



Minutes of the Regular Meeting of the Town Board

Thursday, November 30, 2023

7:00 PM

Town Hall

1. **REGULAR TOWN BOARD MEETING – November 30, 2023 - 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	
Kristen N. Blais	Councilwoman	Present	
Mark McCumber	Councilman	Present	
Jeffrey W. Madden	Councilman	Absent	
Alvin Gamble	Councilman	Present	

4. **Pledge of Allegiance**
5. **Personnel: Resolution No. 512**

A. Kyla M. Zeilman

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

B. Elissa L. Valente

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Kristen N. Blais, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

6. **Resolutions**

Resolution No. 513 authorizing expenditure of funds from the Insurance Reserve Fund for payment of legal fees, expenses and/or settlement in connection with litigation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 514 authorizing the Supervisor to declare an emergency in connection with repair of the sanitary sewer system at 1197 Central Avenue by ANJO Construction, Ltd. and authorizing the Comptroller to expend Emergency Repair Reserve funds for the same.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Kristen N. Blais, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 515 adopting a new fee schedule for the DPW/Division of Pure Waters for the year 2024.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 516 authorizing the Supervisor to enter into an Agreement with EDR in connection with the maintenance of the SCADA system at the Mohawk View Water Pollution Control Plant for 2024.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Kristen N. Blais, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 517 authorizing the Supervisor to enter into an Engineering Agreement with Arcadis of New York, Inc. in connection with general engineering services for the DPW/Division of Pure Waters for 2024.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 518 authorizing the Supervisor to execute Change Order No. 2E with Spring Electric, Inc. in connection with the Mohawk View Water Pollution Control Plant Blower Rehabilitation Project.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Kristen N. Blais, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 519 authorizing the Supervisor to execute Change Order No. 1G with J. Squared Construction Corp. in connection with the Mohawk View Water Pollution Control Plant Blower Rehabilitation Project.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 520 requiring the Planning and Economic Development Director to review and consider the proposed amendment of the Maxwell Road Senior PDD at 43 Justin Street.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Kristen N. Blais, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 521 requiring the Planning and Economic Development Director to review and consider the proposed amendment of the Maxwell Road Senior PDD at 45 Justin Street.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 522 authorizing the Supervisor to enter into an Agreement with Boght Veterinary Clinic in connection with animal shelter services for 2024.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Kristen N. Blais, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 523 authorizing the Supervisor to enter into an Agreement with the Watervliet Police Department in connection with the use of the Town's EVOC Track and usage of the restrooms located at the range.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 524 authorizing the Supervisor to execute various contracts and agreements pertaining to appraisal services or legal services in connection with real property tax matters for 2024.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Kristen N. Blais, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 525 authorizing settlement or discontinuance, subject to judicial approval of the same, pursuant to §68 of the Town Law, of various tax certiorari proceedings.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 526 authorizing the Supervisor to execute an Agreement with Rivkin Radler in connection with providing legal advice and counseling in connection with a pending litigation matter.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Kristen N. Blais, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 527 authorizing the Supervisor to execute an ET3 Model Annual Certification Form for the Performance Year January 1, 2023 through December 31, 2023 for the Emergency Medical Services Department.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 528 authorizing the Supervisor to execute a payment plan agreement with Nasir Abbas in connection with amounts due to the Latham Water District for water usage at 3 Catalina Drive, Latham, NY 12110.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Kristen N. Blais, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 529 amending the authority of the Water Bill Review Committee to change the billing threshold for the water bills subject to review.

RESULT:	WITHDRAWN [UNANIMOUS]
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution was pulled during agenda review

Resolution No. 530 authorizing the Supervisor to amend an existing payment plan agreement with Joshua Callaghan in connection with amounts due to the Latham Water District for water usage at 2 Thames Drive, Niskayuna, NY 12309.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 531 authorizing the Supervisor to execute necessary documentation in connection with termination of the general construction contract between the Town and U.W. Marx Construction Inc. and authorizing payment to U.W. Marx Construction Inc. in the amount of \$189,300.34 in connection with such termination.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melissa Jeffers, Councilwoman
SECONDER:	Kristen N. Blais, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Resolution No. 532 authorizing the Supervisor to execute a payment plan agreement with Rikki Michel in connection with amounts due to the Latham Water District for water usage at 44 Maria Drive, Loudonville, NY 12211.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

7. **Public Hearing**

Public Hearing in connection with a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 85 of the Town Code.

*Senior Town Attorney, Veronika DeGiovine, presented background on the proposed changes;

- *Supervisor Crummey clarified that the proposed changes will unify the process of annual Town Board approval as currently in place with other professional services;
- *Inspector, and property owner, spoke regarding his questions about the requirement for, and process of, certified inspectors;
- * no additional comments received and the Public Hearing was closed

Resolution No. 533 of 2023

Resolution adopting a proposed local law of the Code of the Town of Colonie, thereof, amending Chapter 85 of the Town Code.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen N. Blais, Councilwoman
SECONDER:	Melissa Jeffers, Councilwoman
AYES:	Crummey, Field, Jeffers, Blais, McCumber, Gamble
ABSENT:	Jeffrey W. Madden

Proposed Local Law was amended during agenda review adding an additional sentence to Section 1 (copy of revised page 1 containing Section 1: is attached as Communication A.1)

8. Public Comment

- * No comments received

9. Communications

A. General

1. Amended LL-Res. 533 for 2023

NEW YORK STATE DEPARTMENT OF STATE
99 WASHINGTON AVENUE, ALBANY, NY 12231

Local Law Filing

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

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

**Town of Colonie
Local Law No 6 of the year 2023**

A local law amending Chapter 85 of the Code of the Town of Colonie.

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

SECTION 1: AMENDMENT

Chapter 85, Section 85-5 shall be replaced in its entirety with the following:

Electrical inspectors, having practical and technical knowledge of the construction and operation of electrical wiring and work, as evidenced by certification with the International Association for Electrical Inspectors (IAEI) for electrical work and electrical code compliance, may apply to be added to the approved electrical inspector list to perform electrical inspections in the Town of Colonie. In order to be considered for the approved electrical inspector list, an electrical inspector must submit an application, together with proof of IAEI certification and a *curriculum vitae* to the Town of Colonie Commissioner of Public Works for consideration and recommendation to the Town of Colonie Town Board. Approved electrical inspectors may perform electrical inspections in the Town of Colonie, outside the corporate limits of the Village of Colonie and Village of Menands. Any and all electrical inspectors approved for the electrical inspector list must comply with the National Electrical Code (NEC) and Chapter 70 of the National Fire Protection Association (NFPA).

SECTION 2. 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.

SECTION 3. EFFECTIVE DATE

This local law shall take effect upon its proper filing in the Office of the Secretary of State.

Communication: Amended LL-Res. 533 for 2023 (General)