



## Minutes of the Regular Meeting of the Town Board

Thursday, October 27, 2022

7:00 PM

Town Hall

1. **REGULAR TOWN BOARD MEETING – October 27, 2022 - 7:00 PM**
2. **Agenda Review Session – 6:00 PM Supervisor Conference Room**
3. **Call to Order**

| Attendee Name     | Title         | Status  | Arrived |
|-------------------|---------------|---------|---------|
| Peter G. Crummey  | Supervisor    | Present |         |
| Rick J Field      | Councilman    | Present |         |
| Melissa Jeffers   | Councilwoman  | Present |         |
| Danielle Futia    | Councilwoman  | Present |         |
| Jill Penn         | Councilwoman  | Present |         |
| Jeffrey W. Madden | Councilman    | Present |         |
| Alvin Gamble      | Councilman    | Present |         |
| E. Guy Roemer     | Town Attorney | Present |         |
| Julie Gansle      | Town Clerk    | Present |         |

4. **Pledge of Allegiance**
5. **Personnel: Resolution No. 462**

A. Ty A. Bariteau

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

B. Eithne R. McCarthy

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

C. Kimberly A. Danner

|                  |                                                      |
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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

D. Gabriella S. Thompson

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

E. Tristan R. Jordan

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

F. John Leonhardt

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

G. Christopher Vanbuskirk

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

H. Logan P. Rudat

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

I. David R. Hildenbrandt

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

## 6. Public Hearings

### Public Hearing in connection to Section 202b of the New York State Town Law Approving/Not Approving the Latham Water District Brookhill Drive, Cascade Terrace, and Ashford Lane Water Main Replacement Project.

Special Counsel, Crystal Peck, provided information in connection with the project; no additional comments received and the public hearing was closed.

Resolution No. 463 of 2022

Resolution pursuant to Section 202b of the New York State Town Law Approving the Latham Water District Brookhill Drive, Cascade Terrace, and Ashford Lane Water Main Replacement Project.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

**Public Hearing in connection to §202-a of the New York State Town Law Approving/Not Approving the Annual Estimate of Expense of Maintenance and Benefit Assessment Roll for the Town of Colonie Sewer Improvement Area.**

Special Counsel, Crystal Peck, provided information in connection with the annual estimate of expense of maintenance and benefit assessment roll; no additional comments received and the public hearing was closed

Resolution No. 464 of 2022

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.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

**Public Hearing in connection to §202 of the New York State Town Law Approving/Not Approving the Annual Estimate of Construction Expense of Improvements and Benefit Assessment Roll for the Town of Colonie Sewer Improvement Area.**

Special Counsel, Crystal Peck, provided information in connection with the annual estimate of construction expense of improvements and benefit assessment roll; no additional comments received and the public hearing was closed.

Resolution No. 465 of 2022

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

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

**Public Hearings in connection with the Fire Protection District Contracts.**

Town Attorney, E. Guy Roemer, provided information in connection with the Fire Protection District contracts, Acting Comptroller Kelsey provided the amount of the proposed contracts for each of the Protection Districts; no additional comments were received and the four (4) public hearings were closed.

Resolution No. 466 of 2022

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

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 467 of 2022

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

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 468 of 2022

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

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 469 of 2022

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.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

**Public Hearing in connection with the Code of the Town of Colonie, thereof, amending section 137-14(B) to require all dogs, cats and other pets to remain on leashes when in Town parks, on the bike path and on Town property.**

Town Attorney, E. Guy Roemer, explained the amendments being proposed by the local law; resident spoke in support of the proposed change; no additional comments were received and the public hearing was closed.

Resolution No. 470 of 2022

Resolution adopting a local law in connection with the Code of the Town of Colonie, thereof, amending section 137-14(B) to require all dogs, cats and other pets to remain on leashes when in Town parks, on the bike path and on Town property.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Melissa Jeffers, Councilwoman                        |
| <b>SECONDER:</b> | Danielle Futia, Councilwoman                         |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

7. **Public Comment**

Resident spoke in connection with her properties within the town and them recently being used as dumping sites; no additional comments received.

8. **Resolutions**

Resolution No. 471 requiring the Planning and Economic Development Director to review and consider the proposed amendment of the Shelter Cove PDD.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 472 authorizing the Supervisor to enter into an Agreement with Guardian Life Insurance Company of America to provide life insurance to Town employees for the 2023 calendar year at an annual premium of \$19,716.00.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 473 authorizing settlement or discontinuance, subject to judicial approval of the same, pursuant to §68 of the Town Law, of various tax certiorari proceedings.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 474 authorizing the Supervisor to enter into an Agreement with Porter Lee Corporation in connection with the maintenance of the evidence room computer software at an annual cost of \$781.00.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 475 awarding the bid to Emkay Cleaners in connection with the Annual Cleaning and Maintenance of the Clothing for the year 2023 to be used by various Town departments and authorizing the Supervisor to execute an agreement for same.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 476 authorizing the General Services Director to complete the process of the GSA 1122 Program to finalize the purchase of a Mobile Command Center at a cost of \$517,884.00.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 477 rescinding Resolution No. 267 for 2022 and awarding the bid to Emergency Power Systems, LLC in connection with generator maintenance at various Town locations and authorizing the Supervisor to enter into an Agreement for same.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 478 awarding the bid for Janitorial Supplies for the Year 2023 to W.B. Mason Company, Inc. and Staples Contract & Commercial, LLC in connection with the purchase of paper towels and toilet paper.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 479 authorizing the Supervisor to execute a Contractor Service Agreement with Harold Beck & Sons, Inc. in connection with diagnosing and adjusting Beck Valve Actuators at the Mohawk View Water Treatment Plant and to be used by various Town departments at a cost not to exceed \$10,000.00.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 480 awarding bid to International Dioxide, Inc. in connection with Liquid Sodium Chlorite at a cost of \$534,440.00 for the DPW/Division of Latham Water and authorizing the Supervisor to enter into an agreement for same.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 481 rejecting all bids in connection with the VFD, Matrix Filter and Capacitor Replacement for the DPW/Division of Latham Water and authorizing the General Services Director to rebid for same.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 482 authorizing the Supervisor to execute a Contractor Service Agreement with Quality Controls, Inc. to increase the expenditure limit to \$25,000.00.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 483 authorizing the sale of an unimproved portion of Industrial Road to Warehouse 19, LLC, owner of 19 Warehouse Row, and Repic Realty, Inc., owner of 17 Warehouse Row, for a purchase price of \$50,000.00, subject to permissive referendum and authorizing the Supervisor to execute all documents in connection with the sale. This sale has been determined to be an Unlisted SEQR Action that will not have a significant effect on the environment.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 484 authorizing Andrew J. Clermont to act as General Services Director until such time as a new General Services Director is appointed by the Town Board.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 485 awarding the bid for printing of Golf Course Score Cards to Chase Press in the amount of \$3,367.22.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 486 accepting the donation from Twin Bridges Waste & Recycling for leaf pickup in the Town during the week beginning November 7, 2022.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Danielle Futia, Councilwoman                         |
| <b>SECONDER:</b> | Jill Penn, Councilwoman                              |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |

Resolution No. 487 calling a public hearing in connection with a proposed local law of the Code of the Town of Colonie, thereof, amending Section 137-19(c) of the Town Code regarding bicycling on Town bicycle paths.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Jill Penn, Councilwoman                              |
| <b>SECONDER:</b> | Melissa Jeffers, Councilwoman                        |
| <b>AYES:</b>     | Crummey, Field, Jeffers, Futia, Penn, Madden, Gamble |