

RESOLUTION NO. 473-A FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Samantha E. Harris to the position of Environmental Laboratory Technician, Grade 22, in the DPW/Division of Latham Water.

WHEREAS, the Personnel Officer has certified Samantha E. Harris as eligible for permanent appointment from Eligible List #23-998 established October 10, 2023;

BE IT RESOLVED that Samantha E. Harris be, and hereby is, permanently appointed to the position of Environmental Laboratory Technician, Grade 22, in the DPW/Division of Latham Water at an annual salary of \$56,031, effective October 27, 2023.

RESOLUTION NO. 473-B FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution permanently promoting Maxwell G. Bird to the position of Motor Equipment Operator, Grade 11, in the DPW/Division of Latham Water.

BE IT RESOLVED that Maxwell G. Bird be, and hereby is, permanently promoted to the position of Motor Equipment Operator, Grade 11, in the DPW/Division of Latham Water at an hourly rate of \$29.49, effective October 30, 2023.

RESOLUTION NO. 474 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a payment plan agreement with Lydia Cappadonia in connection with amounts due to the Latham Water District for water usage at 64 Shepard Avenue, Schenectady, NY 12304.

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

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

WHEREAS, Latham Water recorded unusually high water usage at 64 Shepard Avenue, Schenectady, NY 12304 (SBL: 16.8-1-45) (“Property”) during the billing period between October 2022 and April 2023; and

WHEREAS, in connection with such water usage, Lydia Cappadonia (“Property Owner”) requested assistance with the water bill for the Property; and

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

WHEREAS, the Committee reviewed the Property Owner's request, as well as the information provided by Latham Water; and

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

WHEREAS, the Property Owner likewise desires to enter into a payment plan agreement to resolve the outstanding water bill for the Property

NOW THEREFORE BE IT RESOLVED that the Town Board hereby accepts the recommendation of the Committee; and

BE IT FURTHER RESOLVED that the Supervisor be and hereby is authorized to execute a payment plan agreement with the Property Owner to resolve the outstanding water bill for the Property; and

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

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

RESOLUTION NO. 475 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into Sale & Purchase Agreements with the North Colonie Central School District and South Colonie School District in connection with the supply of road salt for use during the winter season of 2023/2024.

WHEREAS, the North Colonie Central School District and South Colonie School District require a small amount of road salt for use during the winter months and lacks the facilities to store such salt; and

WHEREAS, the price of the salt shall be \$65.79 per ton and the agreements shall be in effect through August 31, 2024;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into Sale & Purchase Agreements with the North Colonie Central School District and South Colonie School District in connection with the supply of road salt for use during the winter; and

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

RESOLUTION NO. 476 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Library Market in connection with the calendar software for the William K. Sanford Town Library.

WHEREAS, Library Market will supply Library Calendar Software for the William K. Sanford Town Library; and

WHEREAS, the cost for the software will be a \$2,500.00 set up fee and then \$3,000.00 annually;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Library Market in connection with the calendar software for the William K. Sanford Town Library; and

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

RESOLUTION NO. 477 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution for the Town Board to approve modifications to the 2023 operating budget.

BE IT RESOLVED that the Town Board approves the following budget modifications to the 2023 operating budget to transfer funds as follows on the attached Exhibit “A”.

2023 BUDGET MODIFICATIONS
10-12-2023

General Town-Wide Fund

At Department's request to transfer appropriations within the department for unanticipated personnel and interpreter costs

Justice Court				
Personal services, overtime	Increase	01-1E-E12-1110-130	\$	7,000
Other outside services	Increase	01-1E-E12-1110-445		5,000
Personal service, regular	Decrease	01-1E-E12-1110-110		(12,000)
Net effect on Budget		Neutral	\$	-

At Department's request to transfer appropriations within the department unanticipated personnel costs and those budgeted in other cost centers.

Supervisor				
Personal services, part-time	Increase	01-1E-E13-1220-140	\$	26,600
Personal services, part-time: seasonal	Increase	01-1E-E13-1220-150		5,000
Personal service, regular	Decrease	01-1E-E13-1220-110		(31,600)
Net effect on Budget		Neutral	\$	-

At Department's request to transfer appropriations within the department for unanticipated operating costs

Supervisor				
Office supplies	Increase	01-1E-E13-1220-412	\$	500
Phone	Increase	01-1E-E13-1220-421		250
Postage	Increase	01-1E-E13-1220-462		500
Personal service, regular	Decrease	01-1E-E13-1220-110		(1,250)
Net effect on Budget		Neutral	\$	-

At Department's request to transfer appropriations within the department for unanticipated software costs

Comptroller				
Maintenance/service contracts	Increase	01-1E-E14-1315-448	\$	1,500
Other fees	Decrease	01-1E-E14-1315-453		(1,500)
Net effect on Budget		Neutral		-

At Department's request to transfer appropriations within the department for unanticipated personnel costs

Purchasing				
Personal services, part-time: seasonal	Increase	01-1E-E14-1345-150	\$	325
Personal services, part-time	Decrease	01-1E-E15-1345-140		(325)
Net effect on Budget		Neutral		-

At Department's request to transfer appropriations within the department for unanticipated software costs

Purchasing				
Other fees	Increase	01-1E-E14-1345-453	\$	1,116
Personal services, regular	Decrease	01-1E-E14-1345-110		(1,116)
Net effect on Budget		Neutral		-

At Department's request to transfer appropriations within the department for unanticipated supplies costs

Assessor				
Office supplies	Increase	01-1E-E14-1355-412	\$	20
Books and periodicals	Decrease	01-1E-E14-1355-461		(20)
Net effect on Budget		Neutral		-

2023 BUDGET MODIFICATIONS
10-12-2023

At Department's request to transfer appropriations within the department for unanticipated personnel costs					
Town Clerk					
Personal services, part-time: seasonal	Increase	01-1E-E15-1410-150	\$	4,150	
Personal services, part-time	Decrease	01-1E-E15-1410-140		(4,150)	
Net effect on Budget		Neutral		-	
At Department's request to transfer appropriations within the department for unanticipated training costs					
Town Clerk					
Training	Increase	01-1E-E15-1410-465	\$	2,000	
Prining	Decrease	01-1E-E15-1410-464		(2,000)	
Net effect on Budget		Neutral		-	
At Department's request to transfer appropriations within the department for unanticipated personnel costs					
Attorney					
Personal services, part-time: seasonal	Increase	01-1E-E15-1420-150	\$	10,000	
Personal service, part-time	Decrease	01-1E-E15-1420-140		(10,000)	
Net effect on Budget		Neutral	\$	-	
At Department's request to transfer appropriations within the department for unanticipated level of postage costs					
Attorney					
Postage	Increase	01-1E-E15-1420-462	\$	1,500	
Personal service, regular	Decrease	01-1E-E15-1420-110		(1,500)	
Net effect on Budget		Neutral	\$	-	
At Department's request to transfer appropriations within the department for unanticipated outside consulting fee					
Attorney					
Other fees	Increase	01-1E-E15-1420-453	\$	11,000	
Personal service, regular	Decrease	01-1E-E15-1420-110		(11,000)	
Net effect on Budget		Neutral	\$	-	
At Department's request to transfer appropriations within the department for unanticipated equipment costs					
Fleet Maintenance Garage					
Equipment rental	Increase	01-1E-E16-1621-441	\$	1,600	
Office supplies	Decrease	01-1E-E16-1621-412		(1,600)	
Net effect on Budget		Neutral	\$	-	
At Department's request to transfer appropriations within the department for unanticipated operating costs					
DPW Facilities Maintenance					
Meal and boot allowances	Increase	01-1E-E16-1622-478	\$	400	
Maintenance/service contracts	Decrease	01-1E-E16-1622-448		(400)	
Net effect on Budget		Neutral	\$	-	
At Department's request to transfer appropriations within departments for matching portion of the Public					
Safety Building Lighting Grant					
DPW Facilities Maintenance					
Property improvements	Increase	01-1E-E16-1622-310	\$	35,000	
Commissioner of Public Works					
Personal services, regular	Decrease	01-4E-E41-5010-110		(35,000)	
Net effect on Budget		Neutral	\$	-	

2023 BUDGET MODIFICATIONS
10-12-2023

At Comptroller's request to increase appropriations related to the exterior cleaning of Town Hall				
DPW Facilities Maintenance				
Property Improvements	Increase	01-1E-E16-1622-310	\$	20,000
Revenue				
Interest earnings	Increase	01-3R-R37-2401-000		(20,000)
Net effect on Budget		Increase	\$	<u>20,000</u>

At Department's request to transfer appropriations within the department for unanticipated operating costs				
Management Information Services				
Office supplies	Increase	01-1E-E16-1680-412	\$	3,000
Office equipment	Decrease	01-1E-E16-1680-220		(3,000)
Net effect on Budget		Neutral	\$	<u>-</u>

At Department's request to transfer appropriations within the department for unanticipated operating costs				
Police				
Detectives				
Other equipment	Increase	01-2E-E22-3122-250	\$	500
Communications				
Meal and boot allowances	Decrease	01-2E-E22-3123-479		(1,500)
Training				
Other equipment	Increase	01-2E-E22-3124-250		1,000
Training	Increase	01-2E-E22-3124-465		5,000
Staff Services				
Postage	Increase	01-2E-E22-3126-462		500
Meal and boot allowances	Decrease	01-2E-E22-3126-479		1,500
Vehicles				
Gasoline and oil	Decrease	01-2E-E22-3125-411		(7,000)
Animal Control				
Personal services, overtime	Increase	01-2E-E25-3510-130		2,500
Personal services, part-time	Decrease	01-2E-E25-3510-140		(2,500)
Net effect on Budget		Neutral	\$	<u>-</u>

At Department's request to transfer appropriations within the department for unanticipated personnel costs				
Emergency Medical Services				
Personal service, overtime	Increase	01-3E-E34-4540-130	\$	86,000
Personal service, part-time	Increase	01-3E-E34-4540-140		390,000
Personal services, regular	Decreases	01-3E-E34-4540-110		(350,000)
Revenue				
EMS ambulance revenue	Increase	01-9R-R93-3400-000		(126,000)
Net effect on Budget		Increase	\$	<u>(126,000)</u>

At Department's request to transfer appropriations within the department for unanticipated personnel costs				
Commissioner of Public Works				
Personal service, part-time: seasonal	Increase	01-4E-E41-5010-150	\$	7,000
Personal service, regular	Decreases	01-4E-E41-5010-110		(7,000)
Net effect on Budget		Neutral	\$	<u>-</u>

At Department's request to transfer appropriations within the department for unanticipated operating costs				
Commissioner of Public Works				
Dues and memberships	Increase	01-4E-E41-5010-477	\$	150
Personal service, regular	Decreases	01-4E-E41-5010-110		(150)

2023 BUDGET MODIFICATIONS
10-12-2023

Higway Garage				
Equipment rental	Increase	01-4E-E42-5132-441	700	
Equipment repairs	Decreases	01-4E-E42-5132-443	(700)	
Net effect on Budget		Neutral	\$ -	
At Department's request to split out golf greens and ranges fee revenue within the budget				
Revenue				
Golf range fees	Increase	01-2R-R27-2053-000	\$ (85,000)	
Golf course fees	Decreases	01-2R-R27-2050-000	85,000	
Net effect on Budget		Neutral	\$ -	
At Department's request to transfer appropriations within the department for unanticipated operating costs				
Parks and Recreation				
Administration				
Furniture	Increase	01-6E-E61-7020-210	\$ 610	
Office supplies	Decrease	01-6E-E61-7020-412	(610)	
West Albany Park				
Meal and boot allowance	Increase	01-6E-E62-7110-479	50	
Personal services, overtime	Decrease	01-6E-E62-7110-130	(50)	
Pool				
Water usage	Increase	01-6E-E61-7020-425	216	
Miscellaneous supplies	Decrease	01-6E-E61-7020-413	(216)	
Golf				
Miscellaneous supplies	Increase	01-6E-E62-7250-413	675	
Other outside services	Decrease	01-6E-E62-7250-445	(675)	
Net effect on Budget		Neutral	\$ -	
At Department's request to transfer appropriations within the department for unanticipated personnel costs				
Parks and Recreation				
Administration				
Personal services overtime	Increase	01-6E-E61-7020-130	\$ 2,800	
Personal services, regular	Decrease	01-6E-E61-7020-110	(2,800)	
Personal services, part-time: seasonal	Decrease	01-6E-E61-7020-150	(10,500)	
West Albany Park				
Personal services, regular	Increase	01-6E-E62-7110-110	58,742	
Playgrounds and Recreation				
Personal services, regula	Decrease	01-6E-E62-7140-110	(47,379)	
Golf Course				
Personal services, regular	Increase	01-6E-E62-7250-110	56,879	
Personal services, overtime	Increase	01-6E-E62-7250-130	23,500	
Personal services, part-time: seasonal	Decrease	01-6E-E62-7250-150	(23,500)	
Crossings Park				
Personal services, regular	Decrease	01-6E-E62-7253-110	(79,742)	
Personal services, part-time: seasonal	Increase	01-6E-E62-7253-150	22,000	
Net effect on Budget		Neutral	\$ -	
At Department's request to transfer appropriations within the department for unanticipated costs related to restroom structural repairs				
Parks and Recreation				
West Albany Park				
Other outside services	Increase	01-6E-E62-7110-445	\$ 400	
property repair	Decrease	01-6E-E62-7110-442	(400)	
Playgrounds and Recreation				
Other outside services	Increase	01-6E-E62-7145-445	3,000	
Other equipment	Decrease	01-6E-E62-7145-250	(3,000)	

2023 BUDGET MODIFICATIONS
10-12-2023

Net effect on Budget		Neutral	\$ -
At Department's request to transfer appropriations within the department for emergency pond repair and golf course master plan			
Parks and Recreation			
The Crossings			
Property improvement	Increase	01-6E-E62-7253-310	\$ 25,500
Administration			
Personal services, regular	Decrease	01-6E-E61-7020-110	(25,500)
Golf Course			
Property improvement	Increase	01-6E-E62-7250-310	30,000
Unallocated General Government Support			
Contingency			
Other miscellaneous	Decrease	01-1E-E17-1990-469	(30,000)
Net effect on Budget		Neutral	\$ -
At Department's request to transfer appropriations within the department for unanticipated cost of materials			
Pruyn House Cultural Center			
Supplies	Increase	01-6E-E63-7520-413	\$ 100
Other fees	Decrease	01-6E-E63-7520-453	(100)
Net effect on Budget		Neutral	\$ -
At Department's request to transfer appropriations within the department for unanticipated cost of materials			
Senior Resources			
Printing	Increase	01-6E-E64-7610-464	\$ 300
Senior grants	Decrease	01-6E-E64-7610-493	(300)
Net effect on Budget		Neutral	\$ -
At Comptroller's request to transfer appropriations among departments for unanticipated level of hiring costs			
Police			
Vehicles			
Gasoline and oil	Decrease	01-2E-E22-3125-411	\$ (3,000)
Emergency Medical Services			
Maintenance/service contracts	Decrease	01-3E-E34-4540-448	(3,000)
Revenue			
Sales tax	Decrease	01-1R-R12-1120-000	6,000
Net effect on Budget		Decrease	\$ (6,000)
General Town-Outside Villages Fund			
At Comptroller's request to transfer appropriations within departments for unanticipated operating costs			
Civil Service			
Printing	Increase	02-1E-E16-1435-464	\$ 75
Training	Increase	02-1E-E16-1435-465	75
Office Supplies	Decrease	02-1E-E16-1435-412	(75)
Other fees	Increase	02-1E-E16-1435-453	(75)
Net effect on Budget		Neutral	\$ -
At Department's request to transfer appropriations within departments for unanticipated operating costs			
Building Department			
Office Supplies	Increase	02-2E-E26-3620-412	\$ 700
Meal and boot allowances	Increase	02-2E-E26-3620-479	390
Books and periodicals	Increase	02-2E-E26-3620-461	(1,090)

2023 BUDGET MODIFICATIONS
10-12-2023

Net effect on Budget		Neutral	\$ -
At Comptroller's request to transfer appropriations among departments for unanticipated level of hiring costs			
Civil Service			
Other fees	Increase	02-1E-E16-1435-453	\$ 6,000
Revenue			
Sales tax	Increase	02-1R-R12-1120-000	(6,000)
Net effect on Budget		Increase	\$ 6,000
At Comptroller's request to transfer appropriations within departments for unanticipated personnel costs			
Sign Review Board			
Personal services, part-time	Increase	02-7E-E71-8015-140	\$ 925
DPW Engineering			
Personal services, regular	Decrease	02-7E-E71-8017-110	(925)
Net effect on Budget		Neutral	\$ -
At Department's request to transfer appropriations within the department for unanticipated personnel costs			
DPW Engineering			
Personal services, overtime	Increase	02-7E-E71-8017-130	\$ 23,500
Equipment rental	Increase	02-7E-E71-8017-441	1,600
Other fees	Increase	02-7E-E71-8017-453	400
Gasoline and oil	Decrease	02-7E-E71-8017-411	(400)
Personal services, regular	Decrease	02-7E-E71-8017-110	(25,100)
Net effect on Budget		Neutral	\$ -
At Department's request to transfer appropriations within the department for unanticipated operating costs			
Planning and Economic Development			
Office supplies	Increase	02-7E-E71-8020-412	\$ 915
Vehicle repairs	Increase	02-7E-E71-8020-444	350
Traing	Decrease	02-7E-E71-8020-465	(1,265)
Net effect on Budget		Neutral	\$ -
Highway Town Outside Villages Fund			
At Department's request to transfer appropriations within the department for unanticipated personnel costs			
General Repairs			
Personal services, regular	Increase	03-4E-E42-5110-110	\$ 62,890
Improvements			
Personal services, overtime	Increase	03-4E-E42-5112-130	17,500
Personal services, regular	Increase	03-4E-E42-5112-110	(90,890)
Street and Road Signs			
Personal services, overtime	Increase	03-4E-E42-5115-130	10,500
Net effect on Budget		Neutral	\$ -
At Department's request to transfer appropriations within the department for unanticipated operating costs			
General Repairs			
Other outside services	Increase	03-4E-E42-5110-445	\$ 1,250
Meal and boot allowances	Increase	03-4E-E42-5110-479	50
Personal services, part-time: seasonal	Decrease	03-4E-E42-5110-150	(1,300)
Net effect on Budget		Neutral	\$ -

2023 BUDGET MODIFICATIONS
10-12-2023

Pure Waters District Fund

At Department's request to transfer appropriations within the department for unanticipated expenditures

Administration				
Vehicle repairs	Increase	05-7E-E72-8110-444	\$	500
Other fees	Increase	05-7E-E72-8110-453		653
Printing	Increase	05-7E-E72-8110-464		25
Physical evaluation	Decrease	05-7E-E72-8110-454		(1,153)
Meal and boot allowances	Decrease	05-7E-E72-8110-479		(25)
Collection System				
Vehicle and equipment supplies	Increase	05-7E-E72-8120-414		8,000
Property repairs	Increase	05-7E-E72-8120-442		5,000
Gasoline and oil	Decrease	05-7E-E72-8120-411		(3,000)
Equipment rental	Decrease	05-7E-E72-8120-441		(10,000)
Treatment and Disposal				
Sand and salt	Increase	05-7E-E2-8130-416		508
Repairs	Increase	05-7E-E2-8130-443		57,664
Vehicle and equipment supplies	Decrease	05-7E-E72-8130-414		(1,100)
Other utilities	Decrease	05-7E-E72-8130-429		(1,568)
Maintenance/service contracts	Decrease	05-7E-E72-8130-448		(55,300)
Meal and boot allowances	Decrease	05-7E-E72-8130-479		(204)
Net effect on Budget		Neutral	\$	-

At Department's request to transfer appropriations within the department for repair costs

Collection System				
Repairs	Increase	05-7E-E72-8120-443		9,500
Revenue				
Sale of equipment	Increase	05-6R-R61-2655-000		(9,500)
Net effect on Budget		Increase	\$	9,500

Latham Water District Fund

At Department's request to transfer appropriations within the department for unanticipated expenditures

Administration				
Other outside services	Increase	07-7E-E72-8310-445	\$	6,530
Printing	Increase	07-7E-E72-8310-464		1,900
Personal services, regular	Decrease	07-7E-E72-8310-110		(8,505)
Treatment Plant				
Office equipment	Increase	07-7E-E72-8330-220		913
Personal services, part-time	Increase	07-7E-E72-8330-140		2,867
Books and periodicals	Increase	07-7E-E72-8330-461		324
Furniture	Decrease	07-7E-E72-8330-210		(913)
Personal services, regular	Decrease	07-7E-E72-8330-110		(2,867)
Treatment Plant: Laboratory				
Books and periodicals	Decrease	07-7E-E72-8331-461		(324)
Metering and Water Usage				
Meal and boot allowances	Increase	07-7E-E72-8350-479		75
Net effect on Budget		Neutral	\$	-

Community Development Fund

At Department's request to transfer appropriations within the department for unanticipated operating costs

Community Development Block Grant

Administration				
Personal services, regular	Increase	79-5E-E51-6992-110	\$	2,977
Phone	Increase	79-5E-E51-6992-421		59

EXHIBIT "A"

2023 BUDGET MODIFICATIONS
10-12-2023

Office equipment	Decrease	79-5E-E51-6992-220	(2,000)
Office supplies	Decrease	79-5E-E51-6992-412	(319)
Equipment rental	Decrease	79-5E-E51-6992-441	(284)
Other outside services	Decrease	79-5E-E51-6992-445	(90)
Postage	Decrease	79-5E-E51-6992-462	(333)
Other miscellaneous	Decrease	79-5E-E51-6992-469	(10)
Net effect on Budget		Neutral	\$ -

RESOLUTION NO. 478 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution awarding the bids for Industrial Chemicals to Holland Company, Inc., JCI Jones Chemicals, Inc., Polydyne, Inc., Slack Chemical Co., Inc., Surpass Chemical Co., Inc., Thatcher Company of New York and Univar Solutions USA, Inc. and authorizing the Supervisor to enter into agreements for same.

WHEREAS, pursuant to advertisement on September 6, 2023, the following twelve (12) proposals were received in connection with the purchase of Industrial Chemicals as attached hereto and made a part hereof as “Exhibit” A; and

WHEREAS, a tie bid was received for Item 9A and was determined from a coin tossed by William Jenkins and witnessed by Denise Fitzgerald and Keith Ruggiero to determine the award;

BE IT RESOLVED that the low bids highlighted on the attached Exhibit “A” will be awarded to Thatcher Company of New York for Item #1, Slack Chemical Company for Item #2 and Item #6C, Univar Solutions USA, Inc. for Item #3 and #9A, Surpass Chemical Co., Inc. for Item #4, Item #6A, Item #6B, Item #7, Item #8, Item #9A, Item #9B, Item #9C, Item #10, Item #14, Item #15A and Item #15B, JCI Jones Chemicals, Inc. for Item #5, Polydyne, Inc. for Item #11A, Item #11B and Item #13 and Holland Company, Inc. for Item #12; and

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute agreements for same; and

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

RFB Industrial Chemicals 2024
Announce to Town Board
Attachment A

ITEM #	Item Name	Interested Departments	Delivery Unit Size Required	Delivery Point	Annual Estimated Quantity	Annual Estimated Qty Unit	PRICING UNIT	Amount Bid											
								Cruz Chemical LLC	Chemicals US LLC	Cryme Chemical Co., Inc.	Holland Company, Inc.	JCI Jones Chemicals, Inc.	Exother Chemical Co., Inc.	Polyfiller, Inc.	Slack Chemical Company	Surpass Chemical Co., Inc.	Thatcher Company of New York	Univer Solutions USA Inc.	USALCO, LLC
1	LIQUID ALUM SULFATE - (ALUM DRY BASIS)	LWD	TANK TRUCK	LWD	538	DRY TONS	/DRY TON	\$664,000			\$460,000				\$755,000		\$439,000		\$1,052,320
2	LIQUID SODIUM HYPOCHLORITE	PW	55 GALLON DRUM	PW	220	GL	/GL								\$3,947	\$ 4,144		\$ 7,530	
3	LIQUID SODIUM HYPOCHLORITE - (dry weight basis must be membrane or styren grade.)	LWD	TANK TRUCK	LWD	522	DRY TONS	/DRY TON						\$ 2,000,000		1,091.97	\$854,500		\$844,000	
4	LIQUID SULFURIC ACID	LWD	TANK TRUCK	LWD	452	TON	/WET TON								\$344,970	\$298,750		\$ 320,000	
5	LIQUID CHLORINE	LWD	1-TON CONTAINER	LWD	95	TON	/TON						\$ -3,400,000	\$ 5,000,000					
6	SODIUM HYPOCHLORITE																		
6A	in bulk to PW	PW	BULK DELIVERY	PW	42,000	GL	/GL						\$ 4,950		\$ 2,443	\$ 2,106		\$ 2,240	
6B	smaller qty to LWD, PW, & REC	LWD PW REC	\$ GAL CONTAINERS	LWD PW REC	800	GL	/GL								\$ 4,990	\$ 3,640			
6C	in bulk to REC	REC	BULK DELIVERY	REC	12,000	GL	/GL								\$2,943	\$ 3,546			
7	AQUA PERL FEILITE FILTER MEDIA	REC	24 lb. BAGS	REC	50	24 LB BAGS	/BAG									\$13,150			
8	MURIATIC ACID - 20"	REC	15 GALLON CARBOY	REC	90	GL	/GL								\$ 4,990	\$ 4,780			
	HYDRATED LIME (84% at 3 farms)																		
8A	large qty in bulk	PW	TANK TRUCK	PW	240	TONS	/DRY TON									\$436,850		\$ 436,850	
8B	large qty in bags	PW	40 50-lb. BAGS	PW	2000	LB	/LB								\$ 0,399	\$ 0,379	\$ 0,381		
9C	small qty in bags	PW	5 50-lb. BAG	PW	250	LB	/LB								\$ 0,599	\$ 0,454			
10	POTASSIUM PERMANGANATE (technical grade)	PW	55-LB PAILS	PW	30,000	LB	/LB	\$2,360		\$ 2,645					\$ 4,650	\$ 2,354	\$ 5,410		
	LIQUID POLYMER				180,000	ALQUID LB													
11A	large qty in bulk	PW	TANK TRUCK	PW	180000	LB	/LB								\$ 0,270				
11B	small qty	PW	275-GL TOTE	PW	275	LB	/LB								\$ 0,370				
12	POLYALUMINUM CHLORIDE	LWD	BULK DELIVERY	LWD	65,000	LWD	/BAG				\$ 2,830								\$ 4,278
13	COAGULANT AID POLYMER	LWD	50-lb. BAGS	LWD & REC	4000	LWD	/BAG	\$ 115,220						\$90,000					
14	SODIUM BICARBONATE	LWD REC	50-lb. BAGS	LWD & REC	2000	LB	/BAG								\$29,440	\$ 27,750			
	CITRIC ACID (not both farms)																		
15A	large qty of bags	LWD	40 50-lb. BAGS	LWD	2000	LB	/LB			\$ 3,732					\$ 2,420	\$ 1,890			
15B	small qty of bags	LWD	5 50-lb. BAG	LWD	250	LB	/BAG			\$ 4,067					\$ 3,988	\$ 3,890			

Notes:
The town received bids for all items in all quantities.
Green highlighted cells contain the low bid amounts.

The awardee for Item 9A was, by coin flip, determined to be Surpass Chemical Co., Inc.

EXHIBIT "A"

RESOLUTION NO. 479 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

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

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

<u>PAYEE</u>	<u>AMOUNT</u>
Thorn Gershon Tymann and Bonanni, LLP (Town of Colonie v. City of NY, et al)	\$3,545.00
Leguire Shorthand Reporters (Shanley and Haggerty)	\$515.50
Cooper Erving & Savage (Fusco and Pirri)	\$319.00
Total	\$4,379.50

RESOLUTION NO. 480 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a 5 year lease extension with the Boght Community Fire District for the EMS Station at 8 Preston Drive.

WHEREAS, Boght Community Fire District will extend the lease with EMS for five (5) years at 8 Preston Drive at a cost of \$3,000.00 per month;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a 5 year lease extension with the Boght Community Fire District for the EMS Station at 8 Preston Drive; and

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

RESOLUTION NO. 481 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

**Resolution accepting the dedication of Royal Court and 8 Royal Court
in the Serio Subdivision.**

WHEREAS, Cillis Builders, Inc., has offered for dedication as a public street or highway the land described in properly executed deed dated October 20, 2022, running to the Town of Colonie; and

WHEREAS, Royal Court is improved as a street or highway, in compliance with standards and specifications for Town highways within the Town of Colonie, and in conformance with applicable regulations and requirements and provisions of State statutes pertinent thereto; and

WHEREAS, it is found that acceptance of this offer of dedication is in the interest of the Town of Colonie; and

BE IT RESOLVED that Royal Court be a Town street or highway contingent upon receipt of the required certifications and fulfillment of all other Department of Public Works requirements for dedication; and

BE IT FURTHER RESOLVED that consent is hereby given to the Commissioner of Public Works to lay out Royal Court, as a Town highway and record his order in the Town Clerk's Office; and

BE IT FURTHER RESOLVED that the dedication of 8 Royal Court be, and hereby is, accepted; and

BE IT FURTHER RESOLVED that the above referenced offer of dedication by Cillis Builders, Inc., be accepted by the Town of Colonie, subject to approval of all documents by the Town Attorney's Office; and

BE IT FURTHER RESOLVED that the Supervisor is authorized to execute any and all documents necessary to complete the transfer of title.

RESOLUTION NO. 482 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

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

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

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

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

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

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

WHEREAS, a Resolution was duly adopted by said Board on the 28th day of September 2023, pursuant to the New York State Town Law calling for a public hearing on said assessment rolls to be held at the Town Hall, Latham, New York on the 26th day of October, 2023, 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; and

NOW, THEREFORE, BE IT RESOLVED, 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 properties as described in aforementioned assessment rolls are benefited by the Colonie Sewer Improvement Area and that said benefited property and property owners are included within the limits of said improvement area.

Section 2. That said benefit assessment roll of the Colonie Sewer Improvement Area for the payment of the expense of maintenance of the Colonie Sewer Improvement Area pursuant to Section 202-a of the New York State Town Law be and is hereby approved.

Section 3. That the Town Clerk is instructed to annex to said sewer benefit assessment roll a warrant which shall be signed by the Supervisor and countersigned by the Town Clerk commanding the Town Tax Collector to collect from the several persons named in said assessment roll the sum or sums opposite their respective names and to pay the same to the Supervisor of the Town.

Section 4. This Resolution shall take effect immediately.

RESOLUTION NO. 483 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

**Resolution Pursuant to §202 of the New York State Town Law
Approving the Annual Estimate of Expense of Improvements and
Benefit Assessment Roll for the Town of Colonie Sewer Improvement
Area.**

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

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

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

WHEREAS, the aforesaid estimates and Assessment Roll will be available for public inspection in the office of the Town Assessor of the Town of Colonie, County of Albany, State of New York;

WHEREAS, a Resolution was duly adopted by said Board on the 28th day of September 2023, pursuant to the New York State Town Law calling for a public hearing on said assessment

rolls to be held at the Town Hall, Latham, New York on the 26th day of October, 2023, 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; and

NOW, THEREFORE, BE IT RESOLVED, 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 properties as described in aforementioned assessment rolls are benefited by the Colonie Sewer Improvement Area and that said benefited property and property owners are included within the limits of said improvement area.

Section 2. That said benefit assessment roll of the Colonie Sewer Improvement Area as above for the payment of the expense of construction and improvements for the Colonie Sewer Improvement Area pursuant to Section 202 of the New York State Town Law be and is hereby approved.

Section 3. That the Town Clerk is instructed to annex to said benefit assessment roll a warrant which shall be signed by the Supervisor and countersigned by the Town Clerk commanding the Town Tax Collector to collect from the several persons named in said assessment roll the sum or sums opposite their respective names and to pay the same to the Supervisor of the Town.

Section 4. This Resolution shall take effect immediately.

RESOLUTION NO. 484 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing 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 NYS Town Law §184; and

WHEREAS, due notice having been given of public hearings to be held at the Town Hall on the 26th day of October, 2023 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 to the extent the requirements of NYS Town Law §184(1)(a) are not met, the requirements are hereby waived because the Fuller Road Fire Department, Inc. has provided fire protection service to the Town for over 90 years and has endeavored to meet the requirements by providing a property inventory.

RESOLUTION NO. 485 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing 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 NYS Town Law §184; and

WHEREAS, due notice having been given of public hearings to be held at the Town Hall on the 26th day of October, 2023 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 NYS 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 NYS Town Law §184(1)(a) to the Town by providing significant documentation of financial condition and property inventory.

RESOLUTION NO. 486 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing 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 NYS Town Law §184; and

WHEREAS, due notice having been given of public hearings to be held at the Town Hall on the 26th day of October, 2023 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 NYS 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.

RESOLUTION NO. 487 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution authorizing 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 NYS Town Law §184; and

WHEREAS, due notice having been given of public hearings to be held at the Town Hall on the 26th day of October, 2023 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 NYS Town Law §184(1)(a) 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 NYS Town Law §184(1)(a) to the Town by providing significant documentation of financial condition and property inventory.

RESOLUTION NO. 488 FOR 2023

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 26th day of October, 2023 at 7:00 PM.

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

ABSENT: None

Councilwoman _____ offered the following resolution and moved its adoption:

Resolution adopting/not adopting a local law in connection with the Code of the Town of Colonie, thereof, adding Article XII to Chapter 171 of the Town Code regarding Volunteer Firefighter Real Property Tax Exemption.

WHEREAS, proof of notice having been furnished, the public hearing on a proposed local law was held at 7:00 PM on October 26, 2023 with all persons desiring to be heard, having been heard;

THEREFORE, BE IT RESOLVED that local law adding Article XII to Chapter 171 of the Code of the Town of Colonie be, and hereby is, adopted/not adopted.

Local Law Filing

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

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

**Town of Colonie
Local Law No ____ of the year 2023**

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

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

SECTION 1: LEGISLATIVE INTENT AND PURPOSE

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

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

SECTION 2: REAL PROPERTY TAX EXEMPTION

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

SECTION 3. QUALIFICATION

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

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

SECTION 4. CONTINUATION OF ELIGIBILITY REQUIREMENTS

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

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

SECTION 5. TWENTY YEAR ACTIVE MEMBERS

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

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

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

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

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

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

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

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

SECTION 8. APPLICATION PROCESS

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

SECTION 9. NO DIMINUTION OF CURRENT BENEFITS

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

SECTION 10. EFFECTIVE DATE

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

SECTION 11. SEVERABILITY

If any clause, sentence or provision of this local law or the application thereof to any person or circumstance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity thereof shall not affect, impair or invalidate the remainder of the provisions of this local law or the application thereof to other persons and circumstances.

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

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2023 of the **Town of Colonie** was duly passed by the Town Board on _____ in accordance with the applicable provisions of law.

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

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

3. (Final adoption by referendum.)

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

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

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

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

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

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

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

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

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

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

(Seal)

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

STATE OF NEW YORK
COUNTY OF ALBANY

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

Signature Town of Colonie Town Attorney
Date: