

RESOLUTION NO. 467-A FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 provisionally appointing Gina M. DePaulo to the position of
Typist, Grade 6, in the Police Department.**

BE IT RESOLVED that Gina M. DePaulo be, and hereby is, provisionally appointed to the position of Typist, Grade 6, in the Police Department at an annual salary of \$35,474, effective October 16, 2023, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 467-B FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 provisionally appointing Catherine Hoffman to the position of Justice Court Clerk, Grade 7, in the Justice Department.

BE IT RESOLVED that Catherine Hoffman be, and hereby is, provisionally appointed to the position of Justice Court Clerk, Grade 7, in the Justice Department at an annual salary of \$36,601, effective October 16, 2023, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 467-C FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 Nicholas J. Renko to the position of Water Maintenance Worker in the DPW/Division of Latham Water.

BE IT RESOLVED that Nicholas J. Renko be, and hereby is, appointed to the position of Water Maintenance Worker in the DPW/Division of Latham Water at an hourly rate of \$26.48, effective October 16, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 467-D FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 Bailee E. McGinnis to the position of Emergency Medical Technician PT in the Emergency Medical Services Department.

WHEREAS, the Personnel Officer has certified Bailee E. McGinnis as eligible for permanent appointment from Eligible List #EMT03-23, established June 29, 2023;

BE IT RESOLVED that Bailee E. McGinnis be, and hereby is, permanently appointed to the position of Emergency Medical Technician PT in the Emergency Medical Services Department at an hourly rate of \$20.86, effective October 16, 2023.

RESOLUTION NO. 467-E FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 Sean T. Mckown to the position of
Emergency Medical Technician PT in the Emergency Medical Services
Department.**

WHEREAS, the Personnel Officer has certified Sean T. Mckown as eligible for permanent appointment from Eligible List #EMT03-23, established June 27, 2023;

BE IT RESOLVED that Sean T. Mckown be, and hereby is, permanently appointed to the position of Emergency Medical Technician PT in the Emergency Medical Services Department at an hourly rate of \$20.86, effective October 19, 2023, pending the satisfactory completion of a pre-employment physical.

RESOLUTION NO. 467-F FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 Henry C. Walsh to the position of
Emergency Medical Technician PT in the Emergency Medical Services
Department.**

WHEREAS, the Personnel Officer has certified Henry C. Walsh as eligible for permanent appointment from Eligible List #EMT03-23, established June 27, 2023;

BE IT RESOLVED that Henry C. Walsh be, and hereby is, permanently appointed to the position of Emergency Medical Technician PT in the Emergency Medical Services Department at an hourly rate of \$20.86, effective October 16, 2023.

RESOLUTION NO. 467-G FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 Kaeli Gladney to the position of
Emergency Medical Technician in the Emergency Medical Services
Department.**

WHEREAS, the Personnel Officer has certified Kaeli Gladney as eligible for permanent appointment from Eligible List #EMT03-23, established June 16, 2023;

BE IT RESOLVED that Kaeli Gladney be, and hereby is, permanently appointed to the position of Emergency Medical Technician in the Emergency Medical Services Department at an annual salary of \$43,382, effective October 16, 2023.

RESOLUTION NO. 467-H FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 Briana N. Bowen to the position of
Emergency Medical Technician in the Emergency Medical Services
Department.**

WHEREAS, the Personnel Officer has certified Briana N. Bowen as eligible for permanent appointment from Eligible List #EMT03-23, established June 15, 2023;

BE IT RESOLVED that Briana N. Bowen be, and hereby is, permanently appointed to the position of Emergency Medical Technician in the Emergency Medical Services Department at an annual salary of \$43,382, effective October 16, 2023.

RESOLUTION NO. 468 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 Request for Proposals in connection with the Public Safety Building Lighting Upgrade.

BE IT RESOLVED that the Director of Purchasing and General Services be, and hereby is, authorized to advertise for Request for Proposals in connection with the Public Safety Building Lighting Upgrade.

RESOLUTION NO. 469 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 reappointing Steven Girvin as a member of the Town of Colonie Board of Assessment Review.

BE IT RESOLVED that Steven Girvin be, and hereby is, reappointed to the Town of Colonie Board of Assessment Review, for a five (5) year term commencing October 1, 2023 through September 30, 2028.

RESOLUTION NO. 470 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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:

<u>PAYEE</u>	<u>AMOUNT</u>
Thorn Gershon Tymann and Bonanni, LLP (Town of Colonie v. City of NY, et al)	\$20,984.98
Clough Harbour & Associates LLP (Haggerty)	\$675.00
Lequire Shorthand Reporters (Sportman)	\$372.00
Cooper Erving & Savage (Fusco, Lynch, Jeffers, Walker)	\$6,414.08
Total	\$28,446.06

RESOLUTION NO. 471 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 directing a public hearing upon the Preliminary Budget for the fiscal year 2024.

WHEREAS, pursuant to §106 of the Town Law, the Town Board has received the tentative budget and has made such changes, alterations and revisions as it considers advisable and consistent with law; and having completed its review, the tentative budget and any modifications thereof shall now become the preliminary budget; and

WHEREAS, the preliminary budget must be filed in the Office of the Town Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the tentative budget and any modification thereof which are filed in the Town Clerk's Office shall become the preliminary budget of this Town for the fiscal year beginning January 1, 2024; and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing on the preliminary budget showing such changes and revisions as shall have been made; and

BE IT FURTHER RESOLVED that the Town Board shall meet on the 9th day of November, 2023 at 7:00 PM at Memorial Town Hall, Latham, New York 12110 and then and there hold said public hearing upon such preliminary budget, and that the Town Clerk shall give notice of such public hearing in accordance with §108 of the Town Law by publishing a notice thereof at least five (5) days prior to said hearing date, in the *Colonie Spotlight*, and the *Times Union*, newspapers having general circulation in said Town; and the Town Clerk is authorized

and directed to cause a notice of the same to be posted conspicuously on the Town's signboard not less than five (5) days before the date designated for such hearing. The notice to be published and posted shall be in the form annexed hereto.

NOTICE OF PUBLIC HEARING
TOWN OF COLONIE, ALBANY COUNTY, NEW YORK
PRELIMINARY BUDGET FOR THE FISCAL YEAR COMMENCING
JANUARY 1, 2024
AND
FISCAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

NOTICE IS HEREBY GIVEN that the Preliminary Budget of the Town of Colonie, County of Albany, State of New York for the fiscal year beginning January 1, 2024 has been completed and filed in the Office of the Town Clerk of said Town at the Town Hall, Latham, New York, where it is available for inspection by any interested person at all reasonable hours.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of said Town of Colonie will meet and review said Preliminary Budget and hold a public hearing thereon at 7:00 PM on November 9, 2023, at Memorial Town Hall, Latham, NY, and at such hearing any person may be heard in favor of, or against the Preliminary Budget as compiled; or, for or against any item or items contained therein.

FURTHER NOTICE IS HEREBY GIVEN, pursuant to Section 108 of the Town Law, that the following are proposed yearly salaries of the elected members of the Town Board, Supervisor and Town Clerk of said Town, to wit:

Supervisor	\$140,669
Councilmen (each)	\$ 23,536
Town Clerk	\$102,410

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF COLONIE, NEW YORK

Julie L. Gansle
Town Clerk

Dated: November 1, 2023

RESOLUTION NO. 472 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 12th day of October, 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 calling a public hearing in connection with a proposed local law of the Code of the Town of Colonie, thereof, adding Article XII to Chapter 171 of the Town Code.

BE IT RESOLVED that a public hearing be, and it hereby is, scheduled for October 26, 2023 at 7:00 PM in Memorial Town Hall in connection with a proposed local law of the Code of the Town of Colonie, thereof, adding Article XII to Chapter 171 of the Code of the Town of Colonie.

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 2023**

A local law amending Chapter 117 of the Code of the Town of Colonie

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

SECTION 1: LEGISLATIVE INTENT AND PURPOSE

The Town of Colonie believes that it is essential to train and retain volunteer firefighters in order to maintain effective emergency protection and ensure the health and safety of Town's residents. A real property tax exemption shall provide an incentive to attract new volunteers and retain those that have been serving the Town to date. This tax exemption recognizes the personal sacrifices and dedications of the individuals who volunteer their time and risk their lives to protect their neighbors without compensation.

The purpose of this local law is to implement a real property tax exemption for volunteer firefighters in accordance with Real Property Tax Law § 466-a.

SECTION 2: REAL PROPERTY TAX EXEMPTION

Real property owned by an enrolled member of an incorporated volunteer fire company, fire department, or fire protection district such enrolled member and spouse residing in the Town of Colonie shall be exempt from taxation to the extent of 10 percent (10%) of the assessed value of such property located in the Town of Colonie, exclusive of special assessments.

SECTION 3. QUALIFICATION

This real property tax exemption shall only be granted to an enrolled member of an incorporated volunteer fire company or fire department subject to the following qualifications:

- (a) The applicant resides in the Town of Colonie and the applicant is a member of an incorporated volunteer fire company or fire department which provides services within the Town of Colonie;

- (b) The real property for which the exemption is sought is the applicant's primary residence;
- (c) The real property for which the exemption is sought is used exclusively for residential purposes, provided however, that in the event that any portion of such property is not used exclusively for the applicant's primary residence, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion shall be entitled to the exemption as provide by this statute; and
- (d) The applicant has provided a certificate issued by the authority having jurisdiction for the incorporated volunteer fire company or fire department indicating that the applicant has been an enrolled member of such incorporated fire company or fire department for at least two years prior to the applicant seeking an exemption.

SECTION 4. CONTINUATION OF ELIGIBILITY REQUIREMENTS

An applicant shall be eligible for the real property tax exemption during all years in which the applicant serves as an active volunteer firefighter, except as otherwise permitted by Section 5 of this statute.

- (a) As defined in General Municipal Law § 215(1), active volunteer firefighter shall mean "a person who has been approved by the authorities in control of a duly organized New York State volunteer fire company or New York State volunteer fire department as an active volunteer firefighter of the fire company or department and who is faithfully and actually performing service in the protection of life and property from fire or other emergency, accident, or calamity in connection with the services required of the fire company or fire department."

SECTION 5. TWENTY YEAR ACTIVE MEMBERS

Any enrolled member of an incorporated fire company, fire department or fire protection district who accrues more than twenty years of active service, as defined by Section 3(d) of this statute, and is so certified by the authority having jurisdiction for the incorporated fire company, fire department or fire protection district, shall be granted the ten percent exemption as authorized by this statute for the remainder of his or her life, as long as his or her primary residence is located within the County of Albany.

SECTION 6. UN-REMARRIED SURVIVING SPOUSES OF VOLUNTEERS KILLED IN THE LINE OF DUTY.

An un-remarried surviving spouse of a volunteer firefighter killed in the line of duty may receive the real property tax exemption for the remainder of his or her life, as long as the surviving spouse's primary residence is located within the County of Albany, if:

- (a) The un-remarried surviving spouse is certified by an authority having jurisdiction for the incorporated fire company, fire department or fire protection district as an un-remarried spouse of a formerly enrolled member of such incorporated fire company, fire department or fire protection district who was killed in the line of duty; and
- (b) Such deceased volunteer had been an enrolled member for at least five years; and

- (c) Such deceased volunteer and un-remarried spouse had been receiving the real property tax exemption prior to his or her death.

SECTION 7. UN-REMARIED SURVIVING SPOUSES OF VOLUNTEERS WITH AT LEAST TWENTY YEARS OF SERVICE.

An un-remarried spouse of a volunteer firefighter with at least twenty years of service may receive the real property tax exemption for the remainder of his or her life, as long as his or her primary residence is located within the County of Albany, if:

- (a) Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or fire protection district as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or fire protection district as an un-remarried spouse of an enrolled or formerly enrolled member of such incorporated fire company, fire department or fire protection district; and
- (b) Such deceased volunteer had been an enrolled member for at least twenty years; and
- (c) Such deceased volunteer and un-remarried spouse had been receiving the real property tax exemption prior to the death of the volunteer.

SECTION 8. APPLICATION PROCESS

- (a) Applications for such exemption shall be filed with the assessor of the Town of Colonie on or before the taxable status date (March 1st) on the form prescribed by the New York State Commissioner for the Office of Real Property Tax Services (RP-466-A-VOL).
- (b) An Applicant seeking an exemption shall be responsible for procuring and filing a copy of such certification prior to granting the exemption provided for by this statute.

SECTION 9. NO DIMINUTION OF CURRENT BENEFITS

No applicant who is a volunteer firefighter who, by reason of such status, is receiving any benefit under the provisions of law on the effective date of this local law shall suffer any diminution of such benefit because of the provisions of this local law.

SECTION 10. EFFECTIVE DATE

This local law shall take effect on January 1, 2024 and shall apply to taxable status dates occurring on or after the effective date.

SECTION 11. 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.

(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. 1 of 2023 of the **Town of Colonie** was duly passed by the Town Board on February 2, 2023 in accordance with the applicable provisions of law.

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

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

3. (Final adoption by referendum.)

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

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

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

***Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20__, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

Clerk of the Town or officer designated by local legislative body
Date:

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ALBANY

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature Town of Colonie Town Attorney
Date: