

RESOLUTION NO. 418-A FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution permanently appointing Jill M. Lieberman to the position of Typist, Grade 6, in the DPW/Division of Latham Water.

WHEREAS, the Personnel Officer has certified Jill M. Lieberman as eligible for permanent appointment from Eligible List #19-919, established November 27, 2019;

BE IT RESOLVED that Jill M. Lieberman be, and hereby is, permanently appointed to the position of Typist, Grade 6, in the DPW/Division of Latham Water at an annual salary of \$33,265, effective December 7, 2020.

RESOLUTION NO. 418-B FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution provisionally appointing Robert Diamond to the position of Water Meter Service Worker, Grade 9, in the DPW/Division of Latham Water.

BE IT RESOLVED that Robert Diamond be, and hereby is, provisionally appointed to the position of Water Meter Service Worker, Grade 9, in the DPW/Division of Latham Water at an hourly salary of \$25.69, effective November 23, 2020, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 418-C FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

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

BE IT RESOLVED that Christopher A. Comproski be, and hereby is, appointed to the position of Laborer, Grade 7, in the DPW/Division of Latham Water at an hourly salary of \$19.09, effective December 7, 2020, pending satisfactory completion of a pre-employment physical.

RESOLUTION NO. 418-D FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution provisionally appointing David W. Dupuis to the position of Water Treatment Plant Maintenance Mechanic, Grade 25, in the DPW/Division of Latham Water.

BE IT RESOLVED that David W. Dupuis be, and hereby is, provisionally appointed to the position of Water Treatment Plant Maintenance Mechanic, Grade 25, in the DPW/Division of Latham Water at an annual salary of \$57,950, effective December 7, 2020, pending the establishment of an appropriate eligible list.

RESOLUTION NO. 418-E FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution reinstating Katelyn L. Connelly to the position of Senior Resource Caseworker, Grade 11, in the Senior Resources Department.

BE IT RESOLVED that Katelyn L. Connelly be, and hereby is, reinstated to the position of Senior Resources Caseworker, Grade 11, in the Senior Resources Department at an annual salary of \$55,320, effective November 16, 2020.

RESOLUTION NO. 418-F FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing Jessica M. Loveland, Library Clerk PT, in the Library to take leave without pay.

BE IT RESOLVED that Jessica M. Loveland, Library Clerk PT, be, and hereby is, authorized to take leave without pay, effective November 13, 2020 through December 31, 2020.

RESOLUTION NO. 419 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ 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>
Clough Harbour & Associates LLP (Fusco)	\$330.00
Cooper Erving & Savage, LLP (Fusco, Niedbalec, McMillan, Falace, Geraci)	\$8,710.11
Total	\$9,040.11

RESOLUTION NO. 420 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution amending the Service Award Program for active volunteer firefighter members of the Fuller Road Fire Department, Inc.

WHEREAS, in accordance with Article 11-A of the New York State General Municipal Law, eligible voters of the Town of Colonie Fuller Road Fire Protection District approved a proposition to establish a Defined Contribution Service Award Program, effective January 1, 1991 for active volunteer firefighter members of the Fuller Road Fire Department, Inc., and

WHEREAS, such Service Award Program is administered by the Town of Colonie and currently provides that an active volunteer firefighter member of the Fuller Road Fire Department, Inc. earns a \$700 Service Award contribution for each calendar year during which the volunteer firefighter earns 50 or more points under the Service Award Program Point System; and

WHEREAS, benefit payments in such Program commence to be made at age sixty-two (62), the 'Entitlement Age' to participating volunteers; and

WHEREAS, Article 11-A currently allows annual Service Award contributions to be as much as \$1,200 and the Entitlement Age to as early as age fifty-five (55); and

WHEREAS, Article 11-A authorizes the Town of Colonie Town Board to seek voter approval of amendments to the Fuller Road Fire Protection District Service Award Program

which will improve Service Award Program benefits and thereby are intended to help the Fuller Road Fire Department, Inc recruit and retain active volunteer firefighters;

Now, Therefore, BE IT RESOLVED, That:

The Town of Colonie Town Board, as authorized by Article 11-A of the New York State General Municipal Law §216, directs that there shall be a public referendum of eligible voters of the Town of Colonie Fuller Road Fire Protection District, in an election to be held on December 15, 2020, to determine whether the Fuller Road Fire Protection District Service Award Program shall be amended to: 1.) increase the annual Service Award contribution from \$700 to \$1,200 for each calendar year beginning after December 31, 2020 during which an active volunteer firefighter earns a year of service credit under the Point System; and; 2.) lower the Entitlement Age to age fifty-five (55); and, 3.) help participating volunteers financially plan for retirement by allowing beginning December 31, 2020, upon the attainment of the Entitlement Age under the program, participating volunteers to defer their Benefit Payment Commencement Date in accordance with the Program provisions set forth in the Program Document.

Based on the current active volunteer firefighter roster, the annual Town paid cost of funding the \$700 Service Awards was \$23,100 for calendar year 2020 but could have been as much as \$41,300 (\$700 per volunteer) if all current active volunteers earned a year of service credit under the Point System during 2019. Should voters approve these amendments, the annual cost could increase to as much as \$70,800 or \$1,200 for each participating volunteer, if all current volunteers earn a year of service credit under the Point System during 2021 and any year thereafter. The annual cost of administration of the program would not change as a result of the adoption of these amendments. The current program administration cost is about \$4,300 per year.

All other provisions of the Fuller Road Fire Protection District Service Award Program which require voter approval to amend shall not change and the program shall continue to be administered by the Town of Colonie in accordance with Article 11-A of the New York State General Municipal Law as such law is amended from time to time.

RESOLUTION NO. 421 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution amending the Service Award Program for active volunteer firefighter members of the Maplewood Fire Department, Inc.

WHEREAS, in accordance with Article 11-A of the New York State General Municipal Law, eligible voters of the Town of Colonie Maplewood Fire Protection District approved a proposition to establish a Defined Contribution Service Award Program, effective January 1, 1991 for active volunteer firefighter members of the Maplewood Fire Department, Inc.; and

WHEREAS; such Service Award Program is administered by the Town of Colonie and currently provides that an active volunteer firefighter member of the Maplewood Fire Department, Inc. earns a \$700 Service Award contribution for each calendar year during which the volunteer firefighter earns 50 or more points under the Service Award Program Point System; and

WHEREAS; Article 11-A currently allows annual Service Award contributions to be as much as \$1,200; and

WHEREAS; Article 11-A authorizes the Town of Colonie Town Board to seek voter approval of amendments to the Maplewood Fire Protection District Service Award Program which will improve Service Award Program benefits and thereby are intended to help the Maplewood Fire Department, Inc recruit and retain active volunteer firefighters;

Now, Therefore, BE IT RESOLVED, That:

The Town of Colonie Town Board, as authorized by Article 11-A of the New York State General Municipal Law §216, directs that there shall be a public referendum of eligible voters of the Town of Colonie Maplewood Fire Protection District, in an election to be held on December 15, 2020, to determine whether the Maplewood Fire Protection District Service Award Program shall be amended to: 1.) increase the annual Service Award contribution from \$700 to \$1,200 for each calendar year beginning after December 31, 2020 during which an active volunteer firefighter earns a year of service credit under the Point System; and; 2.) help participating volunteers financially plan for retirement by allowing beginning December 31, 2020, upon the attainment of the Entitlement Age under the program, participating volunteers to have more options with regard to the deferral of their Benefit Payment Commencement Date in accordance with the Program provisions set forth in the Program Document.

Based on the current active volunteer firefighter roster, the annual Town paid cost of funding the \$700 Service Awards was \$18,900 for calendar year 2020 but could have been as much as \$33,600 (\$700 per volunteer) if all current active volunteers earned a year of service credit under the Point System during 2019. Should voters approve these amendments, the annual cost could increase to as much as \$57,600 or \$1,200 for each participating volunteer, if all current volunteers earn a year of service credit under the Point System during 2021 and any year thereafter. The annual cost of administration of the program would not change as a result of the adoption of these amendments. The current program administration cost is about \$3,500 per year.

All other provisions of the Maplewood Fire Protection District Service Award Program which require voter approval to amend shall not change and the program shall continue to be administered by the Town of Colonie in accordance with Article 11-A of the New York State General Municipal Law as such law is amended from time to time.

RESOLUTION NO. 422 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution amending the Service Award Program for active volunteer firefighter members of the Shaker Road Fire Department, Inc.

WHEREAS, in accordance with Article 11-A of the New York State General Municipal Law, eligible voters of the Town of Colonie Shaker Road Fire Protection District approved a proposition to establish a Defined Contribution Service Award Program, effective January 1, 1991 for active volunteer firefighter members of the Shaker Road Fire Department, Inc.; and

WHEREAS, such Service Award Program is administered by the Town of Colonie and currently provides that an active volunteer firefighter member of the Shaker Road Fire Department, Inc. earns a \$700 Service Award contribution for each calendar year during which the volunteer firefighter earns 50 or more points under the Service Award Program Point System; and

WHEREAS, benefit payments in such Program commence to be made at age sixty-two (62), the 'Entitlement Age' to participating volunteers; and

WHEREAS, Article 11-A currently allows annual Service Award contributions to be as much as \$1,200 and the Entitlement Age to as early as age fifty-five (55); and

WHEREAS, Article 11-A authorizes the Town of Colonie Town Board to seek voter approval of amendments to the Shaker Road Fire Protection District Service Award Program

which will improve Service Award Program benefits and thereby are intended to help the Shaker Road Fire Department, Inc recruit and retain active volunteer firefighters;

Now, Therefore, BE IT RESOLVED, That:

The Town of Colonie Town Board, as authorized by Article 11-A of the New York State General Municipal Law §216, directs that there shall be a public referendum of eligible voters of the Town of Colonie Shaker Road Fire Protection District, in an election to be held on December 15, 2020, to determine whether the Shaker Road Fire Protection District Service Award Program shall be amended to: 1.) increase the annual Service Award contribution from \$700 to \$1,200 for each calendar year beginning after December 31, 2020 during which an active volunteer firefighter earns a year of service credit under the Point System; and; 2.) lower the Entitlement Age to age fifty-five (55); and, 3.) help participating volunteers financially plan for retirement by allowing beginning December 31, 2020, upon the attainment of the Entitlement Age under the program, participating volunteers to defer their Benefit Payment Commencement Date in accordance with the Program provisions set forth in the Program Document.

Based on the current active volunteer firefighter roster, the annual Town paid cost of funding the \$700 Service Awards was \$44,800 for calendar year 2020 but could have been as much as \$58,800 (\$700 per volunteer) if all current active volunteers earned a year of service credit under the Point System during 2019. Should voters approve these amendments, the annual cost could increase to as much as \$100,800 or \$1,200 for each participating volunteer, if all current volunteers earn a year of service credit under the Point System during 2021 and any year thereafter. The annual cost of administration of the program would not change as a result of the adoption of these amendments. The current program administration cost is about \$5,000 per year.

All other provisions of the Shaker Road Fire Protection District Service Award Program which require voter approval to amend shall not change and the program shall continue to be administered by the Town of Colonie in accordance with Article 11-A of the New York State General Municipal Law as such law is amended from time to time.

RESOLUTION NO. 423 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution appointing Martin Robinson as a member to the Town of Colonie Conservation Advisory Council.

BE IT RESOLVED that Martin Robinson be, and hereby is, appointed to fill the vacancy of Donald Allard for a term to expire on December 31, 2021 at a salary set forth in the 2020 Budget.

RESOLUTION NO. 424 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

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. *Menands Realty, LLC. v. Town of Colonie, et al.*, Index No.: 604591-19

442 Broadway, Tax Map Parcel No.: 44.18-2-15

Assessment Roll Year	Present Assessment	Revised Assessment	Reduction
<i>2019 – Petitioner has agreed to withdraw the 2019 Article 7</i>			
2020	\$1,960,000	\$915,000	\$1,045,000

Tentative Town Refund: \$4,169.80

Tentative School Refund: \$30,796.31

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. 425 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to reimburse for overestimated water usage at various locations.

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to reimburse the following for overestimated water usage:

Allen Johnson, Jr.	36 Oakwood Drive	\$3,570.65
Christopher Hansen	2 Boshier Drive	\$5,309.31

RESOLUTION NO. 426 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to execute a Professional Service Agreement with C.T. Male Associates in connection with the 169th Extension Engineer's Report.

WHEREAS, C.T. Male Associates will prepare the 169th Extension Engineer's Report at a cost not to exceed \$2,800.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to execute a Professional Service Agreement with C.T. Male Associates in connection with the 169th Extension Engineer's Report; and

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

RESOLUTION NO. 427 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Brycer Company, LLC in connection with tracking third party inspections of code required life safety devices.

WHEREAS, Brycer Company, LLC provides an internet based tool for Fire Prevention Bureaus to track and drive code compliance, reduce false alarm activity, and provide a safer community;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Brycer Company, LLC in connection with tracking third party inspections of code required life safety devices; and

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

RESOLUTION NO. 428 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into an Agreement with Absolute Seamless Gutters, Inc. in connection with the installation of gutters at the Municipal Training Building.

WHEREAS, Absolute Seamless Gutters, Inc. will install gutters at the Municipal Training Building at a cost not to exceed \$1,100.00;

BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into an Agreement with Absolute Seamless Gutters, Inc. in connection with the installation of gutters at the Municipal Training Building; and

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

RESOLUTION NO. 429 FOR 2020

A regular meeting of the Town Board of the Town of Colonie was held at Town Hall on the 19th day of November, 2020 at 7:00 PM.

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

ABSENT: None

Councilman _____ offered the following resolution and moved its adoption:

Resolution authorizing the Supervisor to enter into a Right-of-Way Agreement with Cellco Partnership d/b/a Verizon Wireless.

WHEREAS, Cellco Partnership d/b/a Verizon Wireless desires to locate, place, attach or install its equipment, materials and other facilities under, over and within municipal public rights-of-way on existing or replacement poles within the public rights-of-way;

THEREFORE, BE IT RESOLVED that the Supervisor be, and hereby is, authorized to enter into a Right-of-Way Agreement with Cellco Partnership d/b/a Verizon Wireless; and

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