RESOLUTION NO. 425-A FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution permanently promoting Christopher A. Comproski to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of $26.48.

BE IT RESOLVED that Christopher A. Comproski be, and hereby is, permanently promoted to the position of Highway Maintenance Worker, Grade 8, in the DPW/Division of Highway at an hourly rate of $26.48, effective September 25, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 425-B FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution permanently promoting Jocelyn A. Gauthier to the position of Principal Assessment Clerk, Grade 9, in the Assessor's Office at an annual salary of $48,755.

WHEREAS, the Personnel Officer has certified Jocelyn A. Gauthier as eligible for permanent promotion from Eligible List #23-992, established August 22, 2023;

BE IT RESOLVED that Jocelyn A. Gauthier be, and hereby is, permanently promoted to the position of Principal Assessment Clerk, Grade 9, in the Assessor's Office at an annual salary of $48,755, effective September 15, 2023.

RESOLUTION NO. 425-C FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Eric S. Patch to the position of Application Analyst, Grade 15, in the MIS Department at an annual salary of $68,848.

WHEREAS, the Personnel Officer has certified Eric S. Patch as eligible for permanent appointment from Eligible List #23-994, established August 23, 2023;

BE IT RESOLVED that Eric S. Patch be, and hereby is, permanently appointed to the position of Application Analyst, Grade 15, in the MIS Department at an annual salary of $68,848, effective September 15, 2023.

RESOLUTION NO. 425-D FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution reinstating William Juliano IV to the position of Emergency Medical Technician PT in the Emergency Medical Services Department at an hourly rate of $23.80.

WHEREAS, the Personnel Officer has certified William Juliano IV as eligible for reinstatement from Eligible List #EMT-03, established August 26, 2019;

BE IT RESOLVED that William Juliano IV be, and hereby is, reinstated to the position of Emergency Medical Technician PT in the Emergency Medical Services Department at an hourly rate of $23.80, effective September 18, 2023.

RESOLUTION NO. 425-E FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Sarah N. Dinovo to the position of Paramedic PT in the Emergency Medical Services Department at an hourly rate of $27.96.

WHEREAS, the Personnel Officer has certified Sarah N. Dinovo as eligible for permanent appointment from Eligible List #PM4-89, established June 22, 2023;

BE IT RESOLVED that Sarah N. Dinovo be, and hereby is, permanently appointed to the position of Paramedic PT in the Emergency Medical Services Department at an hourly rate of $27.96, effective September 18, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 425-F FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution reinstating Ashley E. Brisee to the position of Paramedic PT in the Emergency Medical Services Department at an hourly rate of $32.90.

WHEREAS, the Personnel Officer has certified Ashley E. Brisee as eligible for reinstatement from Eligible List #PM4-89, established September 21, 2016;

BE IT RESOLVED that Ashley E. Brisee be, and hereby is, reinstated to the position of Paramedic PT in the Emergency Medical Services Department at an hourly rate of $32.90, effective September 18, 2023.

RESOLUTION NO. 426 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to amend an existing payment plan agreement with David Harriman in connection with amounts due to the Latham Water District for water usage at 99 Sand Creek Road, Albany, NY 12205.

WHEREAS, the Town Board of the Town of Colonie ("Town Board") is, among other things, authorized to set the rates for fees and services rendered by the Department of Public Works, which includes the Division of Latham Water ("Latham Water"); and

WHEREAS, in accordance with such authority the Town Board established the Water Bill Review Committee ("Committee") to, among other things, review certain water bills upon the request of the property owner; and

WHEREAS, Latham Water recorded unusually high water usage at 99 Sand Creek Road, Albany, NY 12205 (SBL: 54.9-1-3) ("Property") during certain billing periods in 2022; and

WHEREAS, in connection with such water usage, David Harriman requested assistance with the water bill for the Property; and

WHEREAS, the Town Board of the Town of Colonie ("Town Board"), based on the recommendation of the Committee, previously authorized an agreement with David Harriman to resolve the outstanding water bill for the Property ("Existing Agreement"); and

WHEREAS, Latham Water subsequently recorded unusually high water usage at the Property during certain billing periods in 2023; and

WHEREAS, in connection with such subsequent water usage, David Harriman requested further assistance with the water bill for the Property; and

WHEREAS, the Committee met on May 15, 2023 to, among other things, discuss the request made by David Harriman; and

WHEREAS, the Committee reviewed Mr. Harriman's request, as well as the information provided by Latham Water; and

WHEREAS, based on such review, the Committee has recommended that the Existing Agreement be amended to resolve the outstanding water bill for the Property;

NOW THEREFORE BE IT RESOLVED that the Supervisor be and hereby is authorized to execute an amended payment plan agreement for the Property; and

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

BE IT FURTHER RESOLVED, that the employees/staff of the Town and/or Latham Water are authorized to take any action in furtherance of this resolution.

RESOLUTION NO. 427 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a payment plan agreement with Michael DiRubbo and Linda DiRubbo-Horton in connection with amounts due to the Latham Water District for water usage at 21 Louise Drive, Latham, NY 12110.

WHEREAS, the Town Board of the Town of Colonie ("Town Board") is, among other things, authorized to set the rates for fees and services rendered by the Department of Public Works, which includes the Division of Latham Water ("Latham Water"); and

WHEREAS, in accordance with such authority the Town Board established the Water Bill Review Committee ("Committee") to, among other things, review certain water bills upon the request of the property owner; and

WHEREAS, Latham Water recorded unusually high water usage at 21 Louise Drive, Latham, NY 12110 (SBL: 19.2-1-40) ("Property") during the billing period between August 2022 and February 2023; and

WHEREAS, in connection with such water usage, Linda DiRubbo-Horton requested assistance with the water bill for the Property; and

WHEREAS, the Committee met on May 15, 2023 to, among other things, discuss the request made by Linda DiRubbo Horton; and

WHEREAS, the Committee reviewed Ms. Horton's request, as well as the information provided by Latham Water; and

WHEREAS, based on such review, the Committee has recommended that the Michael DiRubbo and Linda DiRubbo Horton be offered a payment plan agreement to resolve the outstanding water bill for the Property; and

WHEREAS, Michael DiRubbo and Linda DiRubbo-Horton likewise desire to enter into a payment plan agreement to resolve the outstanding water bill for the Property

NOW THEREFORE BE IT RESOLVED that the Supervisor be and hereby is authorized to execute a payment plan agreement with Michael DiRubbo and Linda DiRubbo-Horton to resolve the outstanding water bill for the Property; and

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

BE IT FURTHER RESOLVED, that the employees/staff of the Town and/or Latham Water are authorized to take any action in furtherance of this resolution.

RESOLUTION NO. 428 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Statement of Intent with the Stormwater Coalition of Albany County.

WHEREAS, the Town of Colonie ("Town") is a Municipal Separate Storm Sewer System ("MS4") operator subject to certain federal and state regulatory requirements, including regulation by the New York State Department of Environmental Conservation; and

WHEREAS, in conformance with its federal and state regulatory obligations, the Town is covered by the New York State Department of Environmental Conservation State Pollution Discharge Elimination System General Permit for Stormwater Discharges from MS4s (Permit No. GP-0-15-003), which authorizes the Town to discharge certain stormwater; and

WHEREAS, as part of its obligations under such permit, the Town is a member of the Stormwater Coalition of Albany County, which facilitates various programs and compliance activities for its members; and

WHEREAS, in connection with its membership in the Stormwater Coalition of Albany County, the Town must annually certify its intent to renew its membership and contribute annual dues;

NOW THEREFORE BE IT RESOLVED that the Supervisor is hereby authorized to execute a Statement of Intent with the Stormwater Coalition of Albany County; and

BE IT FURTHER RESOLVED that Town employees/staff are hereby authorized to take any action in furtherance of this resolution.

RESOLUTION NO. 429 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution appointing Helen Welch to the Employee Assistance Program Committee.

BE IT RESOLVED that Helen Welch is hereby appointed as a member of the Employee Assistance Program Committee due to the resignation of Lori Kunker.

RESOLUTION NO. 430 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement for 2023 with the New York State Police Troop L in connection with the use of the Town of Colonie Police Range and Training Facility located on Onderdonk Road.

WHEREAS, the New York State Police Troop L will use the Town of Colonie Police Range and Training Facility located on Onderdonk Road for 2023 for an annual maintenance fee of $500.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement for 2023 with the New York State Police Troop L in connection with the use of the Town of Colonie Police Range and Training Facility located on Onderdonk Road; and

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

RESOLUTION NO. 431 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement for 2023 with the New York State Police Troop L in connection with the use of the Emergency Vehicle Operations Course located on Onderdonk Road.

WHEREAS, the New York State Police Troop L will use the Emergency Vehicle Operations Course (EVOC Track) located on Onderdonk Road for 2023 for a maintenance fee of $200.00 per usage/day;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement for 2023 with the New York State Police Troop L in connection with the use of the Emergency Vehicle Operations Course located on Onderdonk Road; and

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

RESOLUTION NO. 432 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Robert Lemerise in connection with transfer of ownership of K-9 Lock.

WHEREAS, Robert Lemerise desires to take possession of retired K-9 Officer Lock; and

WHEREAS, the Town will transfer ownership of Lock to Robert Lemerise; and

WHEREAS, Robert Lemerise agrees to be responsible for the care, maintenance and supervision of Lock, including medical and veterinary costs;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Robert Lemerise in connection with the transfer of ownership of K-9 Lock; and

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

RESOLUTION NO. 433 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with BOCES for providing a Town Police Officer to act as a School Resource Officer.

WHEREAS, BOCES will reimburse the Town an annual rate of 85% of Step 6 Salary in the amount of seventy-nine thousand two hundred thirty-three dollars ($79,233.00) for providing a Town Police Officer to act as School Resource Officer; and

WHEREAS, the agreement shall be from the date of this agreement through August 31, 2024;

BE IT FURTHER RESOLVED that the Supervisor be, and hereby is, authorized to execute the agreement with BOCES for providing a Town Police Officer to act as a School Resource Officer; and

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

RESOLUTION NO. 434 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ 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:

PAYEE	AMOUNT
Leguire Shorthand Reporters (Jeffers)	$403.50
Total	$403.50

RESOLUTION NO. 435 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a Standby Agreement with Siena College in connection with EMS services during an inauguration ceremony on September 21, 2023.

WHEREAS, Siena College has an inauguration ceremony on September 21, 2023 and has requested that EMS standby during the services; and

WHEREAS, Siena College will compensate EMS $450.00 for their services;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a standby agreement with Siena College in connection with EMS services during an inauguration ceremony on September 21, 2023; and

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

RESOLUTION NO. 436 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid to Master Medical Equipment in connection with the sale of one (1) surplus Stryker Ambulance Cot at a cost of $7,500.00.

WHEREAS, pursuant to advertisement on August 2, 2023, a bid was received in connection with the sale of one (1) surplus Stryker Power Pro Ambulance Cot:

Vendor	Total Bid
Master Medical Equipment	$7,500.00

WHEREAS, after review of the bids by the Director of Purchasing and General Services and the Assistant Chief of EMS;

BE IT RESOLVED that the bid will be awarded to the sole bidder, Master Medical Equipment, for a total cost of $7,500.00.

RESOLUTION NO. 437 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the adoption of an Americans with Disabilities Act Transition Plan.

WHEREAS, the Town of Colonie has authority over certain services, programs, and activities throughout the Town, including various streets, roads, and/or walkways, which are, among other things, subject to the Americans with Disabilities Act ("ADA"); and

WHEREAS, in accordance with the ADA, the Town must undertake certain action to ensure that its streets, roads, and/or walkways are accessible; and

WHEREAS, in furtherance of such federal requirements, the Town Board of the Town of Colonie, by resolution No. 490 of 2022 dated November 10, 2022, retained Creighton Manning Engineering, LLP ("Creighton Manning") to develop an ADA transition plan to bring the Town's pedestrian facilities into compliance with the ADA; and

WHEREAS, Creighton Manning has studied all existing pedestrian facilities within the Town and created an ADA transition plan (attached hereto as Exhibit "A") to ensure that the Town builds and maintains reasonable, accessible paths of travel in its public rights-of-way for everyone regardless of age or ability; and

WHEREAS, such ADA transition plan was made available to the public for comment from June 29, 2023 to July 28, 2023; and

WHEREAS, no public comments were received during this period; and

WHEREAS, Creighton Manning thereafter finalized the ADA transition plan; and

WHEREAS, the ADA transition plan was reviewed by the Town of Colonie, Department of Public Works, Bureau of Engineering ("Engineering Department"), Town of Colonie, Department of Public Works, Division of Highway ("Highway Department"), and the Town of Colonie Americans with Disabilities Act Committee ("ADA Committee"); and

WHEREAS, based on such review, the Engineering Department, the Highway Department, and the ADA Committee have recommended that the ADA transition plan be adopted,

NOW THEREFORE BE IT RESOLVED that the ADA transition plan proposed by Creighton Manning is hereby adopted.

Town of Colonie

ADA Transition Plan

[FINAL]

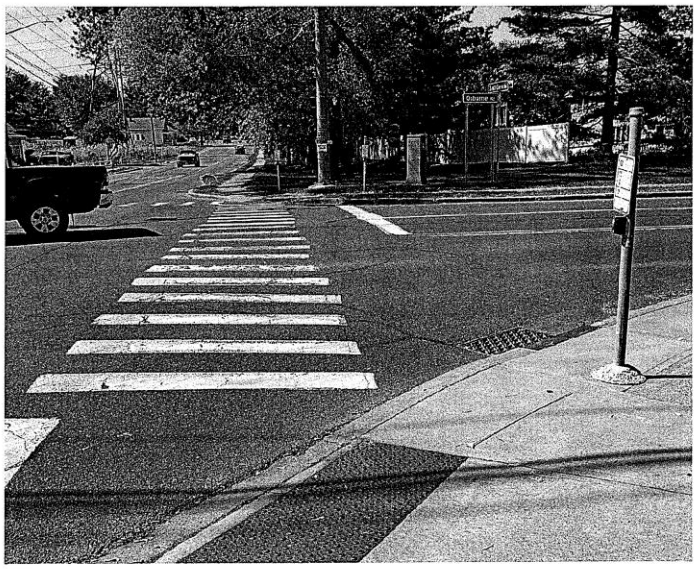

EXHIBIT "A"

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Introduction

Overview

This ADA Transition Plan (the Plan) was created to ensure that the Town of Colonie (the Town) builds and maintains reasonable, accessible paths of travel in its public rights-of-way for everyone, regardless of age or ability.

All existing pedestrian infrastructure (sidewalks, multi-use paths, curb ramps, and pedestrian signals) in the public right-of-way was evaluated and scored for this Plan. This Plan identifies the present condition of the pedestrian infrastructure within the Town's municipal boundary and the proposed improvements required to ensure accessibility and compliance with federal legislation.

Legal Requirements

The federal legislation, known as the Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications.

Title II specifically applies to "public entities" (state and local governments) and the programs, services, and activities they deliver. Title II, Article 8, requires public entities to take several steps designed to achieve compliance. The plan shall, at a minimum, include:

- A list of the physical barriers and their locations in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- A detailed outline of the methods to be utilized to remove these barriers and make facilities accessible;
- The schedule for taking the necessary steps to achieve compliance with Title II;
- Public complaint/grievance procedure; and
- The name/position of the Town Clerk and/or official responsible for the plan's implementation.

This transition plan provides a method for the Town to schedule and implement ADA required improvements to existing streets and sidewalks.

Jurisdiction

Defining jurisdictional boundaries and their responsible entities is central to the successful implementation of the Plan. The three authorities having jurisdiction (AHJ) of roadways within the Town's limits are the Town of Colonie, Albany County, and the State of New York.

The legal responsibility of maintaining and improving non-conforming or deficient facilities does not necessarily fall to the owner of the right-of-way. According to New York State Highway Law (TOWN§140(18)), sidewalks may be installed by a county or the State of New York with the

permission of the local municipality. However, notwithstanding an agreement to the contrary, once installed, the local municipality is obligated to maintain those sidewalks. Areas of interest that are within the Village of Colonie and the Village of Menands are maintained by their respective Village departments. Table 1 identifies the entity responsible for the maintenance and improvement of non-conforming facilities in this Plan.

Table 1: Responsible Entity for Maintenance of Pedestrian Facilities

	Right of Way Ownership		
	Town of Colonie	**Albany County**	**New York State**
Facility Type	**Responsible Entity**		
Sidewalks	Town of Colonie	Town of Colonie	Town of Colonie
Curb Ramps	Town of Colonie	Town of Colonie	Town of Colonie
Pedestrian Crossing Signals	Town of Colonie	Albany County	New York State

However, non-compliant curb ramps in State and county rights-of-way are typically repaired or replaced during roadway paving.

Installation of Conforming Facilities during Roadway Alteration Projects

The *Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing (https://www.ada.gov/doj-fhwa-ta.htm)* states that when pedestrian walkways intersect a curb but no curb ramp exists, the entity facilitating the roadway alteration is responsible for the provision of a curb ramp. The same principle exists if an entity is undertaking a roadway alteration project that requires the removal of other pedestrian facilities such as sidewalks. If the facility is removed, it must be reinstalled and conform to the most current accessibility standards.

Identified Obstacles to the Public Right-of-Way

The Town's consultant for the Plan, Creighton Manning, conducted an evaluation of obstacles present in pedestrian facilities within the rights-of-way in the Town's municipal boundary. Facilities were split up by two categories: Sidewalks and Curb Ramps. Each category was evaluated separately and assigned its own condition ratings, from 1 to 4, based on the criteria in

Appendix A. The criteria were adopted from the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).

Detailed Evaluation

Field data for the facilities assessment and evaluation was collected on a mobile device using the ESRI application Field Maps. The Town provided the sidewalk inventory from its geographic information system (GIS).

The pedestrian facilities assessed include sidewalks, multi-use paths, and key intersection features such as curb ramps and pedestrian signals. The data from the assessment and the resulting ratings are represented by both maps (Appendix C) and tables (Tables 2 and 3).

Sidewalk and Multi-Use Path Accessibility and Condition

The Town has a total of approximately 229,640 linear feet (43.5 miles) of sidewalk and multi-use paths. A majority of the sidewalks and multi-use paths are classified as "Fully Accessible" or "More Accessible". These paths are located predominantly around recently developed areas. Only 3% of the sidewalks and multi-use paths are classified as "Not Accessible". The lower accessibility ratings may be attributed to sidewalks and multi-use paths being built prior to the adoption of current standards. See the totals in Table 2.

Table 2: Sidewalk and Multi-Use Path Condition Assessment

	1 – Not Accessible	2 – Less Accessible	3 – More Accessible	4 – Fully Accessible
Length of Sidewalk or Multi-Use Path (feet)	6,800	52,800	82,670	87,370

Curb Ramp Accessibility and Condition

Intersections between sidewalks and roadways were observed and checked for the presence of a detectable warning device, adequate ramp widths, and ADA compliant slopes. A total of 858 curb ramps were observed. A majority of the existing curb ramps are "Fully Accessible" or "More Accessible". The primary deficiency of the evaluated curb ramps is the absence of detectable warning surfaces or non-compliant slopes. See Table 3 for the rating totals.

Table 3: Curb Ramp Condition Assessment

	1 – Not Accessible	2 – Less Accessible	3 – More Accessible	4 – Fully Accessible
Number of Curb Ramps	61	237	297	263
Percentage of Total	7%	27%	35%	31%

Pedestrian Signal Accessibility

Signalized intersections were observed for the presence of pedestrian signals at marked crossings. Pedestrian signals alert motorists and pedestrians that pedestrians have the right of way to cross the signalized road or intersection. Of the 298 curb ramps evaluated at signalized intersections, a total of 274 curb ramps (92%) had pedestrian signals.

Methods to Removing Barriers – Policies & Priorities

The Town of Colonie utilizes many different approaches to removing barriers in the public right-of-way, including proactively identifying and eliminating the barrier, responding to public complaints and ensuring the appropriate design and build-out of new construction following the most recent design guidelines.

The Town bases barrier removal priorities on two factors: location and the accessibility condition of the facility.

Location Priority

According to ADA Title II regulations, the transition plan shall give "priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas" (§ 35.150 Existing Facilities (d)(2)). Following this guidance, the Town identified its location priorities as listed below, with 1 being highest priority.

1. Facilities serving government facilities (including schools);
2. Facilities serving commercial and employment centers;
3. Facilities serving residential areas.

Public Complaint Process

Those wishing to file a complaint or a request regarding accessibility of a sidewalk or curb ramp should contact the Town Clerk in writing. The complaint must be submitted no later than 60 calendar days from date of the alleged violation. The Town Clerk or designee will confirm receipt and forward the complaint or request to the appropriate designee, department, or committee to contact the complainant to discuss the complaint and possible resolutions within 30 business days after receipt of the complaint. Within 10 business days, the Town Clerk, designee, or committee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town and offer substantive resolutions to the complaint.

The complainant has 30 business days to notify the Town if dissatisfied with the initial determination and resolution by the Town. The complainant may file an appeal with the Commissioner of Public Works or Public Works Operations Supervisor. The Town will contact the

complainant within 10 business days of appeal receipt to discuss the complaint and possible resolutions and follow up in writing with a final resolution on the complaint. All documents related to the complaints must be retained by the Town for a period of at least three years.

For more information on the name and contact information for the current Town Clerk, visit the Town website at www.colonie.org.

New Construction & Alterations

To ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alterations, the Town of Colonie, through the adoption of this Plan, adopted the *Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities* (ADAAG) (www.access-board.gov) as supplemented by the 2011 PROWAG. These are the primary regulatory standards that govern the design and construction of all future pedestrian facilities in the Town.

If pedestrian facilities can't fully meet the standards outlined in the ADA Guidelines for alteration projects, a determination of each structural implacability or technical infeasibility must be thoroughly documented in the permanent project record.

Work Plan Schedule

The Town of Colonie's Work Plan (Appendix C) demonstrates its commitment to improving the accessibility of its public facilities. The Town is responsible for the improvement of the facilities identified in the work plan. However, if another jurisdiction is altering a roadway within the Town's municipal boundary, that agency is responsible for the replacement of removed pedestrian facilities or for the construction of a curb ramp to the adjacent sidewalk if one doesn't exist.

Based upon current conditions and available funding, the Town intends to bring all sidewalk segments rated as "Not Accessible" or "Less Accessible" in the Work Plan (Appendix C) to compliance within a 15-year period. As identified during the location prioritization process, pedestrian facilities in the public right of way adjacent to government facilities and commercial corridors will be prioritized before facilities serving other areas. Curb ramps will be addressed with their corresponding sidewalk segments or during road paving and resurfacing projects.

As described in NYSDOT's current Transition Plan, NYSDOT performs frequent road maintenance and alterations. For the purpose of this Plan, areas lacking the provision of curb ramps in state rights-of-way are identified as being undertaken by NYSDOT. The improvement of these facilities will correspond to the approved NYSDOT capital improvement program.

Monitoring & Updates

Transition Plan Management

The Town of Colonie's Transition Plan will require routine review and revisions. The Town will review and update the Plan as necessary every five (5) years at minimum. If new regulations are

adopted or new guidelines become available that don't alter the intent of the Plan, the Town will add appendices to the Plan containing them.

Members of the public that wish to see changes made to the plan are encouraged to submit their comments and concerns in writing to the Town Clerk for consideration in the next update.

Public Input

A public input period for comment on this Plan was in effect from June 29, 2023 to July 28, 2023. The plan was available for review at the following locations:

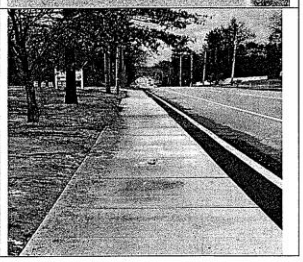
- Town of Colonie Department of Public Works office at the Public Operations Center, 347 Old Niskayuna Road, Latham, NY 12110
- William K Sanford Town Library, 629 Albany Shaker Road, Loudonville, NY 12211
- Digitally on the Town's website at www.colonie.org

Comments were requested to be sent to the Town by email to ReepmeyerK@colonie.org prior to the end of the public input period for consideration. No comments were received during the specified comment period.

Appendix A

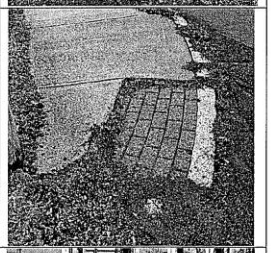
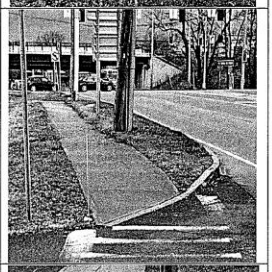
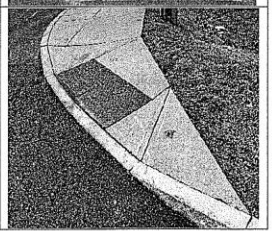
Appendix A – Evaluation Criteria

Sidewalk Condition Evaluation

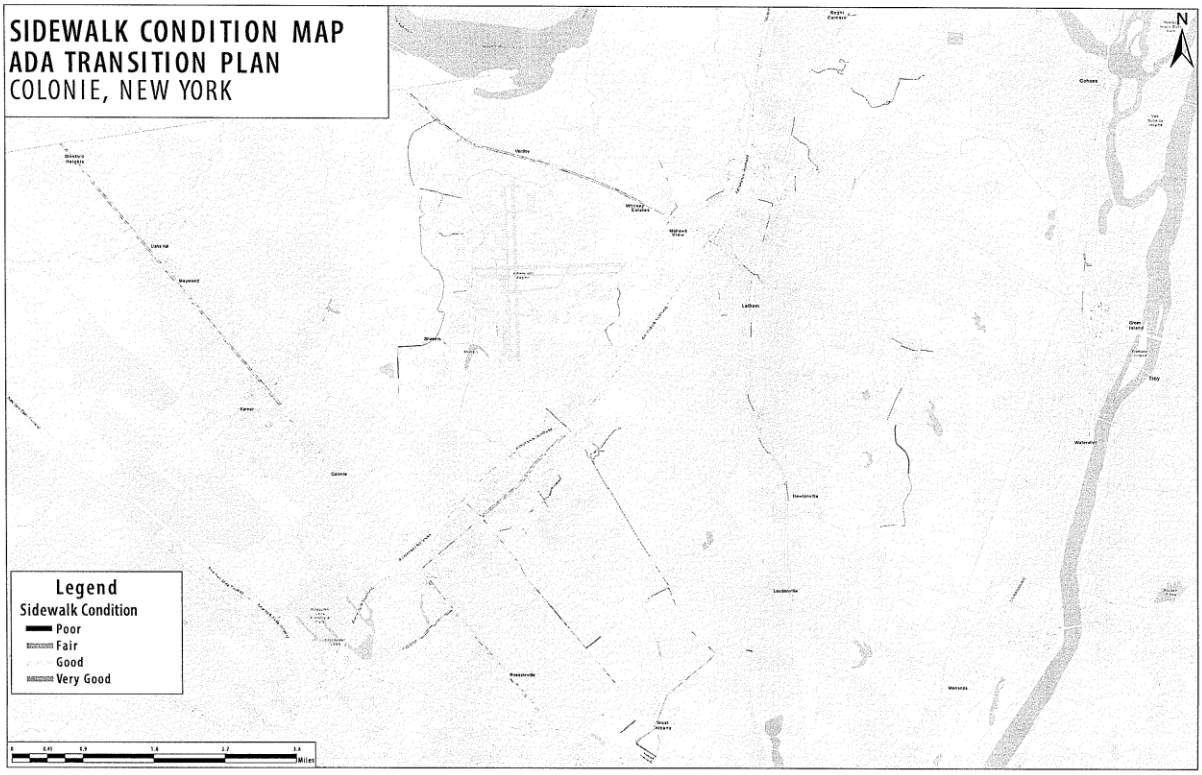
Rating	Accessibility Condition	Description	
1	Not Accessible	Accessibility for persons with disabilities is impossible or very difficult. Examples include: • Less than 4-feet wide • Major cross-slope problems • Severe cracking, heaving (more than ½-inch) • Flooding or drainage issues • Obstructions	
2	Less Accessible	Not to current standards. Accessibility is possible, but there are problems. Examples include: • 4-feet wide • Minor cross-slope problems • Surface is not smooth/slip-resistant (brick, slate) • No cracks/gaps/heaves more than ½-inch • Minor obstructions (but at least 3-feet of space)	
3	More Accessible	Facilities are accessible, are in need of additional improvements to be fully compliant. Examples include: • Issues identified under Rating 2, but to a much lesser extent rendering the facility ineligible to be rated as fully accessible	
4	Fully Accessible	Full accessibility to persons with disabilities and meet current standards. Examples include: • 5-feet wide • Max. cross slope of 2% • Firm, stable, and slip resistant surface (concrete, asphalt) • No cracks/gaps/heaves more than ¼-inch • No obstructions (utility poles, vegetation, grates)	

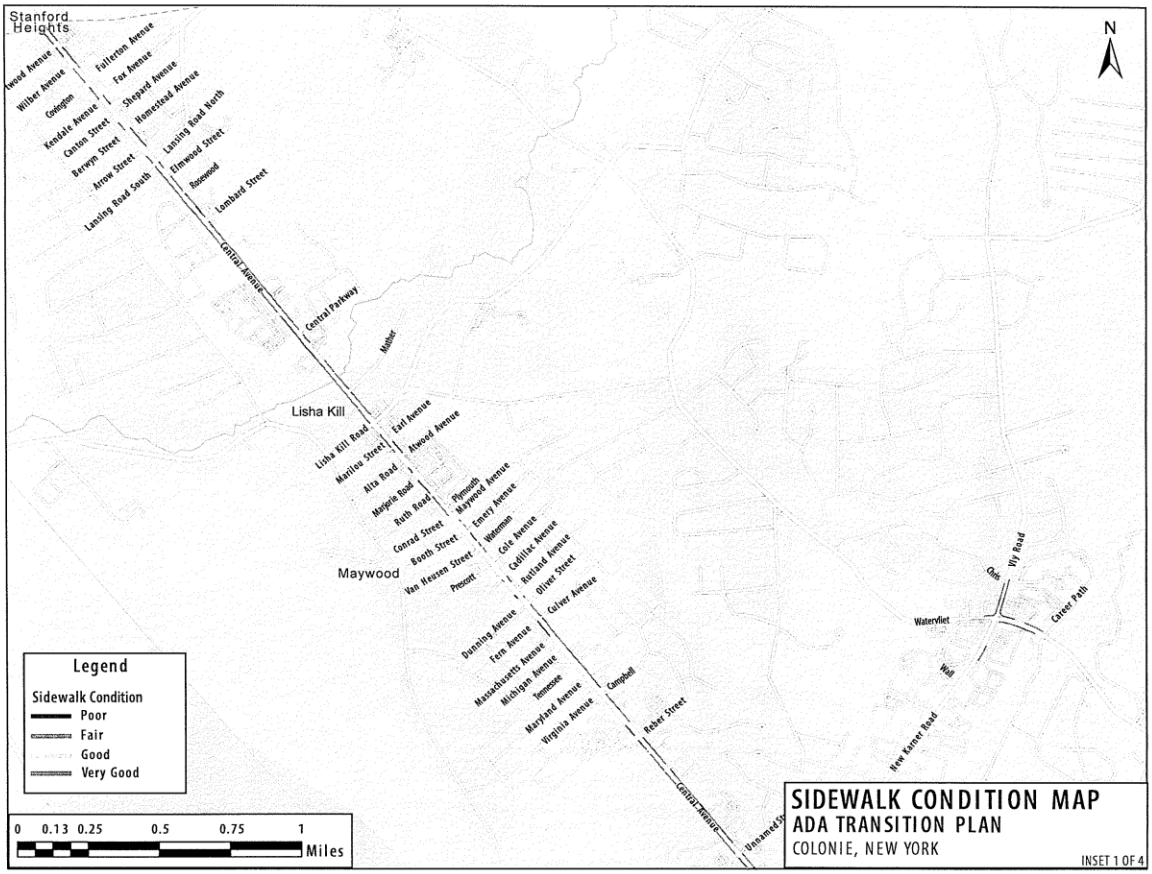
Appendix A – Evaluation Criteria

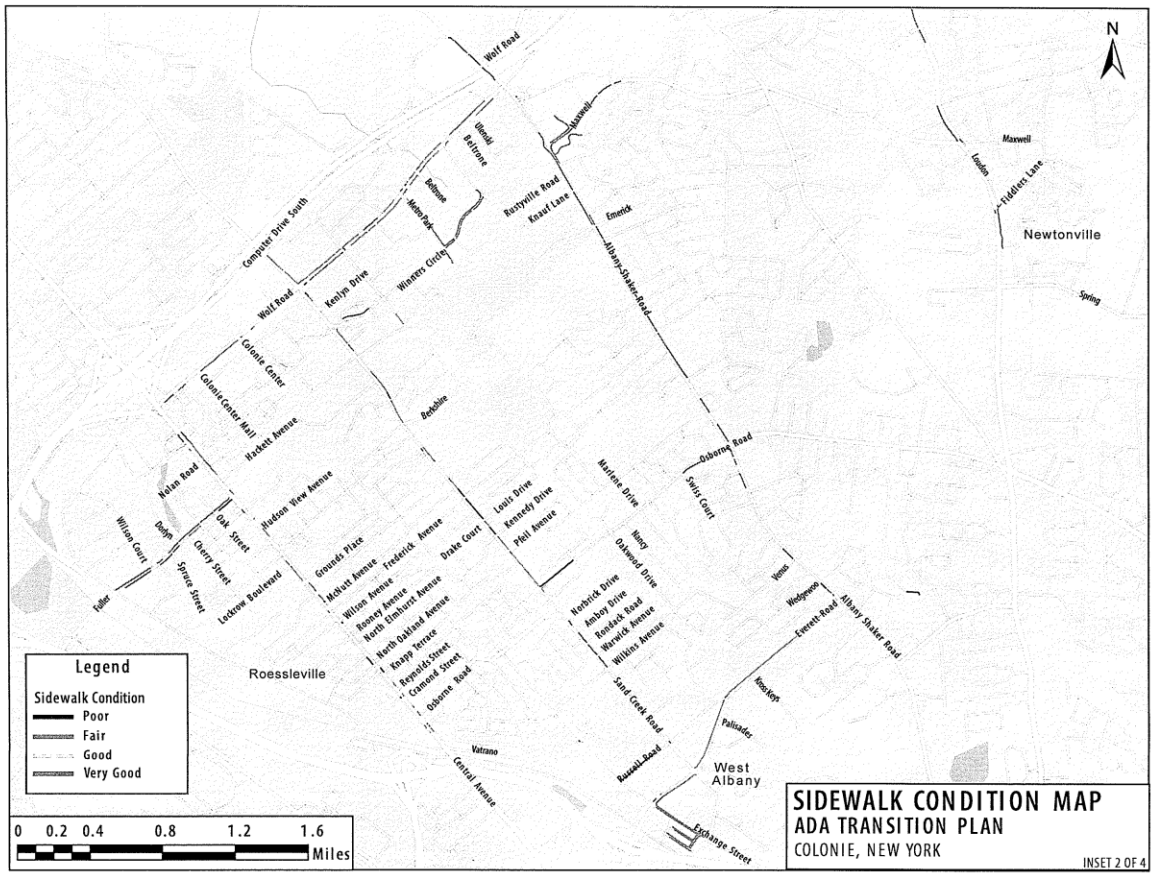
Curb Ramp Condition Evaluation

Rating	Accessibility Condition	Description	
1	Not Accessible	Accessibility for persons with disabilities is impossible or very difficult. Examples include: • No detectable warning AND other issues • Major excessive slope/cross-slope • Cracks/gaps/heaves in excess of ½-inch • Less than 4-feet clear space at top & bottom	
2	Less Accessible	Not to current standards. Accessibility is possible, but there are problems. Examples include: • No detectable warning • Minor excessive slope/cross-slope • No cracks/gaps/heaves more than ½-inch • 4-feet clear space at top & bottom • Maintenance/drainage issues (dirt/leaves/gravel)	
3	More Accessible	Facilities are accessible, are in need of additional improvements to be fully compliant. Examples include: • Curb ramp otherwise compliant, but missing detectable warning	
4	Fully Accessible	Full accessibility to persons with disabilities and meet current standards. Examples include: • Smooth/stable/slip-resistant surface (concrete, asphalt) • No cracks/gaps/heaves more than ¼-inch • Detectable warning surface • 5-feet clear space at top & bottom • Max. running slope of 8.33%	

Appendix B


SIDEWALK CONDITION MAP
ADA TRANSITION PLAN
COLONIE, NEW YORK
N
Legend
Sidewalk Condition
Poor
Fair
Good
Very Good
Miles


Stanford Heights
Fullerton Avenue
Fox Avenue
Shepard Avenue
Homestead Avenue
Lansing Road North
Elmwood Street
Rosewood
Lombard Street
Central Avenue
Central Parkway
Walnut
Lisha Kill
Earl Avenue
Atwood Avenue
Lisha Kill Road
Marilou Street
Alta Road
Margerie Road
Ruth Road
Plymouth
Maywood Avenue
Emery Avenue
Conrad Street
Booth Street
Van Heusen Street
Prescott
Waterman
Cole Avenue
Cadillac Avenue
Rutland Avenue
Oliver Street
Culver Avenue
Maywood
Dunning Avenue
Fern Avenue
Massachusetts Avenue
Michigan Avenue
Tennessee
Maryland Avenue
Virginia Avenue
Campbell
Reber Street
Central Avenue
Unnamed Str
Ohm
Vly Road
Career Path
Watervliet
Wall
New Karner Road
N
Legend
Sidewalk Condition
Poor
Fair
Good
Very Good
0 0.13 0.25 0.5 0.75 1
Miles
SIDEWALK CONDITION MAP
ADA TRANSITION PLAN
COLONIE, NEW YORK
INSET 1 OF 4

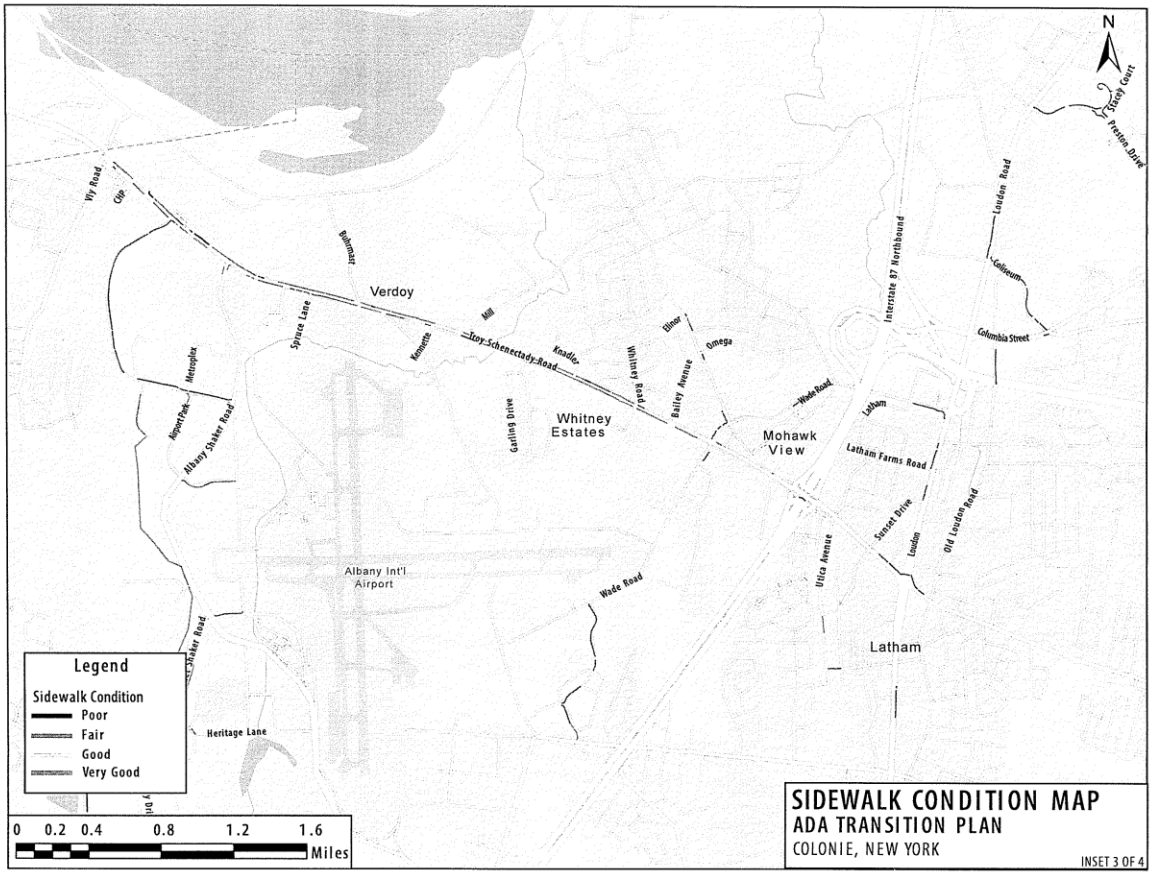


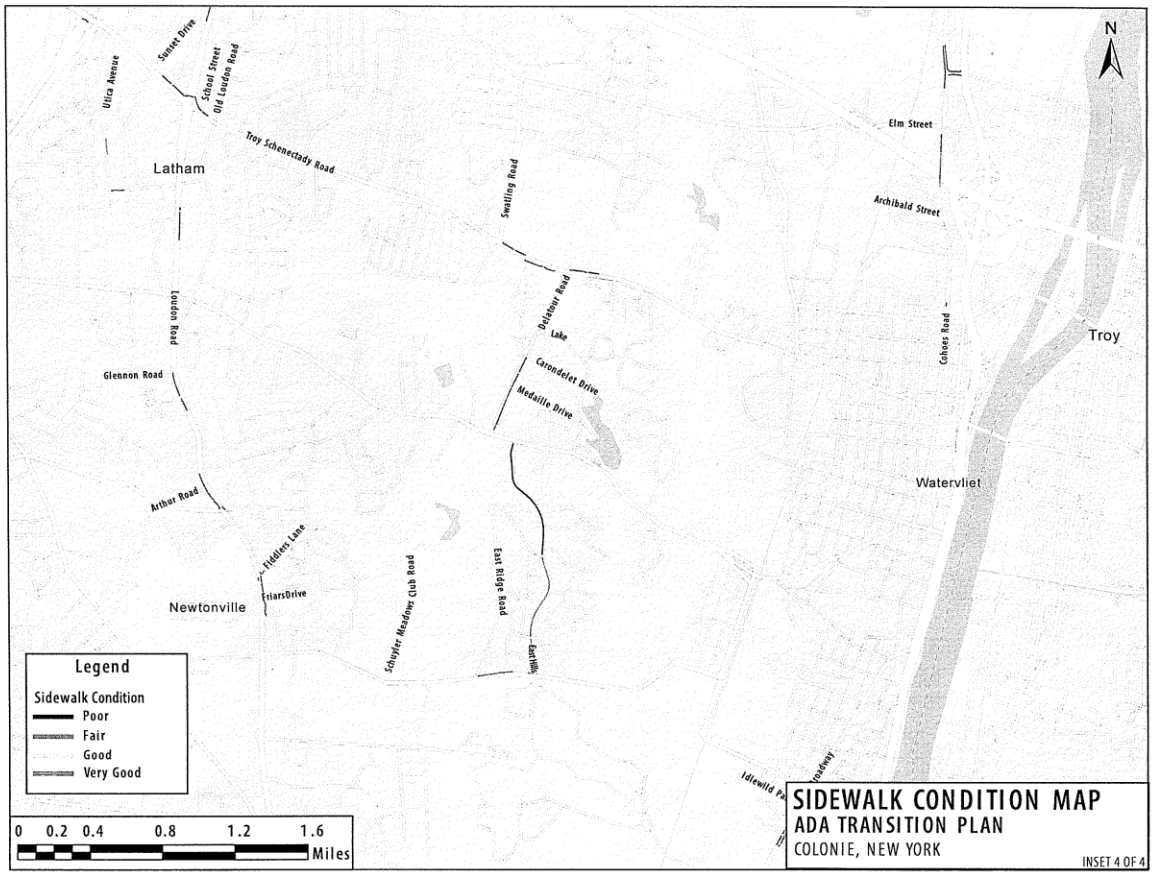
SIDEWALK CONDITION MAP

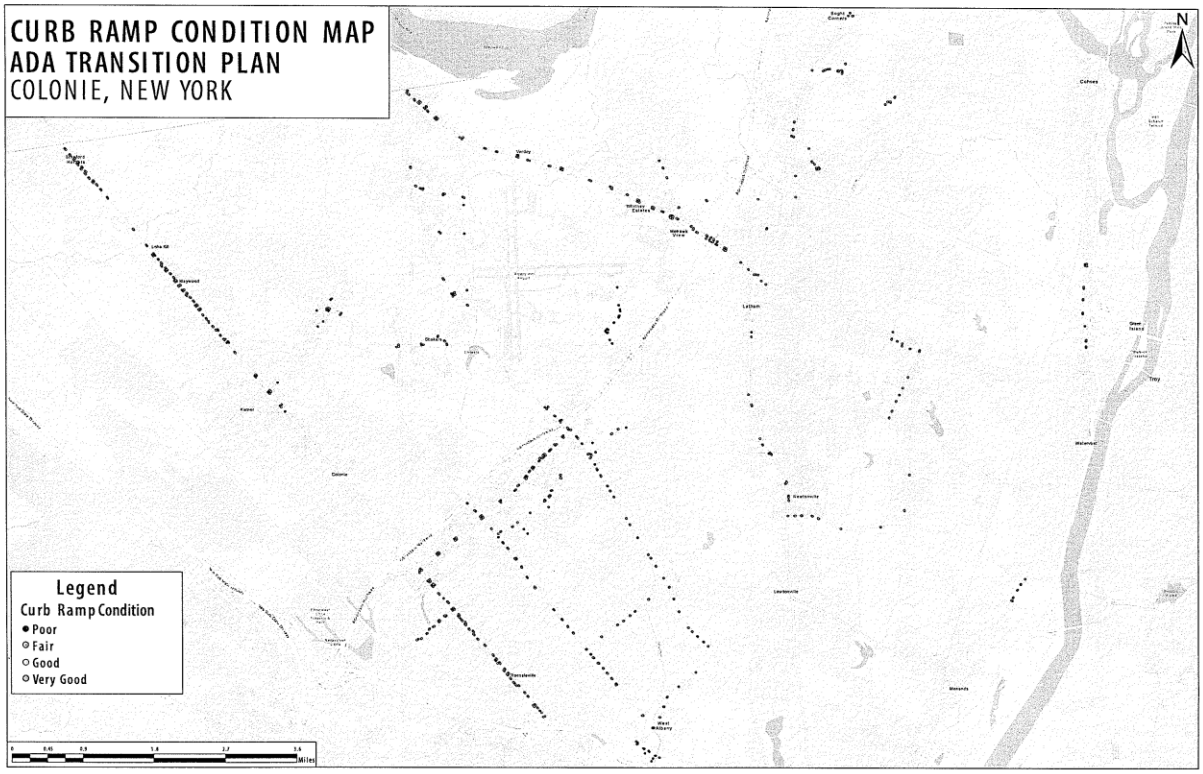
ADA TRANSITION PLAN

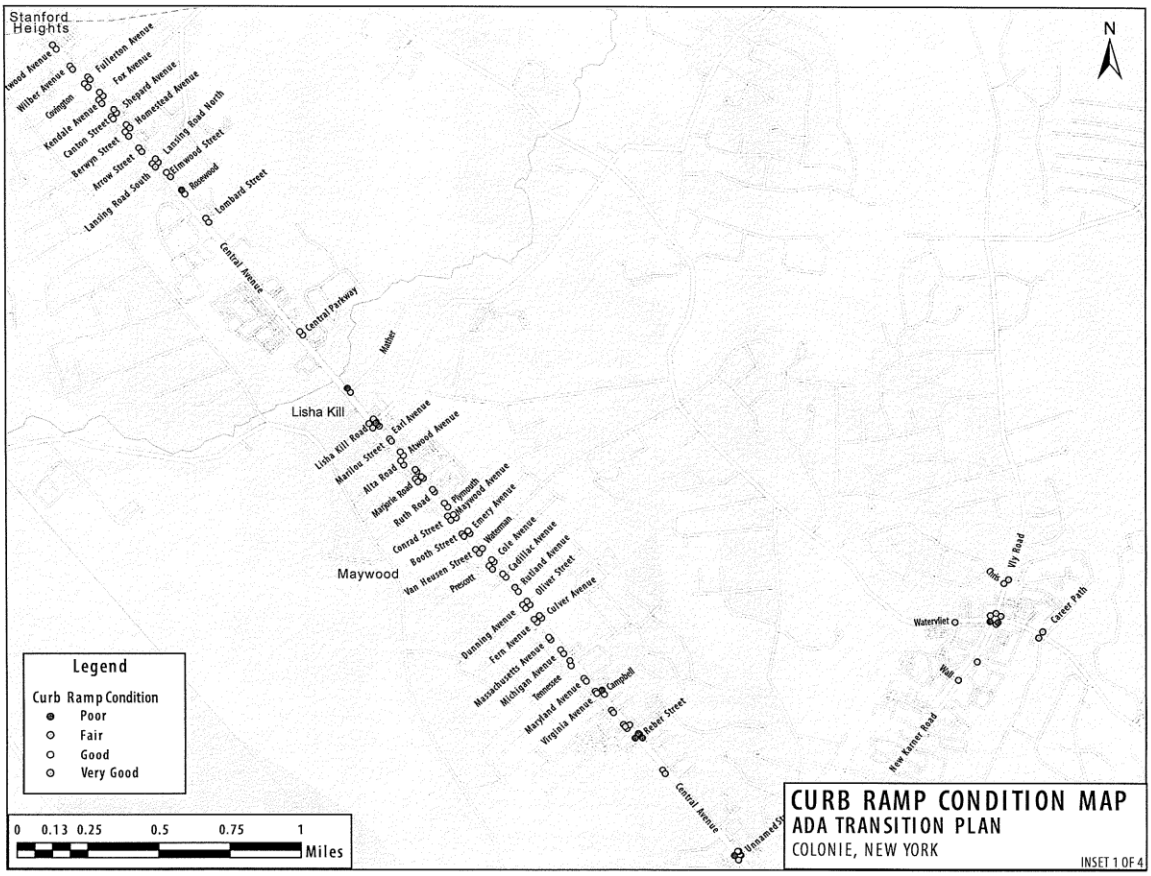
COLONIE, NEW YORK

INSET 2 OF 4


N
Stacey Court
Preston Drive
Wyl Road
Cliff
Bulkmoor
Verdoy
Spruce Lane
Mill
Kimmette
Troy-Schenectady Road
Knadler
Whitney Road
Elmer
Omega
Bailey Avenue
Interstate 87 Northbound
Loudon Road
Coliseum
Columbia Street
Metroplex
Airport Park
Albany Shaker Road
Gatling Drive
Whitney Estates
Wade Road
Latham
Mohawk View
Latham Farms Road
Sunset Drive
Loudon
Old Loudon Road
Utica Avenue
Albany Int'l Airport
Wade Road
Latham
Shaker Road
Heritage Lane
Legend
Sidewalk Condition
Poor
Fair
Good
Very Good
0 0.2 0.4 0.8 1.2 1.6
Miles
SIDEWALK CONDITION MAP
ADA TRANSITION PLAN
COLONIE, NEW YORK
INSET 3 OF 4


N
Sunset Drive
Utica Avenue
School Street
Old Loudon Road
Troy Schenectady Road
Latham
Swalling Road
Elm Street
Archibald Street
Delatour Road
Lake
Loudon Road
Glennon Road
Carondelet Drive
Medaille Drive
Cohoes Road
Troy
Watervliet
Arthur Road
Fiddlers Lane
FriarsDrive
Newtonville
Schuyler Meadow Club Road
East Ridge Road
Eastbills
Idlewild Pa
Legend
Sidewalk Condition
Poor
Fair
Good
Very Good
0 0.2 0.4 0.8 1.2 1.6
Miles
SIDEWALK CONDITION MAP
ADA TRANSITION PLAN
COLONIE, NEW YORK
INSET 4 OF 4


CURB RAMP CONDITION MAP
ADA TRANSITION PLAN
COLONIE, NEW YORK
N
Legend
Curb Ramp Condition
Poor
Fair
Good
Very Good
Miles

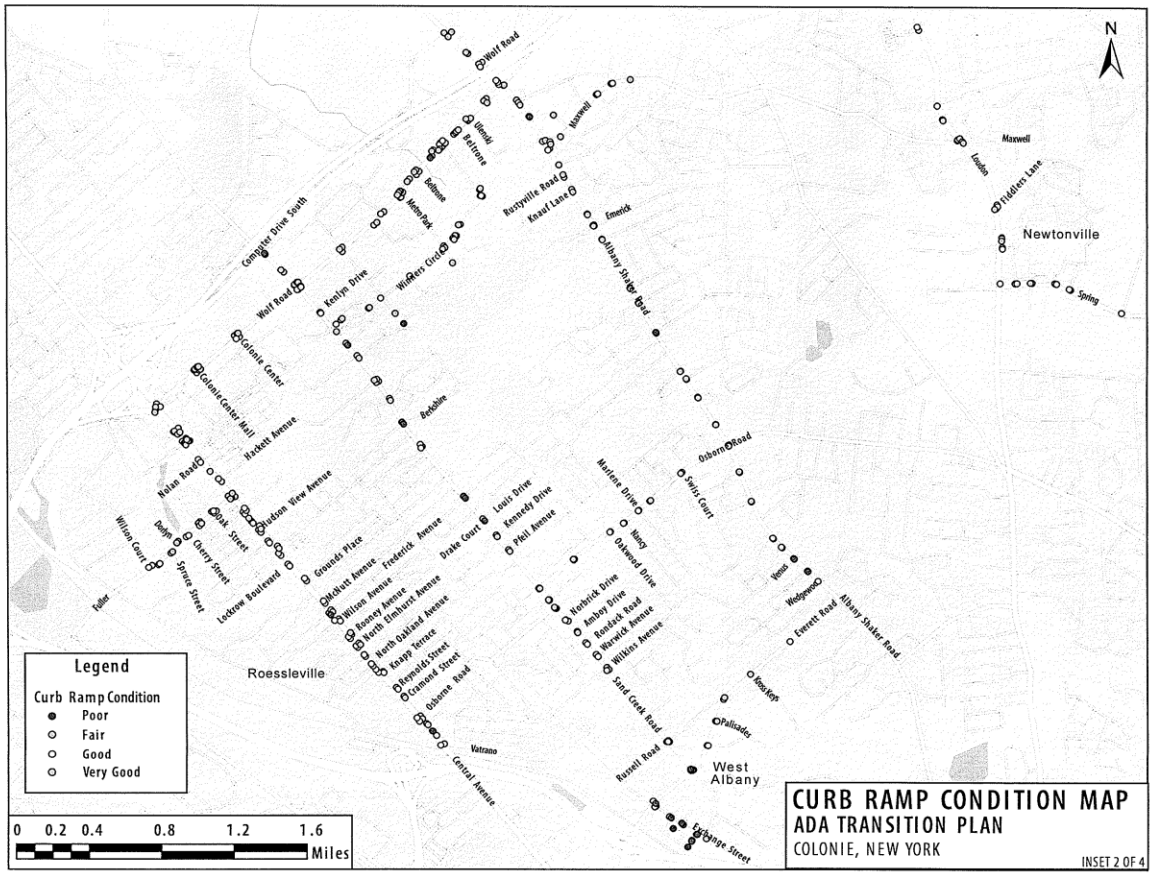


CURB RAMP CONDITION MAP

ADA TRANSITION PLAN

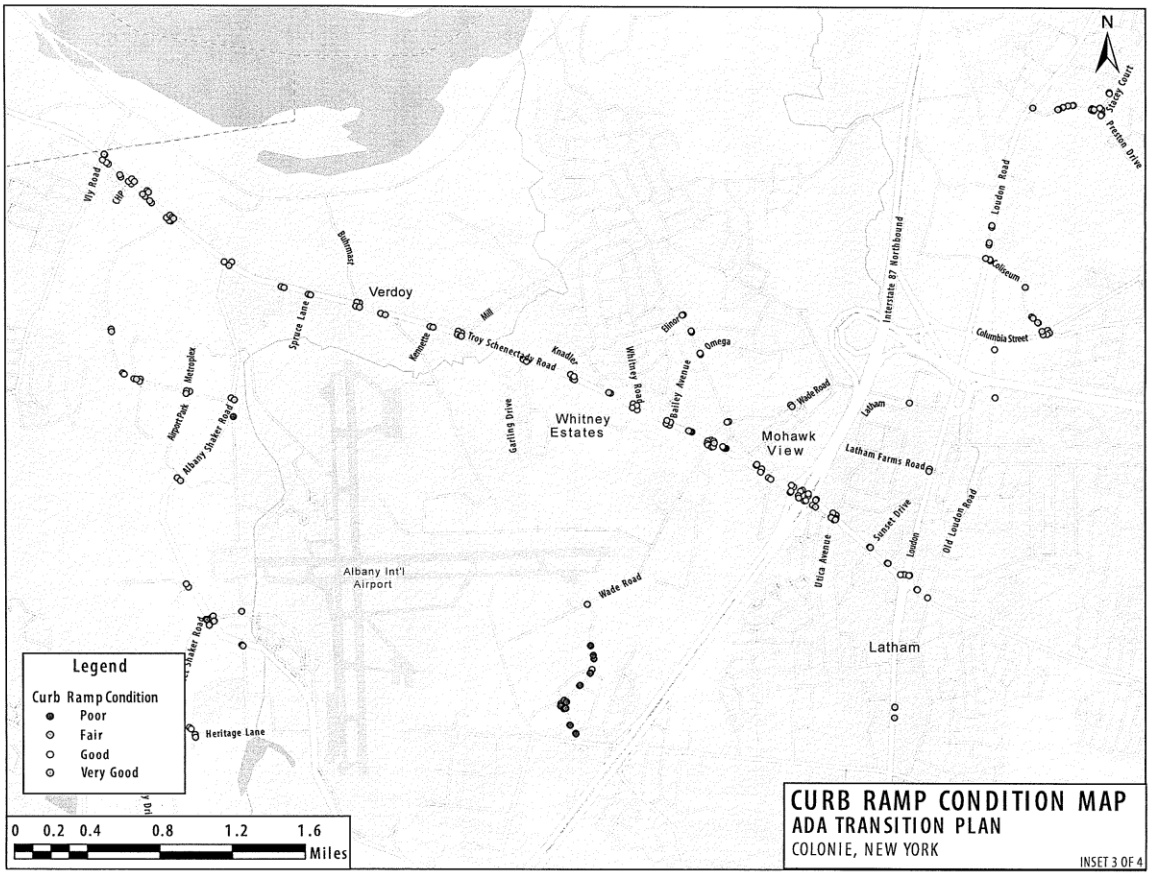
COLONIE, NEW YORK

INSET 1 OF 4



CURB RAMP CONDITION MAP
ADA TRANSITION PLAN
COLONIE, NEW YORK

INSET 2 OF 4

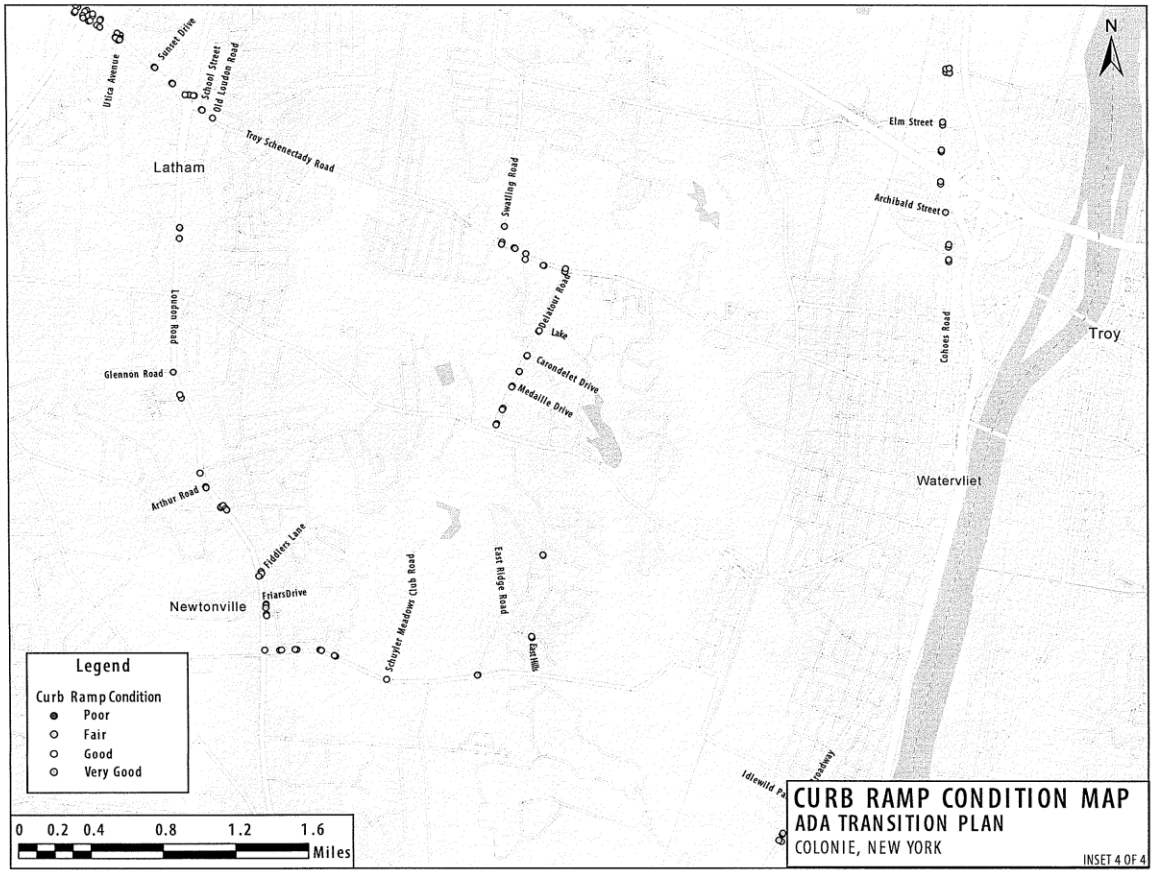


CURB RAMP CONDITION MAP

ADA TRANSITION PLAN

COLONIE, NEW YORK

INSET 3 OF 4



CURB RAMP CONDITION MAP

ADA TRANSITION PLAN

COLONIE, NEW YORK

INSET 4 OF 4

Appendix C

Appendix C – ADA Transition Work Plan

The Town is committed to replacing the lowest rated, non-compliant sidewalks and curb ramps as the Town budget allows. The maps in Appendix B will be used during the Town's annual paving schedule to replace existing non-compliant curb ramps. Non-compliant sidewalks and curb ramps that are located on County and NYSDOT owned roadways will be replaced at the discretion of the roadway owner.

The tables below prioritize sidewalk and pathway segments owned and maintained by the Town to be replaced by existing condition and location priority rating.

Rating 1 – Poor Condition					
Road Name	Side of Road	From	To	Type	Location Priority Rating
Cloverfield Drive MUP	East	Cloverfield Drive	St Pius X Catholic School	Multi-Use Path	1
Sand Creek Rd	East	Kennedy Dr	Campagna Dr	Sidewalk	1
East Hills Blvd	West	Watervliet Shaker Rd	Stoneridge Dr	Sidewalk	3
Russell Rd	West	Exchange St	Sand Creek Rd	Sidewalk	3

Rating 2 – Fair Condition					
Road Name	Side of Road	From	To	Type	Location Priority Rating
Forts Ferry Rd	East	Citation Dr	Nelson Ave	Sidewalk	1
Sand Creek Rd	East	Aviation Rd	W Hearthstone Dr	Sidewalk	1
Sand Creek Rd	East	Berkshire Dr	Windsor Dr	Sidewalk	1
Sand Creek Rd	East	Iris Ln	Crisafulli Dr	Sidewalk	1
Sand Creek Rd	East	Marriner Ave	McNutt Ave	Sidewalk	1
Airline Dr	North	Heritage Ln	Hill House Rd	Sidewalk	2
Airport Park Blvd	South	Albany Shaker Rd	Old Albany Shaker Rd	Sidewalk	2
Airport Park Blvd	West	British American Blvd	600' South of British American Blvd	Sidewalk	2
Cornell Rd	North	British American Blvd	End of Cornell Rd	Sidewalk	2
Sand Creek Rd	East	Wolf Rd	Computer Drive S	Sidewalk	2
Metro Park Rd	North	Wolf Rd	Fleet Feet Driveway	Sidewalk	2
New Karner Rd	West	Watervliet Shaker Rd	Chris Dr	Sidewalk	2
Metro Park Rd MUP	West	Metro Park Rd	Alyssa Ct	Multi-Use Path	2
Airline Dr MUP	North	Airline Dr	Cornell Rd	Multi-Use Path	2
East Hills Blvd	West	Spring Street Rd	Stoneridge Dr	Sidewalk	3
Sand Creek Rd	East	Osborne Rd	Kennedy Dr	Sidewalk	3
Spring Street Rd	North	East Hills Blvd	East Ridge Rd	Sidewalk	3
Utica Ave MUP	North	Utica Ave	History Hills Ct	Multi-Use Path	3

Appendix D

TOWN OF COLONIE ADA POLICY STATEMENT

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Colonie will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Town of Colonie does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: The Town of Colonie will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town of Colonie's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Town of Colonie will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the Town of Colonie's offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Colonie, should contact the office of the Town Clerk as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Colonie to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the Town of Colonie is not accessible to persons with disabilities should be directed to the Town Clerk.

The Town of Colonie will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Appendix E

Town of Colonie
Grievance Procedure under
the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Colonie. the Town's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem.

Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Town Clerk

534 New Loudon Road, Latham, NY 12110

Within 30 business days after receipt of the complaint, the Town Clerk or designee will confirm receipt and forward the complaint or request to the appropriate designee, department, or committee to contact the complainant to discuss the complaint and the possible resolutions. Within 10 business days, the Town Clerk or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Colonie and offer options for substantive resolution of the complaint.

If, in the opinion of the claimant, the response by the Town Clerk or designee does not satisfactorily resolve the issue, the complainant and/or his/her designee has 30 business days after receipt of the response to file an appeal to the Commissioner of Public Works or the Public Works Operations Supervisor.

Within 10 business days after receipt of the appeal, the Town will contact the complainant to discuss the complaint and possible resolutions and follow up in writing with a final resolution to the complainant.

All written complaints received by the Town Clerk or designee, appeals, and responses from the Town will be retained by Town for at least three years.

RESOLUTION NO. 438 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Daktronics, Inc. in connection with the new audio system at the West Albany Memorial Park football concession stand.

WHEREAS, the Town received a $250,000.00 SAM grant from the New York State Assembly for renovations to the West Albany Memorial Park; and

WHEREAS, a new two-speaker audio system will be installed by Daktronics, Inc. at the West Albany Memorial Park for a total cost of $14,838.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Daktronics, Inc. in connection with the new audio system at the West Albany Memorial Park football concession stand; and

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

RESOLUTION NO. 439 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 5 to the contract with Evolution Construction Services LLC in connection with the Mohawk River Park Court and Parking Lot Replacement Project at a cost not to exceed $106,534.71.

WHEREAS, Evolution Construction Services LLC is performing the construction work for this project and LaBella Associates is performing construction inspections and both companies have identified problems with the existing court subgrade; and

WHEREAS, to perform the necessary work to remedy the subgrade to be acceptable for the courts the cost for these additional services shall not exceed $106,534.71; and

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 5 to the contract with Evolution Construction Services LLC in connection with the Mohawk River Park Court and Parking Lot Replacement 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. 440 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with New York State Energy Research and Development Authority in connection with a $15,000.00 grant award from the Clean Energy Communities Program to be used to implement electric vehicle charging stations at the Town Library.

WHEREAS, the Town will accept a $15,000.00 grant award from the Clean Energy Communities Program to be used to implement electric vehicle charging stations at the Town Library; and

WHEREAS, New York State Energy Research and Development Authority (NYSERDA) and the Town will enter into an agreement which will describe the plan for the installation of vehicle charging stations at the Town Library;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an Agreement with New York State Energy Research and Development Authority in connection with a $15,000.00 grant award from the Clean Energy Communities Program to be used to implement electric vehicle charging stations at the Town Library; and

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

RESOLUTION NO. 441 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution requiring the Planning and Economic Development Director to review and consider the proposed amendment of 33 Nantucket Street in the Shelter Cove PDD.

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

WHEREAS, the applicant seeks to install a deck at 33 Nantucket Street;

BE IT RESOLVED that the Planning and Economic Development Director be, and hereby is, authorized to review and consider the proposed amendment of the Shelter Cove PDD.

RESOLUTION NO. 442 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution requiring the Planning and Economic Development Director to review and consider the proposed amendment of 4 Justin Street in the Maxwell Road Senior PDD.

WHEREAS, the Town Board recommends that the Planning and Economic Development Director review the amendment of the Maxwell Road Senior Planned Development District; and

WHEREAS, the applicant seeks to install a three-season sunroom at 4 Justin Street;

BE IT RESOLVED that the Planning and Economic Development Director be, and hereby is, authorized to review and consider the proposed amendment of the Maxwell Road Senior PDD.

RESOLUTION NO. 443 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution requiring the Planning and Economic Development Director to review and consider the proposed amendment of 20 Jordan Court in the Maxwell Road Senior PDD.

WHEREAS, the Town Board recommends that the Planning and Economic Development Director review the amendment of the Maxwell Road Senior Planned Development District; and

WHEREAS, the applicant seeks to install an 18KW standby generator at 20 Jordan Court;

BE IT RESOLVED that the Planning and Economic Development Director be, and hereby is, authorized to review and consider the proposed amendment of the Maxwell Road Senior PDD.

RESOLUTION NO. 444 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Director of Purchasing and General Services to advertise for bids in connection with the boiler replacement project at the Mohawk View Water Treatment Plant for the DPW/Division of Latham Water.

BE IT RESOLVED that the Director of Purchasing and General Services be, and hereby is, authorized to advertise for bids in connection with the boiler replacement project at the Mohawk View Water Treatment Plant for the DPW/Division of Latham Water.

RESOLUTION NO. 445 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution rescinding all prior resolutions in connection with the adoption of water usage rates and water service application fees and establishing new water usage rates and water service application fees to be paid by customers of the Latham Water District.

BE IT RESOLVED that all prior resolutions in connection with the adoption of water usage rates and water service application fees be, and they hereby are, rescinded, effective at close of business on September 14, 2023; and

BE IT FURTHER RESOLVED that new water usage rates and service application fees to be paid by customers of the Latham Water District be, and hereby are, adopted as set forth in the attached Exhibit "A", effective September 15, 2023.

TOWN OF COLONIE

DEPARTMENT OF PUBLIC WORKS
DIVISION OF LATHAM WATER
347 Old Niskayuna Road
Latham, New York 12110

Telephone: (518) 783-2750
Fax: (518) 786-7320
Website: www.colonie.org/departments/lathamwater

Peter G. Crummey
Town Supervisor

John W. Frazer, Jr., P.E.
Superintendent

YEAR 2023 WATER RATES

Effective first billing 2023 for water used second half 2022

INSIDE DISTRICT METERED RATE OF SALE

Gallons of Water Usage - - - - - - - - - - - - - $4.50 per 1,000 Gallons

OUTSIDE DISTRICT METERED RATE OF SALE

Gallons of Water Usage - - - - - - - - - - - - - $6.90 per 1,000 Gallons

VILLAGE OF COLONIE METERED RATE OR SALE

Gallons of Water Usage - - - - - - - - - - - - - $4.10 per 1,000 Gallons
(All usage is per 6-month period)

SEMI ANNUAL ADMINISTRATIVE FEE

Residential Properties (See Note 2) - - - - - - - - - - - - - $10.00
Commercial Properties (See Note 2) - - - - - - - - - - - - $30.00

SEMI-ANNUAL MINIMUM SERVICE CHARGES FOR COMMERCIAL PROPERTIES

		MINIMUM CHARGES	
Meter Size	Gallons Used	Inside District	Outside District
5/8" x 3/4"	0 to 20,000	$ 90.00	$ 138.00
1"	0 to 35,000	$ 157.50	$ 241.50
1 1/2"	0 to 63,000	$ 283.50	$ 434.70
2"	0 to 92,000	$ 414.00	$ 634.80
3"	0 to 158,000	$ 711.00	$ 1,090.20
4"	0 to 300,000	$ 1,350.00	$ 2,070.00
6"	0 to 649,000	$ 2,920.50	$ 4,478.10
8"	0 to 1,100,000	$ 4,950.00	$ 7,590.00

EXHIBIT "A"

YEAR 2023 WATER SERVICE APPLICATION AND MISCELLANEOUS FEES

EFFECTIVE JANUARY 1, 2023

3/4" WATER SERVICE APPLICATIONS - FIXED FEE:

A. Connection Fee	--	$ 75.00
B. Meter 5/8" x 3/4" (T-10)		$ 340.00
C. Service Installation	--	$ 2950.00

3/4" WATER SERVICE APPLICATIONS - VARIABLE FEE (SEE NOTE 3):

A. Connection Fee	--	$ 75.00
B. Meter 5/8" x 3/4" (T-10)	--	$ 340.00
C. Service Installation	--	Actual cost of labor (Plus 30% for insurance and benefits), materials and equipment.

1" WATER SERVICE APPLICATIONS:

A. Connection Fee	--	$ 100.00
B. Meter 1" (T-10)	--	$ 585.00
C. Service Installation	--	Actual cost of labor (Plus 30% for insurance and benefits), materials and equipment.

1 1/2" WATER SERVICE APPLICATIONS:

A. Connection Fee	--	$ 150.00
B. Meter 1 1/2"	--	Furnished by owner to Latham Water District's specs.
C. Service Installation	--	Actual cost of labor (plus 30% for insurance and benefits), materials and equipment.

2" WATER SERVICE APPLICATIONS:

A. Connection Fee	--	$ 200.00
B. Meter 2"	--	Furnished by owner to Latham Water District's specs.
C. Service Installation	--	Actual cost of labor (plus 30% for insurance and benefits), materials and equipment.

3" WATER SERVICE APPLICATIONS:

A. Connection Fee	--	$ 300.00
B. Meter 3"	--	Furnished by owner to Latham Water District's specs.
C. Service Installation	--	Actual cost of labor (plus 30% for insurance and benefits), materials and equipment.

4" WATER SERVICE APPLICATIONS:

A. Connection Fee	--	$ 400.00
B. Meter 4"	--	Furnished by owner to Latham Water District's specs.
C. Service Installation	--	Actual cost of labor (plus 30% for insurance and benefits), materials and equipment.

6" WATER SERVICE APPLICATIONS:

A. Connection Fee	--	$ 600.00
B. Meter 6"	--	Furnished by owner to Latham Water District's specs.
C. Service Installation	--	Actual cost of labor (plus 30% for insurance and benefits), materials and equipment.

YEAR 2023 WATER SERVICE APPLICATION AND MISCELLANEOUS FEES

EFFECTIVE JANUARY 1, 2023

8" WATER SERVICE APPLICATIONS:

A. Connection Fee	--	$ 800.00
B. Meter 8"	--	Furnished by owner to Latham Water District's specs.
C. Service Installation	--	Actual cost of labor (plus 30% for insurance and benefits), materials and equipment.

MISCELLANEOUS FEES AND CHARGES

Lawn Sprinkler and Irrigation Systems Application Fee	$ 75.00
Demolition Permit Application Fee	$ 80.00
Radio Read Meter Head (Register Only)	$ 290.00
Radio Meter Antenna	$ 40.00
1 ½" Meter	$ 800.00
1 ½" Meter Flange Kits	$ 149.00
2" Meter	$ 983.00
2" Meter Flange Kits	$ 188.00
Water Off/On (See Note 4)	$ 25.00
Final Meter Reading for Sale of Property (See Note 5)	$ 30.00
Water Service Modification Application Fee (See Note 6)	$ 80.00

ALTERNATE METER TYPES (SEE NOTE 8)

5/8" Ultrasonic Meter (Mach 10)	$ 490.00
1" Ultrasonic Meter (Mach 10)	$ 610.00
1 1/2" Ultrasonic Meter (Mach 10)	$ 960.00
2" Ultrasonic Meter (Mach 10)	$1,140.00
1" Ultrasonic Meter (Residential Fire Service – Mach 10)	$ 620.00
1 1/2" Ultrasonic Meter (Residential Fire Service – Mach 10)	$ 970.00
2" Ultrasonic Meter (Residential Fire Service – Mach 10)	$1,150.00

NOTES:

1) At the Latham Water District's discretion, a Water Service Application may be invalidated one year after issuance and Connection Fees paid will be forfeited.

2) Residential properties are defined as properties with the following Property Class Codes:
210, 211, 215, 220, 221, 240, 250, 260, 261, 270, 271, 280,281,310 and 311 ✳
Commercial Properties are properties not in a residential Property Class Code.

3) For water services to be installed in New York State Department of Transportation, County of Albany and significant Town of Colonie rights of way.

4) If the request to turn the water service back on is made more than 48 hours after the request to turn it off, a second Water Off/On charge will be assessed. This fee will be added to the next water bill.

5) This fee will be added to the next water bill.

6) For any changes to the existing water service including water meter, backflow preventer, etc. that does not require a new water service. Additional Fees as outlined above may apply.

7) Any of the above fees that remain unpaid beyond 30 days may be applied to the next water bill. If the fee is added to the water bill due to non-payment, a 5% late penalty will be assessed and added to the water bill. Unpaid accounts are reassessed on the General Land Tax Bill as of November 30 with an additional 5% penalty.

8) At the discretion of the Water District Superintendent or as mandated by code, rule or regulations these alternate meter types may be installed.

RESOLUTION NO. 446 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid to DN Tanks of New York, LLC in connection with the River Road Storage and Mohawk View Water Treatment Plant upgrades at a cost not to exceed $13,903,265.00 for the DPW/Division of Latham Water and authorizing the Supervisor to execute an agreement for same.

WHEREAS, pursuant to advertisement on July 13, 2023, the following proposals were received in connection with the River Road Storage and Mohawk View Water Treatment Plant Mixing upgrades for the DPW/Division of Latham Water:

Bidder	Bid Total including all Additive Parts
DN Tanks of New York, LLC.	$13,903,265.00
Preload, LLC	$14,118,000.00

WHEREAS, after review of the bids and upon the recommendation of the Director of Purchasing and General Services and Superintendent of the DPW/Division of Latham Water;

BE IT RESOLVED that the award go to the low bidder, DN Tanks of New York, LLC, for a total of $13,903,265.00; and

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute 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. 447 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 1 with Birdsall Excavation and Construction in connection with Repair Group 1 for the DPW/Division of Pure Waters.

WHEREAS, Birdsall Excavation and Construction was awarded the repair for 16 Perry Avenue; and

WHEREAS, after further investigation, it was discovered that the lateral for this property did not need to be repaired and was removed by Pure Waters after the bid had been awarded; and

WHEREAS, due to the removal of 16 Perry Avenue the cost shall be reduced by $16,000.00;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1 with Birdsall Excavation and Construction in connection with Repair Group 1 for the DPW/Division of Pure Waters; 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. 448 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ 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:

Village Square of Penna, Inc., v. Town of Colonie et al.
Index Nos. 905082-20; 906173-21; 905484-22; 906631-23
The Desmond Hotel (660 Albany Shaker Rd), Tax Map Parcel No. 30.5-8

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2020	$8,375,000	$7,625,000	$750,000
2021	$8,375,000	$6,195,000	$2,180,000
2022	$13,400,000	$8,083,750	$5,316,250
2023	$12,000,000	$8,925,000	$3,075,000

Tentative Town Refund: $48,196.65

Tentative School District Refund: $302,466.72

Walgreen Eastern Co., Inc., v. Town of Colonie et al.
Index Nos. 905343-22; 906215-23
Walgreens (1850 Central Ave.), Tax Map Parcel No. 29.14-1-4

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2022	$2,500,000	$2,500,000	$0
2023	$2,500,000	$2,400,000	$100,000

Tentative Town Refund: N/A
Tentative School District Refund: N/A

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. 449 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Contract with Landscape Inc. in connection with paver repairs at the Pruyn House at a cost not to exceed $11,200.00.

WHEREAS, Landscape Inc. submitted a quote for paver repairs at the Pruyn House at a cost not to exceed $11,200.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Contract with Landscape Inc. in connection with paver repairs at the Pruyn House at a cost not to exceed $11,200.00; and

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

RESOLUTION NO. 450 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution amending Resolution No. 373 of 2023 appointing C. Michele Zilgme to the position of Tax Office Project Assistant (PT) in the Tax Office and amending her rate of pay to $49.76.

BE IT RESOLVED that Resolution No. 373 of 2023 be, and hereby is, amended appointing C. Michele Zilgme to the position of Tax Office Project Assistant (PT) in the Tax Office and amending her rate of pay to $49.76.

RESOLUTION NO. 451 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 14th day of September, 2023 at 7:00 PM.

PRESENT: Supervisor Peter G. Crummey
Councilwomen Kristen Blais
Melissa Jeffers
Councilmen Rick Field, Sr.
Alvin Gamble
Jeffrey Madden
Mark McCumber

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Agreement with Industrial Medical Associates in connection with employee fitness for duty evaluations.

WHEREAS, Industrial Medical Associates will perform evaluations of employees;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an agreement with Industrial Medical Associates in connection with employee fitness for duty evaluations; and

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