

RESOLUTION NO. 419-A FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Cassidy R. Monfils to the position of Typist, Grade 6, in the Justice Department.

WHEREAS, the Personnel Officer has certified Cassidy R. Monfils as eligible for appointment from Eligible List #18-890, established October 9, 2018;

BE IT RESOLVED that Cassidy R. Monfils be, and hereby is, appointed to the position of Typist, Grade 6, in the Justice Department at an annual salary of \$31,662, effective October 26, 2018.

RESOLUTION NO. 419-B FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Allan C. Secor to the position of Swimming Pool Maintenance Worker, Grade 27, in the Parks & Recreation Department.

BE IT RESOLVED that Allan C. Secor be, and hereby is, appointed to the position of Swimming Pool Maintenance Worker, Grade 27, in the Parks & Recreation Department at an annual salary of \$58,592, effective October 29, 2018, pending a satisfactory completion of a pre-employment physical.

RESOLUTION NO. 419-C FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Jesse A. Kean to the position of Laborer, Grade 7, in the DPW/Division of Latham Water.

BE IT RESOLVED that Jesse A. Kean be, and hereby is, appointed to the position of Laborer, Grade 7, in the DPW/Division of Latham Water at an hourly salary of \$18.17, effective November 13, 2018, pending a satisfactory completion of a pre-employment physical.

RESOLUTION NO. 419-D FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently promoting Joshua M. Spenziero to the position of Motor Equipment Operator, Grade 11, in the DPW/Division of Pure Waters.

BE IT RESOLVED that Joshua M. Spenziero be, and hereby is, permanently promoted to the position of Motor Equipment Operator, Grade 11, in the DPW/Division of Pure Waters at an hourly salary of \$26.31, effective October 29, 2018, pending a satisfactory completion of a pre-employment physical.

RESOLUTION NO. 419-E FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently promoting Glen Roberts, Jr. to the position of Motor Equipment Operator, Grade 11, in the DPW/Division of Pure Waters.

BE IT RESOLVED that Glen Roberts, Jr. be, and hereby is, permanently promoted to the position of Motor Equipment Operator, Grade 11, in the DPW/Division of Pure Waters at an hourly salary of \$26.31, effective October 29, 2018, pending a satisfactory completion of a pre-employment physical.

RESOLUTION NO. 420 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

**Resolution pursuant to Article 12A of State of New York Town Law
approving the British American Plaza Sewer Improvement Project#
2018-003.**

WHEREAS, the owner of certain property located at 798 Albany Shaker Road in the Town of Colonie desires to construct the proposed sewer improvement project extending municipal sewer service to 798 Albany Shaker Road – SIA#2018-003 pursuant to provisions of Chapter 950 of the Laws of 1972; and

WHEREAS, the Town Board of the Town of Colonie desires to extend municipal sanitary sewer service to British American Plaza for a proposed hotel and office development that is located at 798 Albany Shaker Road, Town of Colonie, New York. This project involves the installation of all related utilities including approximately 923 linear feet of 8-inch PVC gravity sewer pipe with four manholes for the public portion of the sewer system. The private portion of the sewer system will include approximately 432 linear feet of 6-inch PVC gravity sewer pipe, approximately 346 linear feet of 8-inch PVC gravity sewer pipe, five manholes and two 1,000 gallon grease traps; the particulars of which are set forth in the engineer's report on file in the Town Clerk's Office; and

WHEREAS, a report, map, plan and estimate of cost has been prepared by CHA, engineers duly licensed by the State of New York, the particulars of which are set forth in the engineer's report on file in the Town Clerk's Office; and

WHEREAS, the maximum amount proposed to be expended for said Project is Forty-One Thousand Six Hundred Thirty Dollars and 00/100 (\$41,630.00) which will be paid entirely by the Developer for said Project; and

WHEREAS, a Resolution was duly adopted by said Board on the 27th day of September, 2018, pursuant to paragraph (b) of §8 of said Chapter 950 of the Laws of 1972 calling for a public hearing on said map, plan and estimate of cost to be held at the Town Hall, Newtonville, New York on the 25th day of October, 2018, at 7:00 p.m. Local Time; and

WHEREAS, notice of such public hearing was duly published and posted in the manner and within the time provided by Chapter 950 of the Laws of 1972; and

WHEREAS, said public hearing was duly held at the time and place aforesaid at which time all persons interested in the subject matter thereof were duly heard;

NOW, THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED, by the Town Board of the Town of Colonie, Albany County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby determined that the property owners within the proposed improvement area are benefited thereby and that said benefited property and property owners are included within the limits of the proposed improvement area.

Section 2. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to construct the aforesaid improvements at the maximum amount to be expended for the aforementioned improvements is Forty-One Thousand Six Hundred Thirty Dollars and 00/100 (\$41,630.00) which will be paid entirely by the Developer for said Project; and

Section 3. This resolution shall take effect immediately.

RESOLUTION NO. 421 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

**Resolution pursuant to Article 12A of State of New York Town Law
approving the Starlite Office Project, Phase 1 Sewer Improvement
Project# 2018-002.**

WHEREAS, the owner of certain property located at 629 Columbia Street in the Town of Colonie desires to construct the proposed sewer improvement project extending municipal sewer service to 629 Columbia Street – SIA#2018-002, pursuant to provisions of Chapter 950 of the Laws of 1972; and

WHEREAS, the Town Board of the Town of Colonie desires to extend municipal sanitary sewer service to 629 Columbia Street in the Town of Colonie in connection with the Starlite Office Project, Phase 1. This project involves a 150,000± SF 4 story, single tenant office building and parking for 900± surface parking spaces. This phase also includes the construction of a new connector road identified in the Boght Road GEIS – Route 9 Update as US Route 9/Old Loudon Rd./Latham Auto Park Connector/NYS Route 9R. The new sewer is 1,074 lineal feet of 8” PVC and 7 manholes will be placed in the connector road to be built; the particulars of which are set forth in the engineer’s report on file in the Town Clerk’s Office; and

WHEREAS, a report, map, plan and estimate of cost has been prepared by Hershberg & Hershberg, engineers duly licensed by the State of New York, the particulars of which are set forth in the engineer’s report on file in the Town Clerk’s Office; and

WHEREAS, the maximum amount proposed to be expended for said Project is Eighty-Four Thousand Two Hundred Eighty-Nine Dollars and 00/100 (\$84,289.00) which will be paid entirely by the Developer for said Project; and

WHEREAS, a Resolution was duly adopted by said Board on the 27th day of September, 2018, pursuant to paragraph (b) of §8 of said Chapter 950 of the Laws of 1972 calling for a public hearing on said map, plan and estimate of cost to be held at the Town Hall, Newtonville, New York on the 25th day of October, 2018, at 7:00 p.m. Local Time; and

WHEREAS, notice of such public hearing was duly published and posted in the manner and within the time provided by Chapter 950 of the Laws of 1972; and

WHEREAS, said public hearing was duly held at the time and place aforesaid at which time all persons interested in the subject matter thereof were duly heard;

NOW, THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED, by the Town Board of the Town of Colonie, Albany County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby determined that the property owners within the proposed improvement area are benefited thereby and that said benefited property and property owners are included within the limits of the proposed improvement area.

Section 2. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to construct the aforesaid improvements at the maximum amount to be expended for the aforementioned improvements is Eighty-Four Thousand Two Hundred Eighty-Nine Dollars and 00/100 (\$84,289.00) which will be paid entirely by the Developer for said Project; and

Section 3. This resolution shall take effect immediately.

RESOLUTION NO. 422 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting/not adopting a local law overriding the tax levy limit for 2019.

WHEREAS, the adoption of the 2019 budget for the Town of Colonie requires a tax levy increase that exceeds the tax cap imposed by state law as prescribed in General Municipal Law §3-c; and

WHEREAS, General Municipal Law §3-c(5) expressly authorizes the Town Board to override the real property tax levy limit by adopting a local law approved by a vote of 60% of the Town Board.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colonie hereby adopts/does not adopt the local law to override the tax levy limit established in General Municipal Law §3-c for fiscal year 2019 pursuant to General Municipal Law §3-c.

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.)

Town of Colonie

Local Law No. ____ of the year 2018

A local law to override the real property tax levy limit established in General Municipal Law §3-c.

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

SECTION 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Colonie, County of Albany, State of New York (“Town of Colonie”) pursuant to General Municipal Law §3-c, and to allow the Town of Colonie to adopt a budget for town purposes and any special district or improvement district governed by the Town Board for the fiscal year 2019 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

SECTION 2. Authority

This local law is adopted pursuant to General Municipal Law §3-c(5), which authorizes the Town Board to override the real property tax levy limit for the coming fiscal year by adopting a local law approved by a vote of 60% of the Town Board.

SECTION 3. Tax Levy Limit Override

The Town Board of the Town of Colonie is hereby authorized to adopt a budget for the Town of Colonie for the fiscal year 2019 that requires a real property tax levy in excess of the amount prescribed in General Municipal Law §3-c.

SECTION 4. Severability

If any section, subsection, sentence, clause, phrase, or word of this Local Law is for any reason held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, clauses or provisions of this Local Law or the application thereof.

SECTION 5. Effective Date.

This Local Law shall become effective upon its filing with 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 2018 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018, 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018. 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 2012, 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2018, 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 2018 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 _____ 2018, 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 2018 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 2018, 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.

(Seal)

Clerk of the Town or officer designated by local legislative body
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. 423 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting/not adopting a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 190 of the Town Code.

WHEREAS, proof of notice having been furnished, the public hearing on a proposed local law was held at 7:00 PM on October 25, 2018 with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that local law amending sections 190-83 (A)(5) and 190-83 (A)(10) of the Code of the Town of Colonie be, and hereby is, adopted/not adopted.

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 2018

A local law amending Chapter 190, Article XV, of the Code of the Town of Colonie.

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

SECTION 1. AMENDMENT.

Chapter 190-83 (A) (5) is hereby amended as follows:

(A)(5) Off-premises sign. Sign is to be permanent in nature. Sign must advertise an active business within the Town of Colonie.

SECTION 2. AMENDMENT.

Chapter 190, Attachment 5, Table of Permitted Signs, is hereby amended to add a row as follows:

Table of Permitted Signs [See § 190-83 (A) (10)]

Function	Type	Area Per Sign	Number of Signs	Setback (feet)	Height (feet)	Permit Required?
Off-premises	Pursuant to SUP	Pursuant to SUP	Pursuant to SUP	Pursuant to SUP	Pursuant to SUP	Yes

SECTION 3. SEQR DETERMINATION.

The Town hereby determines that this amendment is a Type 1 action that will not have a significant effect on the environment and, therefore, no other determination or procedure under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 4. EFFECTIVE DATE.

This local law shall become effective upon its 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 2018 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018, 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018. 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 _____ 2012, 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2018, 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 2018 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 _____ 2018, 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 2018 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 2018, 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.

(Seal) _____
Clerk of the Town or officer designated by local legislative body
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. 424 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting/not adopting a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 190 of the Town Code.

WHEREAS, proof of notice having been furnished, the public hearing on a proposed local law was held at 7:00 PM on October 25, 2018 with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that local law amending section 190-21 of the Code of the Town of Colonie be, and hereby is, adopted/not adopted.

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 2018

A local law amending Chapter 190, section 190-21, of the Code of the Town of Colonie to update the use chart.

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

SECTION 1. AMENDMENT.

Chapter 190, section 190-21, Table of Permitted Uses, is hereby amended as follows:

	SFR Single-Family Residential	MFR Multi-Family Residential	OR Office Residential	CO Commercial Office	NCOR Neighborhood Commercial Office Residential	COR Commercial Office Residential	HCOR Highway Commercial Office Residential	IND Industrial	ABA Airport Business Area	LC Land Conservation	CEM Cemetery
PLACE OF WORSHIP	X	X	X	X	X	X	X	X	X		X

SECTION 2. SEQR DETERMINATION.

The Town hereby determines that this amendment is a Type 1 action that will not have a significant effect on the environment and, therefore, no other determination or procedure under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 3. EFFECTIVE DATE.

This local law shall become effective upon its 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 2018 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018, 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018. 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 _____ 2012, 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 2018 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2018, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2018. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2018, 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 2018 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 _____ 2018, 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 2018 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 2018, 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.

(Seal) _____
Clerk of the Town or officer designated by local legislative body
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. 425 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing a contract with the Fuller Road Fire Department, Inc. for fire protection within the Fuller Road Fire Protection District.

WHEREAS, there have been duly established in the Town of Colonie fire protection districts embracing certain territories in said Town and such territories are more fully described in the resolution establishing such districts and previously duly adopted by this Board; and

WHEREAS, it is proposed that contracts be entered into with fire companies for the furnishing of fire protection to such districts pursuant to Town Law §184; and

WHEREAS, the New York State Legislature recently amended Town Law §184 to require that fire companies provide the Town with specific documentation related to the fire departments' corporate organization and finances and allow the Town to grant a waiver of such requirements for good cause; and

WHEREAS, due notice having been given of public hearings to be held at the Town Hall on the 25th day of October 2018 to consider such contracts, the notice duly specifying the time and place of the hearings as aforesaid and giving in general terms the proposed contracts; and all persons interested and appearing having been heard;

BE IT RESOLVED that this Town Board does authorize a contract with the Fuller Road Fire Department, Inc. for the furnishing of fire protection to the Fuller Road Fire Protection District; and

BE IT FURTHER RESOLVED that said contract be executed on behalf of this Board by the Supervisor of the Town of Colonie; and

BE IT FURTHER RESOLVED that such terms of such agreement are subject to the review and approval of the Town Attorney's office; and

BE IT FURTHER RESOLVED that the requirements of Town Law §184(1-a) are hereby waived because the Fuller Road Fire Department, Inc. has provided fire protection service to the Town for over 90 years and requires additional time to gather the required documentation.

RESOLUTION NO. 426 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing a contract with the Shaker Road-Loudonville Fire Department, Inc. for fire protection within the Shaker Road-Loudonville Fire Protection District.

WHEREAS, there have been duly established in the Town of Colonie fire protection districts embracing certain territories in said Town and such territories are more fully described in the resolution establishing such districts and previously duly adopted by this Board; and

WHEREAS, it is proposed that contracts be entered into with fire companies for the furnishing of fire protection to such districts pursuant to Town Law §184; and

WHEREAS, the New York State Legislature recently amended Town Law §184 to require that fire companies provide the Town with specific documentation related to the fire departments' corporate organization and finances and allow the Town to grant a waiver of such requirements for good cause; and

WHEREAS, due notice having been given of public hearings to be held at the Town Hall on the 25th day of October 2018 to consider such contracts, the notice duly specifying the time and place of the hearings as aforesaid and giving in general terms the proposed contracts; and all persons interested and appearing having been heard;

BE IT RESOLVED that this Town Board does authorize a contract with the Shaker Road-Loudonville Fire Department, Inc. for the furnishing of fire protection to the Shaker Road-Loudonville Fire Protection District; and

BE IT FURTHER RESOLVED that said contract be executed on behalf of this Board by the Supervisor of the Town of Colonie; and

BE IT FURTHER RESOLVED that such terms of such agreement are subject to the review and approval of the Town Attorney's office; and

BE IT FURTHER RESOLVED that to the extent they are not met, the requirements of Town Law §184(1-a) are hereby waived because the Shaker Road-Loudonville Fire Department, Inc. has provided fire protection service to the Town for over 85 years and has endeavored to meet the requirements of Town Law §184(1-a) to the Town by providing significant documentation of financial condition and property inventory.

RESOLUTION NO. 427 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing a contract with the Maplewood Fire Department, Inc. for fire protection within the Maplewood Fire Protection District.

WHEREAS, there have been duly established in the Town of Colonie fire protection districts embracing certain territories in said Town and such territories are more fully described in the resolution establishing such districts and previously duly adopted by this Board; and

WHEREAS, it is proposed that contracts be entered into with fire companies for the furnishing of fire protection to such districts pursuant to Town Law §184; and

WHEREAS, the New York State Legislature recently amended Town Law §184 to require that fire companies provide the Town with specific documentation related to the fire departments' corporate organization and finances and allow the Town to grant a waiver of such requirements for good cause; and

WHEREAS, due notice having been given of public hearings to be held at the Town Hall on the 25th day of October 2018 to consider such contracts, the notice duly specifying the time and place of the hearings as aforesaid and giving in general terms the proposed contracts; and all persons interested and appearing having been heard;

BE IT RESOLVED that this Town Board does authorize a contract with the Maplewood Fire Department, Inc. for the furnishing of fire protection to the Maplewood Fire Protection District; and

BE IT FURTHER RESOLVED that said contract be executed on behalf of this Board by the Supervisor of the Town of Colonie; and

BE IT FURTHER RESOLVED that such terms of such agreement are subject to the review and approval of the Town Attorney's office; and

BE IT FURTHER RESOLVED that to the extent they are not met, the requirements of Town Law §184(1-a) are hereby waived because Maplewood Fire Department, Inc. has provided fire protection service to the Town for over 75 years and has endeavored to meet the requirements of Town Law §184(1-a) to the Town by providing annual reports containing property inventory and foreign fire insurance premium revenue and expenditures.

RESOLUTION NO. 428 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing a contract with the S. W. Pitts Hose Company of Latham, N.Y., Inc. for fire protection within the Latham Fire Protection District.

WHEREAS, there have been duly established in the Town of Colonie fire protection districts embracing certain territories in said Town and such territories are more fully described in the resolution establishing such districts and previously duly adopted by this Board; and

WHEREAS, it is proposed that contracts be entered into with fire companies for the furnishing of fire protection to such districts pursuant to Town Law §184; and

WHEREAS, the New York State Legislature recently amended Town Law §184 to require that fire companies provide the Town with specific documentation related to the fire departments' corporate organization and finances and allow the Town to grant a waiver of such requirements for good cause; and

WHEREAS, due notice having been given of public hearings to be held at the Town Hall on the 25th day of October 2018 to consider such contracts, the notice duly specifying the time and place of the hearings as aforesaid and giving in general terms the proposed contracts; and all persons interested and appearing having been heard;

BE IT RESOLVED that this Town Board does authorize a contract with the S. W. Pitts Hose Co. of Latham, N.Y., Inc. for furnishing fire protection within the Latham Fire Protection District; and

BE IT FURTHER RESOLVED that said contract be executed on behalf of this Board by the Supervisor of the Town of Colonie; and

BE IT FURTHER RESOLVED that such terms of such agreement are subject to the review and approval of the Town Attorney's office; and

BE IT FURTHER RESOLVED that to the extent they are not met, the requirements of Town Law §184(a-1) are hereby waived because the S. W. Pitts Hose Co. of Latham, N.Y., Inc. has provided fire protection service to the Town for over 90 years and has endeavored to meet the requirements of Town Law §184(1-a) to the Town by providing significant documentation of financial condition and property inventory.

RESOLUTION NO. 429 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution directing a public hearing upon the Preliminary Budget for the fiscal year 2019.

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 was filed in the Office of the Town Clerk; and

WHEREAS, the Supervisor and the Town Board members now intend to make an additional alteration to the tentative budget by waiving any salary increase proposed in the 2019 tentative budget for the Supervisor and the Town Board members;

NOW, THEREFORE, BE IT RESOLVED, that the tentative budget and any modification thereof which are filed in the Town Clerk's Office, including but not limited to the waiver of salary increases by the Supervisor and the Town Board Members proposed in the 2019 tentative budget, shall become the preliminary budget of this Town for the fiscal year beginning January 1, 2019; 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 8th day of November, 2018 at 7:00 PM at the Town Hall, Newtonville, New York 12128 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 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, 2019
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, 2019 has been completed and filed in the Office of the Town Clerk of said Town at the Town Hall, Newtonville, 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 8, 2018, at Memorial Town Hall, Newtonville, 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	\$123,006
Councilmen (each)	\$ 21,479
Town Clerk	\$ 87,694

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

Julie L. Gansle
Town Clerk

Dated: October 31, 2018

RESOLUTION NO. 430 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Precision Industrial Maintenance in connection with the collection, transport and disposal of liquid and solid waste and to perform pipeline and industrial facility maintenance and repair for the DPW/Division of Pure Waters at various Town facilities.

WHEREAS, Precision Industrial Maintenance will collect, transport and dispose of liquid and solid waste and to perform pipeline and industrial facility maintenance and repair for the DPW/Division of Pure Waters at various Town facilities; and

WHEREAS, the compensation for these services will not exceed \$30,000.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Precision Industrial Maintenance in connection with the collection, transport and disposal of liquid and solid waste and to perform pipeline and industrial facility maintenance and repair for the DPW/Division of Pure Waters at various Town facilities; and

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

RESOLUTION NO. 431 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order 1G to Contract 1 with Aktor Corporation in connection with the Mohawk View Water Pollution Control Plant Generator and Building Improvement Project for the DPW/Division of Pure Waters.

WHEREAS, Change Order 1G is being made to revise the contract amount from \$656,712.00 to \$651,955.95; and

WHEREAS, the project included unit prices for allowances; and

WHEREAS, the work for this contract is now complete and a change order is required to adjust the estimated unit quantities to reflect those actually utilized under this project;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order 1G with Aktor Corporation in connection with the Mohawk View Water Pollution Control Plant Generator and Building Improvement Project 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. 432 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an agreement with the County of Albany for funding for the Youth Services Advisory Board and Town of Colonie Park Playground under the Youth Development Program.

WHEREAS, Albany County Department for Children, Youth and Families is offering funding in the amount of \$34,500.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute an agreement with the County of Albany for funding for the Youth Services Advisory Board and Town of Colonie Park Playground under the Youth Development Program from January 1, 2018 through December 31, 2018; 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 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Guardian Life Insurance Company of America to provide life insurance to Town employees for the 2019 calendar year.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Guardian Life Insurance Company of America to provide life insurance to Town employees for the 2019 calendar year at an annual cost of \$20,225.49; and

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

RESOLUTION NO. 434 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a Contract with Capital District Physicians Health Plan in connection with a Medicare Advantage Health Insurance Plan for 2019.

WHEREAS, the monthly premium for the Medicare Advantage Health Insurance Plan will be \$336.00;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a Contract with Capital District Physicians Health Plan in connection with a Medicare Advantage Health Insurance Plan for eligible retirees for 2019; and

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

RESOLUTION NO. 435 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting the Albany County Hazard Mitigation Plan as the Town of Colonie's Hazard Mitigation Plan.

WHEREAS, the County of Albany, with assistance of Barton & Loguidice, D.P.C., and the participation of the Town of Colonie gathered relevant information and prepared the Albany County Hazard Mitigation Plan; and

WHEREAS, the Albany County Hazard Mitigation Plan (the "Plan") (available at <http://www.albanycounty.com/government/departments/departmentspublicworks.aspx>) has been prepared in accordance with the Disaster Mitigation Act of 2000 (Public Law 106-390) which requires the adoption of state and local hazard mitigation plans as a condition for Federal disaster assistance; and

WHEREAS, the Federal Emergency Management Agency and NYS Division of Homeland Security & Emergency Services have approved the Plan; and

WHEREAS, the Town of Colonie and its departments actively participated in the preparation of the Plan and worked closely with the County's consultant; and

WHEREAS, at a public hearing on July 27, 2017, the County of Albany, upon behalf of the Town of Colonie, afforded residents with an opportunity to comment and provide input on the Plan and its proposed actions; and

WHEREAS, the Town of Colonie has reviewed the Plan and affirms that the Plan shall be updated not less than every five (5) years; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colonie adopts the Albany County Hazard Mitigation Plan as the Town of Colonie's Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

RESOLUTION NO. 436 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting a Sexual Harassment Prevention Policy for the Town of Colonie.

WHEREAS, New York State has mandated that every employer in the State adopt a Sexual Harassment Prevention Policy attached hereto as Exhibit "A";

THEREFORE, BE IT RESOLVED that a Sexual Harassment Prevention Policy for the Town of Colonie be, and hereby is, adopted.

TOWN OF COLONIE SEXUAL HARASSMENT PREVENTION POLICY

Adopted October 25, 2018

I. POLICY STATEMENT

The Town of Colonie is committed to maintaining a workplace free from sexual harassment. Sexual harassment, which includes harassment on the basis of sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status, is a form of workplace discrimination. Sexual harassment is considered a serious form of employee misconduct. All employees, interns, volunteers, and non-employees are required to work in a manner that prevents sexual harassment in the workplace. Any employee, intern, volunteer, or non-employee in the workplace who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination. This Policy is one component of the Town of Colonie's commitment to a discrimination-free work environment.¹

Sexual harassment is against the law. All persons have a legal right to a workplace free from sexual harassment. This right can be enforced by filing a complaint internally with the Town of Colonie, and/or with a government agency or in court under federal, state or local antidiscrimination laws.

Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject the Town of Colonie to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Those covered by this Policy who engage in sexual harassment, and managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be subject to remedial action or discipline in accordance with law or an applicable Collective Bargaining Agreement.

This Policy also prohibits retaliation against individuals who report or complain of sexual harassment or participate in the investigation of a sexual harassment complaint, as further described herein.

Complaints of sexual harassment must be submitted to the Compliance Officer: Human Resource Director or designee. In the event that the Compliance Officer is the subject of the complaint, complaints must be made to the Town Attorney or designee. The Town of Colonie will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever the Town of Colonie or its supervisory or managerial personnel receives a complaint about sexual harassment or retaliation, or otherwise knows of possible sexual harassment occurring. The Town of Colonie will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment or retaliation is found to have occurred. All persons covered by this Policy, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

All employees, interns, volunteers, and non-employees are to report any harassment or behaviors that violate this Policy. The Town of Colonie will provide a complaint form for the reporting of harassment and to file complaints. Managers and supervisors are **required** to report **any** complaint that they receive, or any harassment that they observe or become aware of in the workplace. Such reporting must be in written form to the Compliance Officer. Confronting the harasser is not required but is encouraged if the complainant feels it is possible and safe to do so. Anyone covered by this Policy has the right to file a good faith complaint without first communicating with the offender.

¹ Note that other forms of discrimination, as well as harassment based on protected classes or characteristics other than those covered under this policy are covered separately under the Town of Colonie's Discrimination and Discriminatory Harassment Policy.

II. SCOPE

- A. Who is covered by this Policy?** This Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, volunteers, non-employees and persons conducting business with the Town of Colonie².
- B. Who can be a target of sexual harassment?** Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees who provide services in the workplace. This Policy also protects volunteers of the Town of Colonie.
- C. Who can be a sexual harasser:** A harasser can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor, or anyone with whom the person interacts while conducting their job duties.
- D. Where can sexual harassment occur?** Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees, interns and/or volunteers are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage can constitute or contribute to unlawful workplace harassment, even if occurring away from the workplace premises or not during work hours.

III. DEFINITIONS OF PROHIBITED CONDUCT

A. What is sexual harassment?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; *or*
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, and/or which interfere with the recipient's job performance.

² Non-employees, as defined by law, includes contractors, vendors and consultants or those who are employees of the contractor, vendor or consultant.

Sexual harassment also occurs when a person in authority tries to offer job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Anyone subject to and/or covered by this Policy who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

B. Examples of sexual harassment

Sexual harassment under the law and prohibited by this Policy may include, but is not limited to, the following prohibited conduct:

- Physical assaults of a sexual nature, such as:
 - Touching, pinching, patting, grabbing, brushing against another person’s body or poking another person’s body; rape, sexual battery, molestation or attempts to commit these assaults (which should be reported to local authorities as promptly as is possible).
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target’s job performance evaluation, a promotion or other employment benefits or detriments; subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person’s sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate or treated negatively simply because they may not conform to other people’s ideas or perceptions about how individuals of a particular sex should look or act.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace or in a work-related gathering or setting.
- Hostile actions taken against an individual because of that individual’s sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status, such as:
 - Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
 - Sabotaging an individual’s work;
 - Bullying, yelling, name-calling.

C. Retaliation

In addition to sexual harassment, retaliation for opposing or complaining of sexual harassment or participating in investigations of sexual harassment is prohibited by law and prohibited under this Policy. No person covered by this Policy shall be subjected to such unlawful retaliation. Unlawful retaliation can be any adverse employment action, including being discharged, disciplined, discriminated against, or any action that would keep or discourage anyone covered by this Policy from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

The New York State Human Rights Law and this Policy protect any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under this Policy, the State Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to the Town of Colonie (including a supervisor or manager) or by simply informing a supervisor or manager of harassment;
- reported that another employee, intern, volunteer or non-employee covered by this Policy has been sexually harassed; or
- encouraged a fellow employee, intern, volunteer and/or non-employee covered by this Policy to report harassment.

Employees, interns, volunteers, and non-employees who believe they have been subjected to retaliation should report this conduct in accordance with the same reporting procedures as are outlined below. These complaints of retaliation will be investigated in accordance with the same procedures utilized to investigate a complaint of sexual harassment. Individuals also may file complaints of retaliation with the federal or state enforcement agencies (EEOC or New York State Division of Human Rights.) Any individual found to have engaged in retaliation as defined in this Policy may be subject to disciplinary action up to and including termination, and/or other corrective or remedial action as necessary.

IV. REPORTING PROCEDURES AND RESPONSIBILITIES

A. Reporting Procedures

Preventing sexual harassment is everyone’s responsibility. [Employer Name] cannot prevent or remedy sexual harassment unless it knows about it. Any employee, intern, volunteer or non-employee who has been subjected to behavior that may constitute sexual harassment is strongly encouraged to report such behavior to the Compliance Officer set forth below. Anyone who witnesses or becomes aware of potential or perceived instances of sexual harassment should also report such behavior to the Compliance Officer.

- Compliance Officer: Human Resource Director or designee
- In the event that the Compliance Officer is the subject of the complaint, complaints are to be made to the Town

Although encouraged, note that neither this Policy nor state or federal law requires that an individual tell an alleged harasser to stop his/her actions. Failure to do so does not preclude the individual from filing a complaint of sexual harassment. Individuals should feel free to keep written records of any actions which may constitute sexual harassment, including time, date, location, names of others involved, witnesses (if any), and who said or did what to whom.

Reports of sexual harassment may be made verbally or in writing. If made verbally, the Complaint must be reduced to writing by the individual who it was reported to. The written report must be given to the Compliance Officer. A form for submission of a written complaint is attached to this Policy, and all employees, interns, volunteers, and non-employees conducting business in the workplace are encouraged to use this complaint form. Individuals who are reporting sexual harassment on behalf of other employees, interns, volunteers or non-employees should use the complaint form and note that it is on another person’s behalf.

Employees, interns, volunteers or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

B. Supervisory Responsibilities

All managerial and supervisory personnel of the Town of Colonie shall be responsible for enforcing this Policy and shall have particular responsibility for ensuring that the work environment under their supervision is free from sexual harassment and retaliation. In addition to being subject to discipline or other remedial action if they engaged in sexually harassing conduct themselves, **all supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report same in writing, to the Compliance Officer.** Supervisors and managers will be subject to discipline (or other remedial and appropriate action) for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline or other appropriate remedial action for engaging in retaliation.

C. The Town of Colonie's Responsibilities

The Town of Colonie will be responsible for ensuring that this Policy is provided to employees, interns, and volunteers, and that training on this Sexual Harassment Prevention Policy is conducted annually.

V. INVESTIGATION AND RESPONSE PROCEDURES

All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commencing immediately and completed as soon as possible. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded appropriate due process to protect their rights to a fair and impartial investigation.

Any employee, volunteer, intern or non-employee may be required to cooperate as needed in an investigation of suspected sexual harassment. As further set forth herein, the Town of Colonie will not tolerate retaliation against those who file complaints, support another's complaint, or participate in the investigation of a complaint.

All investigations will be conducted by the Compliance Officer or their designee. The nature of an investigation may vary on a case by case basis dependent upon the circumstances and extent of the allegations. Generally, investigations should be conducted by the Compliance Officer or their designee in accordance with the following steps:

- Upon receipt of complaint, the Compliance Officer or their designee will conduct an immediate review of the allegations, and take interim actions, as appropriate. If the complaint is oral, encourage the

individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form or other write up of the complaint based on the oral reporting.

- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create (at a minimum) written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - Recommendation(s) for the final resolution of the complaint, together with any recommendations for corrective or remedial actions to be taken.
- Keep the written documentation and associated documents in the employer's records.

Once the investigation is completed, the Compliance Officer or their designee will make a Final Determination as to whether the Policy has been violated.

The Compliance Officer or their designee shall promptly notify the complainant of the Final Determination, and also inform the complainant of their right to file a complaint or charge externally as outlined below.³

If a complaint of sexual harassment or retaliation is determined to be founded, the Town of Colonie may take disciplinary and/or corrective action. The Compliance Officer will be responsible for overseeing the implementing of any corrective or remedial actions deemed necessary.

VI. REIMBURSEMENT

Any employee who has been subject to a judgement of personal liability for intentional wrongdoing in connection with a claim for sexual harassment shall reimburse the Town of Colonie for any monies it paid to a complainant for what was found to be the employee's proportionate share of said judgement. These reimbursements must be made within ninety (90) days from payment by the Town of Colonie to the Complainant. A failure to reimburse will result in the sum being withheld directly from the employee's compensation or through enforcement of a money judgement.

VII. FURTHER CONFIDENTIALITY AND DISCLOSURE

In recognition of the personal nature of discrimination complaints and the emotional impact of alleged discrimination, the Town of Colonie shall keep complaints as confidential as is consistent with a thorough investigation, applicable collective bargaining agreements, and other laws and regulations regarding employees and the workplace setting. For the protection of all individuals who make complaints or are accused of prohibited discrimination, every witness interviewed during an investigation under this Policy will be advised of the confidentiality requirement and instructed not to discuss the complaint, the investigation, or

³ Where a complaint was filed regarding sexual harassment against an individual other than the person making the written complaint, the person against whom the harassment was directed will be treated as the complainant for purposes of this Policy.

the persons involved. To the extent complaints made under this Policy implicate criminal conduct, the Town of Colonie may be required by law to contact and cooperate with the appropriate law enforcement authorities.

The terms of any settlement or other resolution are subject to disclosure UNLESS the Complainant seeks confidentiality. This request for confidentiality may be revoked within a certain time period in accordance with State law.

VIII. FALSE REPORTS

Reporting of a false complaint is a serious act. In the event it is found that an individual bringing the complaint has knowingly made false allegations, the Town of Colonie may take appropriate remedial action and/or disciplinary action in accordance with the provisions of applicable collective bargaining agreement and/or state law

IX. LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Sexual harassment is not only prohibited by the Town of Colonie but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the Town of Colonie, individuals may also choose to pursue legal remedies with the following governmental entities **at any time**.

A. New York State Division of Human Rights (DHR)

The Human Rights Law (HRL), codified as N.Y. Executive Law, Art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, interns and non-employees. A complaint alleging violation of the Human Rights Law may be filed either with Division of Human Rights or in New York State Supreme Court. Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Town of Colonie does not extend the time for filing a complaint with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

An individual does not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the employer to act to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

B. United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within **300 days** from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an individual believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

C. Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

D. Contact the Local Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

TOWN OF COLONIE HARASSMENT COMPLAINT FORM
(Submit to Compliance Officer or Town Attorney)

This form may be used to file a complaint of harassment which is a form of discrimination prohibited by federal law, the New York State Human Rights Law, and the Town of Colonie Sexual Harassment Prevention Policy.

Filing this complaint form with the Town of Colonie in no way deprives you of the right to file a complaint with the US Equal Employment Opportunity Commission, New York State Division of Human Rights, and/or the Federal/State courts.

(PLEASE PRINT OR TYPE)

1. Name _____
Phone Number _____
Residence _____
Mailing Address (if different from residence) _____
City _____ State _____ Zip Code _____
2. Department _____
3. Have you filed this charge with a Federal, State or local government agency?
YES/NO: _____ When _____ Where _____
(Month/Day/Year)

Have you instituted a suit or court action on this charge?
YES/NO: _____ When _____ Where _____
(Month/Day/Year)

(AN AFFIRMATIVE REPLY TO THIS QUESTION WILL IN NO WAY STOP A REVIEW OF YOUR COMPLAINT)

4. Alleged Discrimination Occurred on or about:
Month: _____ Day: _____ Year: _____ Time: _____

Is this alleged discrimination continuing: YES _____ NO _____?

Are you personally the subject of the alleged harassment? YES _____ NO _____?

If not, please state the name of the person(s) who are the subject of the alleged harassment:

Describe the alleged act of harassment. **Use additional sheets if necessary.**

5. Indicate the name(s) of the alleged harasser(s):

6. State the name(s) of any potential witness(es):

7. I swear or affirm that I have read the above related facts and that the statements are true and correct to the best of my knowledge, information and belief.

(Signature)

-INFORMATION PROVIDED HEREIN WILL BE CONFIDENTIALLY MAINTAINED-

RESOLUTION NO. 437 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor Paula A. Mahan
Councilwomen Linda J. Murphy
Melissa Jeffers VonDollen
Jennifer Whalen
Councilmen Christopher Carey
David Green
Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Doctors Cheng and Lemanski to perform a Fitness for Duty Vision Examination.

WHEREAS, the Town's medical provider, Access Health, made this referral as Access Health does not administer the recommended visual evaluation; and

WHEREAS, Doctors Cheng and Lemanski's base cost will be \$205.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Doctors Cheng and Lemanski to perform a Fitness for Duty Vision Examination; and

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

RESOLUTION NO. 438 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor Paula A. Mahan
Councilwomen Linda J. Murphy
Melissa Jeffers VonDollen
Jennifer Whalen
Councilmen Christopher Carey
David Green
Paul L. Rosano

ABSENT: None

Councilman _____ 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:

Eastern Contractors Association, Inc., f/k/a Eastern NY Construction Employers, Inc. v. Town of Colonie et al., Index No. 904452-18

6 Airline Dr., Tax Map Parcel No. 30.-2-5

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2018	\$760,000	\$720,000	\$40,000

Tentative School District Refund: \$1,085.36

Tentative Town Refund: N/A (assessment to be changed prior to issuance of general tax bill)

Shaker Ridge Country Club v. Town of Colonie et al., Index No. 904450-18

802 Albany Shaker Rd., Tax Map Parcel No. 18.-1-43.1

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2018	\$2,000,000	\$1,800,000	\$200,000

Tentative School District Refund: \$5,426.78

Tentative Town Refund: N/A (assessment to be changed prior to issuance of general tax bill)

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. 439 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor Paula A. Mahan
Councilwomen Linda J. Murphy
Melissa Jeffers VonDollen
Jennifer Whalen
Councilmen Christopher Carey
David Green
Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid for Janitorial Supplies for the Years 2019 and 2020 to Hill & Markes, Inc.

WHEREAS, pursuant to advertisement placed on September 19, 2018, the following five (5) proposals were received in connection with Janitorial Supplies for the Years 2019 and 2020:

	VENDOR	PAPER TOWELS	TOILET PAPER
1.	Hill & Markes, Inc.	\$8,240.54	\$9,600.00
2.	W.B. Mason Co., Inc.	\$10,171.00	\$9,713.60
3.	United Sales USA Corp.	\$8,706.25	\$11,732.80
4.	E. A. Morse & Co., Inc.	\$10,350.20	\$11,044.80
5.	All Star Cleaning Supply	\$10,372.60	\$12,324.80

WHEREAS, after review of the bids by the General Services Director, and upon his recommendation; and

WHEREAS, the bid has a renewal clause for two periods, the years 2021 and 2022 and the years 2023 and 2024;

BE IT RESOLVED that the bid be, and hereby is, awarded to Hill & Markes, Inc., low bidder, for paper towels and toilet paper in the amount of \$17,840.54.

RESOLUTION NO. 440 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to waive all fees in connection with the installation of a new pavilion located at the Colonie Mohawk River Park.

WHEREAS, the installation of a new pavilion at the Colonie Mohawk River Park to be used by the Easter Seals organization will be funded through the Dormitory Authority of the State of New York grant in the amount of \$125,000.00; and

WHEREAS, a contractor performing work at the Colonie Mohawk River Park would need to charge the Town for fees associated with the installation of a new pavilion and, therefore, it is within the Town's interest to waive these fees for this project;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to waive any and all fees in connection with the installation of a new pavilion located at the Colonie Mohawk River Park.

RESOLUTION NO. 441 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to grant permission to New York State to perform the adjustment for the Town of Colonie and agreeing to maintain facilities adjusted via State-let contract relative to the relocation of water and sewer systems in conjunction with the proposed construction, reconstruction or improvement of Northway I-87 Exit 4.

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of Adirondack Northway I-87 Exit 4 in the Town of Colonie located in Albany County, PIN 1721.90; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project the relocation and adjustment of the water and sewer systems and associated appurtenances, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner; and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended; and

WHEREAS, the State will provide for the above-mentioned relocation and adjustments of water and sewer system work, as shown on the contract plans relating to the above-mentioned project;

NOW, THEREFORE, BE IT RESOLVED that the Town of Colonie approves of the relocation of and adjustment to the water and sewer systems and associated appurtenances and the above-mentioned work performed on the project and shown on the contract plans relating to the project and that the Town of Colonie will maintain or cause to be maintained the adjusted facilities performed as above-stated and as shown on the contract plans; and

BE IT FURTHER RESOLVED that the Supervisor has the authority to sign, with the concurrence of the Town Board, any and all documentation that may become necessary as a result of the project as it relates to the Town of Colonie; and

BE IT FURTHER RESOLVED that the Clerk of the Town of Colonie is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation; and

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

RESOLUTION NO. 442 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Annual Facilities License Agreement with Siena College in connection with the use of the Marcelle Athletic Complex, residence halls and academic facilities for the purpose of physical abilities testing and tactical training for the Police Department.

WHEREAS, the Town of Colonie Police Department desires to use a portion of the Siena College Marcelle Athletic Complex to conduct physical abilities testing; and

WHEREAS, the Police Department also desires to use part of the residence halls and academic facilities during school breaks for tactical training; and

WHEREAS, the Agreement will be effective until August 15, 2019;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Annual Facilities License Agreement with Siena College in connection with the use of the Marcelle Athletic Complex, residence halls and academic facilities for the purpose of physical abilities testing and tactical training for the Police Department; and

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

RESOLUTION NO. 443 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Gross Electric, Inc. in connection with the replacement of the Denison Road tower light for the Police Department.

WHEREAS, Gross Electric, Inc. will replace the Denison Road tower light for the Police Department at a cost not to exceed \$2,847.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Gross Electric, Inc. in connection with the replacement of the Denison Road tower light for the Police Department; and

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

RESOLUTION NO. 444 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor	Paula A. Mahan
Councilwomen	Linda J. Murphy
	Melissa Jeffers VonDollen
	Jennifer Whalen
Councilmen	Christopher Carey
	David Green
	Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 2-001 with RMB Mechanical, Inc. in connection with the Colonie Town Library renovations.

WHEREAS, Change Order No. 2-001 is being made to revise the contract amount from \$150,220.00 to \$146,182.13; and

WHEREAS, the work for this contract included a 3" underground storm line and connect a 4" storm header in the existing building which is now being eliminated;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 2-001 with RMB Mechanical, Inc. in connection with the Colonie Town Library renovations; 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. 445 FOR 2018

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 25th day of October, 2018 at 7:00 PM.

PRESENT: Supervisor Paula A. Mahan
Councilwomen Linda J. Murphy
Melissa Jeffers VonDollen
Jennifer Whalen
Councilmen Christopher Carey
David Green
Paul L. Rosano

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute Change Order No. 1-001 with Bonacquisti Brothers Construction, Change Order No. 4-003 with Harold R. Clune, Inc. and Change Order No. 5-001 with Condor Fire Sprinkler Co., LLC in connection with the Colonie Town Library renovations.

WHEREAS, Bonacquisti Brothers Construction was awarded the general construction contract for the Colonie Town Library renovations; and

WHEREAS, Harold R. Clune, Inc. was awarded the electrical contract for the Colonie Town Library renovations; and

WHEREAS, Condor Fire Sprinkler Co., LLC was awarded the fire protection contract for the Colonie Town Library renovations; and

WHEREAS, all three (3) vendors are requesting a time extension of thirty (30) days to complete the project at no extra cost to the Town;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute Change Order No. 1-001 with Bonacquisti Brothers Construction, Change Order No. 4-003 with Harold R. Clune, Inc. and Change Order No. 5-001 with Condor Fire Sprinkler Co., LLC in connection with the Colonie Town Library renovations; and

BE IT FURTHER RESOLVED that the above change orders are subject to the review and approval of the Town Attorney's Office.