", a distance of 50.00 feet to a point; thence along lands now or formerly of Joanne Burkhardt and along lands now or formerly of Scott P. Carey N 41°11'00" W, a distance of 219.75 feet to a point; thence along lands now or formerly of Scott P. Carey, N 48°49'00"W, a distance of 100.00 feet to a point; thence along lands now or formerly of Scott P. Carey and along lands now or formerly of Joanne Burkhardt, S 41°11'00"W, a distance of 219.75 feet to a point; thence along lands now or formerly of Molly K. Sherwin (also known as Molly Sherwin) and along lands now or formerly of Noreen A. Wilkinson Family Trust, et.al., N 48°49'00"W, a distance of 201.00 feet to a point; thence along lands now or formerly of Joseph E. Zaloga Post 1520, American Legion D/NY Inc., N 27°08'00"E, a distance of 613.02 feet to a point in the southeast right of way line of Everett Road Extension (Interstate Route 541-1-1); thence along the southeast right of way line of Everett Road Extension (Interstate Route 641-1-1), N 69°21'00"W, a distance of 138.88 feet to a point; thence along the southeast right of way line of Everett Road Extension (Interstate Route 541-1-1), N 67°01'00" W, a distance of 162.80 feet to the POINT OF BEGINNING.

Containing 10.00 Acres of land, more or less.

SUBJECT to a Utility Easement granted to the Town of Colonie by instrument filed in the Albany County Clerk's Office in Book 2108 at Page 357.

SUBJECT to a Sanitary Sewer Easement granted to the Town of Colonie.

SUBJECT to an Ingress and Egress Easement granted to St. Francis de Sales Church by instrument filed in the Albany County Clerk's Office in Book 804 at Page 70.

TOGETHER with a proposed easement from Joseph E. Zaloga Post 1520, American Legion D/NY Inc. to accommodate a joint driveway from Everett Road Extension (Interstate Route 541-1-1).

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 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 10 +/- acres of parcel described in Section 1 above is rezoned to a PDD upon the condition that it shall be developed consisting of one three-story building with 113 independent senior apartments, 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 Boardf 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. 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. 359 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 Professional Engineering Services Agreement with RAMBOLL in connection with the River Road Storage and Mohawk View Water Treatment Plant Mixing Project.

WHEREAS, RAMBOLL will provide professional engineering services in connection with the River Road Storage and Mohawk View Water Treatment Plant Mixing Project; and

WHEREAS, the total cost of the services will not exceed \$404,920.00 and this amount reflects 1,280 hours of Construction Observation;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Professional Engineering Services Agreement with RAMBOLL in connection with the River Road Storage and Mohawk View Water Treatment Plant Mixing Project; and

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

RESOLUTION NO. 360 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 10th day of September, 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 30 Anthony Lane.

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

Paul McKinney	30 Anthony Lane	\$7,222.93
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