

RESOLUTION NO. 343-A FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

**Resolution temporarily appointing Janis M. Finn to the position of
Principal Assessment Clerk (PT) in the Assessor's Office.**

BE IT RESOLVED that Janis M. Finn be, and hereby is, temporarily appointed to the position of Principal Assessment Clerk (PT) in the Assessor's Office at an hourly rate of \$23.86, effective October 5, 2021 through March 5, 2022.

RESOLUTION NO. 343-B FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution provisionally appointing Laura C. Hadsell to the position of Real Property Appraiser, Grade 13, in the Assessor's Office.

BE IT RESOLVED that Laura C. Hadsell be, and hereby is, provisionally appointed to the position of Real Property Appraiser, Grade 13, in the Assessor's Office at an annual salary of \$59,698, effective October 12, 2021, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 343-C FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Brendan M. Turner to the position of Sewer Maintenance Worker, Grade 8, in the DPW/Division of Pure Waters.

BE IT RESOLVED that Brendan M. Turner be, and hereby is, appointed to the position of Sewer Maintenance Worker, Grade 8, in the DPW/Division of Pure Waters at an hourly rate of \$19.86, effective October 25, 2021, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 343-D FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution provisionally promoting Raymond R. Elliott to the position of Assistant Chief Water Treatment Plant Operator, Grade 15, in the DPW/Division of Latham Water.

BE IT RESOLVED that Raymond R. Elliott be, and hereby is, provisionally promoted to the position of Assistant Chief Water Treatment Plant Operator, Grade 15, in the DPW/Division of Latham Water at an annual salary of \$73,785, effective October 4, 2021, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 344 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution Calling a Public Hearing Pursuant to §202 of the New York State Town Law Relative to the Annual Estimate of Expense of Improvements and Benefit Assessment Roll for the Town of Colonie Sewer Improvement Area.

WHEREAS, the Town Board of the Town of Colonie has heretofore dissolved certain sewer districts within the Town of Colonie, County of Albany, State of New York, and formed the Colonie Sewer Improvement Area; and

WHEREAS, the expense of constructing sewers, sewage disposal plants and drainage systems and constructing lateral sewers within the Colonie Sewer Improvement Area is to be borne by local assessment upon the several lots and parcels of land within said area is a Town function in the manner provided by Chapter 950 of the Laws of 1973, and §202 of the Town Law; and

WHEREAS, the annual estimate of expense of improvements along with the Assessment Roll for said Sewer Improvement Area has been prepared and describes each lot or parcel of land contained within said Sewer Improvement Area and shows the names of the reputed owner or owners thereof and the aggregate amount of assessment to be levied upon each such lot or parcel of land; and

WHEREAS, the aforesaid estimates and Assessment Roll are available for public inspection in the office of the Town Assessor of the Town of Colonie, County of Albany, New York.

NOW, THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED, that a public hearing pursuant to New York State Town Law §§ 202 and 239, shall be held at the Town Hall, County of Albany, State of New York on the 4th day of November, 2021 at 7:00 o'clock p.m. to hear all persons interested in relation to the aforesaid estimates and Assessment Roll and to hear and consider any objections to the aforesaid Assessment Roll and to take such other action on the part of the Town Board as may be required by law proper in the premises.

RESOLUTION NO. 345 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution Calling a Public Hearing Pursuant to §202-A of the New York State Town Law Relative to the Annual Estimate of Expense of Maintenance and Benefit Assessment Roll for the Town of Colonie Sewer Improvement Area.

WHEREAS, the Town Board of the Town of Colonie has heretofore dissolved certain sewer districts within the Town of Colonie, County of Albany, State of New York, and formed the Colonie Sewer Improvement Area; and

WHEREAS, the annual estimate of the expense of maintenance and the Benefit Assessment Roll for the Colonie Sewer Improvement Area, in the Town of Colonie, Albany County, New York, pursuant to New York State Town Law §202-a, has been duly prepared; and

WHEREAS, the expense of maintenance for said Sewer Improvement Area is to be assessed in proportion to the amount of benefits derived from the Improvement Area pursuant to New York State Town Law §202-a; and

WHEREAS, the Assessment Roll for said Sewer Improvement Area has been prepared and describes each lot or parcel of land contained within said Sewer Improvement Area and shows the names of the reputed owner or owners thereof and the aggregate amount of assessment to be levied upon each such lot or parcel of land; and

WHEREAS, the aforesaid estimates and Assessment Roll are available for public inspection in the office of the Town Assessor of the Town of Colonie, County of Albany, New York.

NOW, THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED, that a public hearing pursuant to New York State Town Law §§ 202-a and 239, shall be held at the Town Hall, County of Albany, State of New York on the 4th day of November, 2021 at 7:00 o'clock p.m. to hear all persons interested in relation to the aforesaid estimates and Assessment Roll and to hear and consider any objections to the aforesaid Assessment Roll and to take such other action on the part of the Town Board as may be required by law proper in the premises.

RESOLUTION NO. 346 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution amending Resolution No. 327 for 2021 deleting any and all reference to Sections 90 and 91 of the New York State Town Law and adding the reference to Section 24 of the Municipal Home Rule Law.

BE IT RESOLVED that Resolution No. 327 for 2021, adopted on September 9, 2021 be, and hereby is, amended to delete any and all references to Sections 90 and 91 of the New York State Town Law and replacing same with language referencing Section 24 of the Municipal Home Rule Law to provide that the adoption of said resolution shall be subject to a forty-five (45) day permissive referendum period as required by law.

RESOLUTION NO. 347 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution calling public hearings in connection with Fire Protection District contracts.

WHEREAS, §184 of the Town Law requires a public hearing before entering into a contract with certain fire companies furnishing fire protection for fire protection districts; and

WHEREAS, such notice must be given at least ten (10) days prior to the date set for the hearing;

NOW, THEREFORE, BE IT RESOLVED, that public hearings in connection with Fire Protection District contracts be, and they hereby are, scheduled for October 28, 2021 at 7:00 PM for the following Fire Protection Districts:

S.W. Pitts Hose Company of Latham, N.Y., Inc.
Fuller Road Fire Department, Inc.
Shaker Road-Loudonville Fire Department, Inc.
Maplewood Volunteer Fire Department, Inc.

RESOLUTION NO. 348 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the General Services Director to advertise for bids in connection with structural repairs to be done at the Municipal Training Facilities Fire Tower Site.

BE IT RESOLVED that the General Services Director be, and hereby is, authorized to advertise for bids in connection with structural repairs to be done at the Municipal Training Facilities Fire Tower Site.

RESOLUTION NO. 349 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to reimburse for overestimated water usage at 384 Loudon Road.

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

Daniel Sleasman	384 Loudon Road	\$9,690.14
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RESOLUTION NO. 350 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Contractor Services Agreement with Pollard Excavating in connection with supplying and replacing butterfly valves, actuators and couplings at the Mohawk View Water Treatment Plant and to be used by various Town Facilities.

WHEREAS, Pollard Excavating will supply and replace butterfly valves, actuators and couplings at the Mohawk View Water Treatment Plant and be used by various Town Facilities, as needed, at a cost not to exceed \$10,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Contractor Services Agreement with Pollard Excavating in connection with supplying and replacing butterfly valves, actuators and couplings at the Mohawk View Water Treatment Plant and to be used by various Town Facilities; and

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

RESOLUTION NO. 351 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Contractor Service Agreement with HJM Precision, Inc. in connection with the certification of the autoclave at the Mohawk View Water Treatment Plant and to be used by various Town Facilities.

WHEREAS, the DPW/Division of Latham Water will be using the service of HJM Precision, Inc. for required an annual maintenance on the autoclave, specifically the certification of the pressure and temperature gages; and

WHEREAS, the services of HJM Precision, Inc. will also be used by various Town Facilities, as needed, at a cost not to exceed \$5,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Contractor Service Agreement with HJM Precision, Inc. in connection with the certification of the autoclave at the Mohawk View Water Treatment Plant and to be used by various Town Facilities; and

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

RESOLUTION NO. 352 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 1 with Constantine Construction & Farm, Inc. in connection with sludge hauling for the DPW/Division of Latham Water.

WHEREAS, the change order was necessary due to extremely high moisture content of the sludge and the need to bring the sludge to the Pure Waters drying beds since Waste Connections was unable to take the sludge at the landfill; and

WHEREAS, the contractor was requested by the DPW/Division of Latham Water to wash their vehicles upon leaving the lagoon and Pure Waters drying beds which added time and cost that were not contemplated by the bid; and

WHEREAS, Waste Connections agreed to pay 56.6% of the total amount of \$35,625.00 since they were unable to accept the sludge; and

WHEREAS, the portion owed by the DPW/Division of Latham Water will be \$15,361.25;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1 with Constantine Construction & Farm, Inc. in connection with sludge hauling for the DPW/Division of Latham Water; and

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

RESOLUTION NO. 353 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Latham Water Repayment Agreement with Jumone Johnson.

WHEREAS, Jumone Johnson of 45 Maryland Avenue had a water bill issued on October 15, 2020 in the amount of \$2,188.52 and a bill issued on April 15, 2021 in the amount of \$2,155.52; and

WHEREAS, due to COVID, Jumone Johnson made an application to the DPW/Division of Latham Water for a postponement of the water bill payment until the pandemic emergency was lifted by New York State; and

WHEREAS, Jumone Johnson has agreed to pay \$72.40 per month for sixty (60) months in order to repay what is due starting on November 1, 2021;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Latham Water Repayment Agreement with Jumone Johnson; and

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

RESOLUTION NO. 354 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a one-year extended warranty coverage with ELSAG North America Selex ES in connection with the maintenance of a F3-4 Camera System at Central Avenue and Covington Avenue.

WHEREAS, the extended one-year warranty coverage with ELSAG North America Selex ES for the maintenance of a F3-4 Camera System at Central Avenue and Covington Avenue will be from September 19, 2021 until September 18, 2022 at a cost not to exceed \$5,090.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a one-year extended warranty coverage with ELSAG North America Selex ES in connection with the maintenance of a F3-4 Camera System at Central Avenue and Covington Avenue; and

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

RESOLUTION NO. 355 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Education Service Center-Region 19 Allied States Cooperative in connection with an additional option for the Town to competitively bid contracts.

WHEREAS, the Education Service Center-Region 19 Allied States Cooperative will allow the Town an additional option to competitively bid contracts at no cost to the Town;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Education Service Center-Region 19 Allied States Cooperative in connection with an additional option for the Town to competitively bid contracts; and

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

RESOLUTION NO. 356 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Landmark Medical, PC in connection with providing in-home medical care by the Emergency Medical Services Department.

WHEREAS, Landmark Medical, PC is a full-service medical group that provides ongoing medical care or urgent care in patients' homes;

WHEREAS, the Emergency Medical Services Department will provide in-home medical care by a certified Paramedic in conjunction with a Landmark Medical, PC physician; and

WHEREAS, Landmark Medical, PC will pay Colonie Emergency Medical Services Department \$275.00 for each completed patient encounter;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Landmark Medical, PC in connection with providing patient encounter assistance by the Emergency Medical Services Department; 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 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

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

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

<u>PAYEE</u>	<u>AMOUNT</u>
Cooper Erving & Savage LLP (Fusco, Geraci, Bugman, Hoffay, 200 Sunset Blvd. Zoning Issue, Falace-Mayr)	\$27,174.80
Jennifer Maloney (vehicle damage Dunsbach Ferry Rd.)	\$1,527.29
Total	\$28,702.09

RESOLUTION NO. 358 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing acceptance of a proposal from Arthur J. Gallagher & Co. to provide Commercial Inland Marine/Equipment insurance coverage through Travelers Property Casualty Company of America for the Town of Colonie.

WHEREAS, the Arthur J. Gallagher & Co. has provided the Town of Colonie with a proposal for Commercial Inland Marine/Equipment insurance coverage for the period of July 31, 2021 to July 31, 2022 through Travelers Property Casualty Company of America; and

WHEREAS, the premium for this policy is \$49,709.00;

NOW THEREFORE BE IT RESOLVED, that a proposal from Arthur J. Gallagher & Co. to provide the Town of Colonie with Commercial Inland Marine/Equipment insurance coverage for the period of July 31, 2021 to July 31, 2022 be, and it hereby is, accepted; and

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

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

RESOLUTION NO. 359 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute an Engineering Agreement with Arcadis of New York, Inc. for design and bid phase services in connection with the Mohawk View Water Pollution Control Plant Blower Rehabilitation Project.

WHEREAS, the study phase of the Mohawk View Water Pollution Control Plant Blower Rehabilitation Project was partially funded by the NYS Energy Research Development Agency (NYSERDA) if the replacement equipment is operational by February 2023; and

WHEREAS, DPW/Division of Pure Waters solicited a proposal from the study phase engineer, Arcadis of New York, Inc., with a goal of meeting the NYSEDA deadline for a cost not to exceed \$180,000.00;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an Engineering Agreement with Arcadis of New York, Inc. for design and bid phase services in connection with the Mohawk View Water Pollution Control Plant Blower Rehabilitation 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 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 1 with Stants Capital Combustion, LLC in connection with the Mohawk View Water Pollution Control Plant Boiler #1 Gasket Replacement Project.

WHEREAS, Stants Capital Combustion, LLC was awarded the bid for the Mohawk View Water Pollution Control Plant Boiler #1 Gasket Replacement Project; and

WHEREAS, during the disassembly of the existing boiler, it was discovered that two (2) internal sections were worn and required replacement; and

WHEREAS, the cost for the additional work was \$4,617.50 which revised the total cost for the project to \$8,112.50;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1 with Stants Capital Combustion, LLC in connection with the Mohawk View Water Pollution Control Plant Boiler #1 Gasket 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. 361 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 58 Gadsen Court by ANJO Construction, Ltd. and authorizing the Comptroller to expend Emergency Repair Reserve funds for the same.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to declare an emergency in connection with repair of the sanitary sewer system at 58 Gadsen Court by ANJO Construction, Ltd. for the DPW/Division of Pure Waters; and

BE IT FURTHER RESOLVED that the Comptroller be, and hereby is, authorized to expend \$12,596.03 from the Emergency Repair Reserve funds for the same.

RESOLUTION NO. 362 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 12 Brickley Drive by ANJO Construction, Ltd. and authorizing the Comptroller to expend Emergency Repair Reserve funds for the same.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to declare an emergency in connection with repair of the sanitary sewer system at 12 Brickley Drive by ANJO Construction, Ltd. for the DPW/Division of Pure Waters; and

BE IT FURTHER RESOLVED that the Comptroller be, and hereby is, authorized to expend \$11,278.07 from the Emergency Repair Reserve funds for the same.

RESOLUTION NO. 363 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution calling a public hearing in regard to the Planning Board recommendation for the proposed amendment of the Elks Lane PDD.

WHEREAS, on September 17, 2015, the Town Board of the Town of Colonie adopted Resolution 461 for 2015 which approved Local Law No. 11 for 2015; and

WHEREAS, Local Law No. 11 for 2015 created a senior housing development known as the Elks Lane Planned Development District (hereinafter "PDD") located at 11 Elks Lane, consisting of 12.37 +/- acres of land located at 11 Elks Lane and rezoned the said 12.37 +/- acres of land from a Single Family Residential (SFR) district to a Planned Development District and simultaneously approved an Open Development Area at 17 Elks Lane as part of the said PDD; and

WHEREAS, the owner of the said Elks Lane PDD now seeks to amend a 5.57 +/- acre portion of the said 12.37 +/- acre PDD to provide for the demolition of an existing building and sheds on the said 5.57 +/- acre parcel of land and approve construction of a new 127,500 square foot three story building containing 99 senior apartments, with 162 beds, a senior center, a wellness center and common areas, and

WHEREAS, it is now desired to call a public hearing in connection with the proposed aforesaid amendment of the Elks Lane PDD;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be, and hereby is, scheduled for October 14, 2021 at 7:00 PM in Memorial Town Hall, 534 New Loudon Road, Latham, NY 12110 in connection with the proposed amendment of the Elks Lane PDD as more particularly set forth above.

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

Local Law Filing

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

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

Town of Colonie
Local Law No _____ of the year 2021

A local law amending Local Law No. 11 for 2015 providing for the development of 5.57+/- acres of land within the boundaries of the said 12.37 +/- acres of land comprising the Elks Lane Planned Development District located at 11 Elks Lane to allow for the demolition of an existing building and sheds on the said 5.57+/- acre parcel of land and approve construction of a new 127,500 square foot three story building containing 99 senior apartments, with 162 beds, a senior center, a wellness center and common areas.

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

SECTION 1. AMENDMENT

The following described area consisting of 12.37 +/- acres of land located at 11 Elks Lane was previously rezoned from a Single Family Residential (SFR) district to a Planned Development District (PDD) on or about September 17, 2015:

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 a point of bend in the east line of the lands of the Colonie Elks Lodge;

THENCE South 16°20'55" West along the division line between the lands Colonie Elks Lodge to the West and the lands now or formerly of Schuyler Meadows Golf Club to the East a distance of 475.21 feet to a point;

THENCE through the lands now or formerly of Colonie Elks Lodge the following two (2) courses and distances;

1. North 73 ° 40'36" West a distance of 550.67 feet to a point;
2. North 49 ° 27'54" West a distance of 140.08 feet to a point in the west line of the lands of Colonie Elks Lodge;

THENCE along the west line of the lands now or formerly of Colonie Elks Lodge the following two (2) courses and distances;

1. North 40 ° 31'57" East a distance of 753.19 feet to a point;
2. North 28 ° 13'21" East a distance of 392.18 feet to a point;

THENCE through the lands now or formerly of Colonie Elks Lodge South 67 ° 45'34" East 359.66 feet to a point;

THENCE South 22 ° 42'00" West along the division line between the lands of Colonie Elks Lodge to the West and the lands now or formerly of Schuyler Meadows Golf Club to the East a distance of 619.70 feet to the POINT AND PLACE OF BEGINNING.

The proposed subject of this amendment to Local Law No. 11 for 2015 consists of 5.57+/- acres of land located wholly within the above described parcel of land.

SECTION 2. ZONING MAP

Section 190-17 (A) of the Code of the Town of Colonie is amended to provide for the demolition of an existing building and sheds within the said 5.57+/- acre parcel of land and approve construction of a new 127,500 square foot three story building containing 99 senior apartments, with 162 beds, a senior center, a wellness center and common areas. 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 parcel described in Section 1 above is amended upon the condition that it shall be developed as approved construction of a new 127,500 square foot three story building containing 99 senior apartments, with 162 beds, a senior center, a wellness center and common areas, all as more fully detailed in the narrative description, plans, and additional materials provided with the request for the amendment and filed in the office of the Town Clerk. This rezoning is also subject to any express conditions of 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. EFFECTIVE DATE

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

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

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

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

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

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2021, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 20, in accordance with 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 (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 , and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted 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 2015, 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 (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 , and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted 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.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph, above.

Clerk of county legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date:

(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.

Town of Colonie Town Attorney
Date:

RESOLUTION NO. 364 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 30th day of September, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor and Chief of Police to execute a Memorandum of Understanding with Siena College in connection with Siena College's obligations under Article 120-A of the Education Law.

BE IT RESOLVED that the Supervisor and Chief of Police be, and hereby are, authorized to execute a Memorandum of Understanding with Siena College in connection with Siena College's obligations under Article 120-A of the Education Law; and

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