

RESOLUTION NO. 409-A FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Deborah A. Burke to the position of Typist, Grade 6, in the Building Department.

WHEREAS, the Personnel Officer has certified Deborah A. Burke as eligible for permanent appointment from Eligible List #21-936, established April 12, 2021;

BE IT RESOLVED that Deborah A. Burke be, and hereby is, permanently appointed to the position of Typist, Grade 6, in the Building Department at an annual salary of \$33,265, effective November 15, 2021.

RESOLUTION NO. 409-B FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Jill M. Lieberman to the position of Assessment Clerk, Grade 8, in the Assessor's Office.

WHEREAS, the Personnel Officer has certified Jill M. Lieberman as eligible for permanent appointment from Eligible List #21-953, established October 28, 2021;

BE IT RESOLVED that Jill M. Lieberman be, and hereby is, permanently appointed to the position of Assessment Clerk, Grade 8, in the Assessor's Office at an annual salary of \$37,403, effective November 8, 2021.

RESOLUTION NO. 409-C FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Jocelyn A. Gauthier to the position of Assessment Clerk, Grade 8, in the Assessor's Office.

WHEREAS, the Personnel Officer has certified Jocelyn A. Gauthier as eligible for permanent appointment from Eligible List #21-953, established October 28, 2021;

BE IT RESOLVED that Jocelyn A. Gauthier be, and hereby is, permanently appointed to the position of Assessment Clerk, Grade 8, in the Assessor's Office at an annual salary of \$37,403, effective November 8, 2021.

RESOLUTION NO. 409-D FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Timothy M. MacPherson to the position of Attorney, Grade 17, in the Attorney's Office.

WHEREAS, the Personnel Officer has certified Timothy M. MacPherson as eligible for permanent appointment from Eligible List #Atty1-21, established October 28, 2021;

BE IT RESOLVED that Timothy M. MacPherson be, and hereby is, permanently appointed to the position of Attorney, Grade 17, in the Attorney's Office at an annual salary of \$76,105, effective November 8, 2021.

RESOLUTION NO. 409-E FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution provisionally appointing Andy Acker to the position of Planner, Grade 15, in the Planning and Economic Development Department.

BE IT RESOLVED that Andy Acker be, and hereby is, provisionally appointed to the position of Planner, Grade 15, in the Planning and Economic Development Department at an annual salary of \$64,560, effective November 22, 2021, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 410 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution adopting the proposed 2022 annual budget.

WHEREAS, this Board having duly held a public hearing on November 4, 2021 commencing at 7:00 PM on the preliminary budget filed with the Town Clerk for the fiscal year commencing January 1, 2022, and proof of public notice having been furnished and having heard all persons desiring to be heard in the matter of the budget of this Town for such fiscal year and all matters having been fully discussed and considered;

BE IT RESOLVED, that the budget, as amended, attached hereto and made a part of this resolution as though fully set forth herein, be and it hereby is, adopted as the annual budget of this Town, and for such budget as so adopted to be entered in detail in the minutes of the proceedings of this Town Board; and

BE IT FURTHER RESOLVED that the Town Clerk of this Town shall prepare and certify, as provided by Law, duplicate copies of said annual budget hereby adopted, together with the proposed assessment rolls for the benefit of improvements, adopted pursuant to §200 and §202-a of the Town Law, and deliver two copies to the Supervisor of the Town and that the Supervisor shall present the copies to the County Legislature as required by Law.

RESOLUTION NO. 411 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

**Resolution 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 is a Town function in the manner provided by Chapter 950 of the Laws of 1973, and §202 of the Town Law; and

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

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

WHEREAS, a Resolution was duly adopted by said Board on the 30th day of September 2021, 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 4th day of November, 2021, 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 and it is further resolved

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. 412 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

**Resolution 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 are available for public inspection in the office of the Town Assessor of the Town of Colonie, County of Albany, New York, and the Town of Colonie website; and

WHEREAS, a Resolution was duly adopted by said Board on the 30th day of September 2021, 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 4th day of November, 2021, 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 and it is further

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. 413 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution calling a public hearing pursuant to Section 202b of the New York State Town Law in relation to the Schuyler Road Pump Station Rehabilitation Project.

WHEREAS, the Town of Colonie owns and maintains the Schuyler Road Pump Station ("SRPS"). The SRPS and its tributary service area has been identified for evaluation, condition assessment, and potential rehabilitation; and

WHEREAS, the Town has engaged CHA Consulting, Inc. to evaluate the best approach to maintaining long-term sewer service at the SRPS and its tributary area, which includes addressing the potential for flooding at the SRPS site, mitigating inflow and infiltration, and proactively repairing aging or critical infrastructure. In its evaluation CHA Consulting, Inc. has identified necessary replacements and repairs to avoid future interruptions in service and has recommended that the SRPS be replaced with a new submersible station; and

WHEREAS, a report, map, plan and estimate of cost relating to the aforementioned improvements have been prepared by CHA Consulting, Inc., and has been filed with the Town Clerk of the Town of Colonie in accordance with the requirements of Town Law and is available for public inspection; and

WHEREAS, the maximum amount to be expended for the aforementioned improvements is Two Million Six Hundred Fifty-Three Thousand Dollars and 00/100 (\$2,653,000.00); and

WHEREAS, the location and particulars of the upgrades and associated costs are described in detail in the aforementioned engineers report on file with the Town Clerk's office of the Town of Colonie; and

WHEREAS, it is now desired to call a Public Hearing pursuant to the provisions of Article 12 of the New York State Town Law; and

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. A meeting of the Town Board of the Town of Colonie, Albany County, New York shall be held at the Town Hall, Latham, New York on the 2nd day of December, 2021 at 7:00 o'clock p.m., local time, for the purpose of conducting a public hearing on the aforesaid report, map, plan and estimate of cost, at which time and place said Town Board will hear all persons interested in the subject matter thereof.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be given by publishing and posting a copy of this resolution in the manner provided by New York State Town Law.

Section 3. This resolution shall take effect immediately.

RESOLUTION NO. 414 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution readdressing 4259 Albany Street to 8 Colonie Plaza Drive and renaming portions of 4253 Albany Street to 4 and 6 Colonie Plaza Drive and creating a new private road named Colonie Plaza Drive.

WHEREAS, there are discrepancies in postal and 911 address databases for parcels located at 4253 and 4259 Albany Street, there is a need to readdress the buildings on the parcels; and

WHEREAS, Police Communications together with the Albany County 911 Database Coordinator seeks to name the private road adjacent to these properties as Colonie Plaza Drive and renumber the buildings as 4, 6 and 8 Colonie Plaza Drive in accordance with plans approved by the Town of Colonie Planning and Economic Development Department.

BE IT RESOLVED that the Town Board approves the naming of the private road as Colonie Plaza Drive and renumbering buildings along that private road as 4, 6 and 8 Colonie Plaza Drive for 911 and postal addressing purposes.

RESOLUTION NO. 415 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution awarding the bid for Golf Course Score Cards to Indiana Printing and Publishing Co., Inc.

WHEREAS, pursuant to advertisement on October 6, 2021 the following proposals were received in connection with the printing of Golf Course Score Cards:

	VENDOR	TOTAL COST
1.	Indiana Printing and Publishing Co. Inc.	\$2,746.50
2.	Fort Orange Press, Inc.	\$2,930.10
3.	Courier Printing Corp.	\$3,090.00
4.	Graphic Image, Inc.	\$3,105.00
5.	Dupli Envelope & Graphics	\$3,121.20
6.	SPIRE	\$3,458.10
7.	Concept Print	\$3,690.00

WHEREAS, this bid contains a renewal clause for the years 2023 and 2024; and

BE IT RESOLVED that the low bidder, Indiana Printing and Publishing Co., Inc., in the amount of \$2,746.50 be, and hereby is, accepted.

RESOLUTION NO. 416 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution requiring the Planning and Economic Development Director to review and consider the proposed amendment of the Canterbury Crossings PDD.

WHEREAS, the Town Board recommends that the Planning and Economic Development Director review the amendment of the Canterbury Crossings Planned Development District; and

WHEREAS, the applicant seeks to install a 20' x 32' deck at 9 Buckingham Lane;

BE IT RESOLVED that the Planning and Economic Development Director be, and hereby is, authorized to review and consider the proposed amendment of the Canterbury Crossings PDD.

RESOLUTION NO. 417 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to declare an emergency in connection with the River Road Pump Station Emergency Pumps Failure for the DPW/Division of Latham Water.

WHEREAS, KJ Electric, Siewert and O'Connell Electric will repair the River Road Pump Station Emergency Pumps at a cost not to exceed \$67,827.95;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to declare an emergency in connection with the River Road Pump Station Emergency Pumps Failure for the DPW/Division of Latham Water.

RESOLUTION NO. 418 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing 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:

1. *90 Broadway, LLC v. Town of Colonie, et al.*, Index No.: 906118-21

90 Broadway, Tax Map Parcel No.: 55.13-2-10

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
2021	\$1,660,000	\$1,545,000	\$115,000

Tentative Town Refund: \$0

Tentative School Refund: \$3,387.37

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. 419 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Collective Bargaining Agreement with the Colonie Police Supervisors' Association.

WHEREAS, the Collective Bargaining Agreement with the Colonie Police Supervisors' Association will be effective January 1, 2021 through December 31, 2024;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Collective Bargaining Agreement with the Colonie Police Supervisors' Association; and

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

RESOLUTION NO. 420 FOR 2021

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 4th day of November, 2021 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Collective Bargaining Agreement with the Police Benevolent Association.

WHEREAS, the Collective Bargaining Agreement with the Police Benevolent Association will be effective January 1, 2021 through December 31, 2024;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Collective Bargaining Agreement with the Police Benevolent Association; and

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