



NISKAYUNA TOWN MEETING

Tuesday, January 28, 2025 at 7:00pm

TOWN COUNCIL
Jessica Brennan
John Della Ratta
Bill McPartlon
Jason Moskowitz

AGENDA FOR JANUARY 28, 2025 REGULAR TOWN BOARD MEETING

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **PRIVILEGE OF THE FLOOR**
5. **COMMITTEE REPORTS**
6. **SUPERVISOR'S REPORT**
7. **RESOLUTIONS**
8. 2025 – 25 (Sponsored by Councilmember McPartlon) A Resolution hiring additional employees in the Town's Office of Community Programs
9. 2025 – 26 (Sponsored by Councilmember Moskowitz) A Resolution authorizing the purchase of parts from Siewert Equipment for pump station repairs
10. 2025 – 27 (Sponsored by Councilmember McPartlon) A Resolution authorizing the purchase of a mower and related equipment for use by the Town's Parks Department
11. 2025 – 28 (Sponsored by Councilmember McPartlon) A Resolution authorizing the purchase of a pick-up truck for use in the Town's Highway Department
12. 2025 – 29 (Sponsored by Councilmember Brennan) A Resolution accepting the Edward Byrne Memorial Justice Assistance Grant award
13. *Introduction of Proposed Local Law A (2025), sponsored by Councilmember Brennan*
14. 2025 – 30 (Sponsored by Councilmember Brennan) A Resolution calling for a Public Hearing on proposed amendments to Chapter 151, entitled "Peddling and Soliciting", of the Code of the Town of Niskayuna
15. 2025 – 31 (Sponsored by Councilmember Brennan) A Resolution authorizing payment of the 2025 membership fees for the Zone Five Regional Law Enforcement Training Academy
16. 2025 – 32 (Sponsored by Councilmember McPartlon) A Resolution authorizing the purchase of a vac truck for use in the Town's Highway Department
17. 2025 – 33 (Sponsored by Supervisor Cassady-Dorion) A Resolution appointing a Payroll Clerk in the Comptroller's Department



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18. 2025 – 34 (Sponsored by Supervisor Cassady-Dorion) A Resolution appointing a Senior Account Clerk in the Comptroller's Department
 19. 2025 – 35 (Sponsored by Councilmember Brennan) A Resolution appointing an Executive Secretary II in the Police Department
 20. 2025 – 36 (Sponsored by Councilmember Moskowitz) A Resolution approving the reconciliation of residential and commercial utility rents charged and collected for the first half of 2024
 21. 2025 – 37 (Sponsored by Councilmember Moskowitz) A Resolution authorizing the reconciliation of the third quarter of 2024 corporate utility billing
 22. 2025 – 38 (Sponsored by Councilmember McPartlon) A Resolution appointing two Groundswokers in the Town's Parks Department
 23. *Introduction of Local Law B (2025), sponsored by Councilmember Brennan*
 24. 2025 – 39 (Sponsored by Councilmember Brennan) A Resolution calling for a public hearing on proposed Local Law B (2025) to amend the Vehicle and Traffic Code to prohibit on street parking on a portion of Onondaga Road
 25. 2025 – 40 (Sponsored by Councilmember McPartlon) A Resolution authorizing the purchase of a hydroseeder for use by the Town's Highway Department
 26. 2025 – 41 (Sponsored by Councilmember Moskowitz) A Resolution appointing an Assistant to the Superintendent of Water and Sewer
 27. 2025 – 42 (Sponsored by Supervisor Cassady-Dorion) A Resolution authorizing certain budgetary modifications and interfund transfers
 28. 2025 – 43 (Sponsored by Councilmember Della Ratta) A Resolution hiring student workers
 29. 2025 – 44 (Sponsored by Councilmember McPartlon) A Resolution authorizing the purchase of a sidewalk clearing machine with attachments for the Town's Parks Department
 30. 2025 – 45 (Sponsored by Councilmember McPartlon) A Resolution authorizing the purchase of a skid steer for the Town's Highway and Parks Departments
 31. 2025 – 46 (Sponsored by Councilmember McPartlon) A Resolution authorizing the purchase of an excavator for use in the Town's Highway Department
 32. 2025 - 47 (Sponsored by Councilmember McPartlon) A Resolution authorizing the purchase of a tractor for use in the Town's Parks Department



Jaime Puccioni
Supervisor

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33. 2025 – 48 (Sponsored by Councilmember DellaRatta) A Resolution enacting a Local Law amending Chapter 220, entitled “Zoning”, of the Code of the Town of Niskayuna
34. 2025 – 49 (Sponsored by Supervisor Cassady-Dorion) A Resolution amending the Town’s investment policy
35. 2025-50 (Sponsored by Councilmember Brennan) A Resolution amending Resolution No. 2024-250
36. **CEREMONIAL RESOLUTION**
37. 2025 – 51 (Sponsored by Councilmember Moskowitz) A Resolution recognizing Kathy Persons for her many years of service to the Town of Niskayuna
38. **MOTION TO ADJOURN**



Resolution No. 2025 - 25

**A RESOLUTION HIRING ADDITIONAL EMPLOYEES IN THE TOWN'S
OFFICE OF COMMUNITY PROGRAMS**

The following resolution was offered by **Councilmember McPartlon** who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Coordinator of Community Programs has advised that it would be appropriate to hire seasonal employees to work for the Town's Office of Community Programs,

WHEREAS, the Parks and Community Programs Committee and the Finance and General Government Committee recommend the hiring of such seasonal employees.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby appoint the persons shown below at the hourly rate set forth herein:

**Independent Contractors
As of January 1, 2025**

Instructor	Program/Position	Fee
Chu, Richard	Adult Tai Chi	\$50 per participant
Cromwell, Carissa	Chair Yoga	\$40 per class
Macneil, Nicola	Total Body Combo/Water Aerobics	\$40 per class
Manchester, Susan	Gentle Yoga	\$40 per class
Naples, Mary	Chair Pilates	\$40 per class

Community Programs Employees
As of January 1, 2025

NAME	TITLE	RATE PER HOUR
Koutsakis, Stefan	Rec. Leader	\$22.00
Martin, Carly	Rec. Leader	\$23.00
Martin, Ryan	Rec. Leader	\$20.00
Rush, Katrine	Rec. Leader	\$23.00



Resolution No. 2025 - 26

A RESOLUTION AUTHORIZING THE PURCHASE OF PARTS FROM SIEWERT EQUIPMENT FOR PUMP STATION REPAIRS

The following resolution was offered by **Councilmember Moskowitz**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Superintendent of Water and Sewer has advised that it is necessary to purchase pump parts for repairs at the Town's sewage pump stations; and

WHEREAS, the Town has standardized pump and pump parts at the Town's larger sewage pump stations to be Gorman-Rupp pumps for the reasons set forth in Resolution No. 2017-161; and

WHEREAS, the Siewert Equipment Company is responsible for supplying and servicing all Gorman-Rupp pumps and Gorman-Rupp parts used in municipal sewage lift stations, water booster stations and treatment plants, including individual units installed in the municipal collection systems, creating a sole source procurement; and

WHEREAS, the Superintendent of Water and Sewer has advised that it is necessary to expend monies in parts for the repair of Gorman Rupp pumps for operations during 2025.

NOW THEREFORE, be it

RESOLVED, that the Superintendent of Water and Sewer is authorized to purchase parts for the repair of Gorman Rupp pumps from Siewert Equipment Co., Inc., 175 Akron Street, Rochester, NY 14609, at a total cost not to exceed \$19,999.99 for the year of 2025.



Resolution No. 2025 - 27

A RESOLUTION AUTHORIZING THE PURCHASE OF A MOWER AND RELATED EQUIPMENT FOR USE BY THE TOWN'S PARKS DEPARTMENT

The following resolution was offered by **Councilmember McPartlon**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Superintendent of Highways has recommended the purchase of a Groundsmaster 4000-D mower and related equipment for use in the Town's Parks Department; and

WHEREAS, the quote for the purchase of the mower and related equipment was provided via New York State Contract #PC69682; and

WHEREAS, the Superintendent of Highways recommends purchasing the equipment off of the state contract; and

WHEREAS, the Transportation and Public Facilities Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby approve and authorize the purchase of a Groundsmaster 4000-D mower and related equipment, from Grassland Equipment & Irrigation Corp., 892-898 Troy Schenectady Road, Latham, NY 12110, at a total cost not to exceed \$91,000.00.



Resolution No. 2025 - 28

**A RESOLUTION AUTHORIZING THE PURCHASE OF A PICK-UP TRUCK FOR USE
IN THE TOWN'S HIGHWAY DEPARTMENT**

The following resolution was offered by **Councilmember McPartlon**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, Franklin County has awarded a contract for the purchase of 2025 Chevrolet Silverado 2500HD pick-up trucks; and

WHEREAS, the Superintendent of Highways has recommended that the Town “piggy-back” off of the Franklin County Contract, as authorized by New York State General Municipal Law, and purchase one pick-up truck for use in the Town’s Highway Department; and

WHEREAS, the Transportation and Public Facilities Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby approve and authorize the purchase of one (1) 2025 Chevrolet Silverado 2500HD pick-up truck from DeNooyer Chevrolet, 127 Wolf Road, Albany, N.Y. 12205, Franklin County Bid No. 23-0908-1, at a total cost not to exceed \$70,000.00.



Resolution No. 2025 - 29

A RESOLUTION ACCEPTING THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AWARD

The following resolution was offered by **Councilmember Brennan**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Police Chief has advised that the Town's Police Department was awarded financial assistance for law enforcement equipment through the Edward Byrne Memorial Justice Assistance Grant Program; and

WHEREAS, the Police and Public Safety Committee and the Finance and General Government Committee recommend that the Town accept said financial assistance.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby authorize the Supervisor and/or her designee to accept grant money awarded by the Bureau of Justice Assistance in the amount of \$500,000.00, acknowledging that said grant award is a reimbursable grant award with the use of such monies being for law enforcement equipment.

Proposed Local Law A (2025)

A local law amending Chapter 151 of the Code of the Town of Niskayuna entitled "Peddlers and Solicitors"

Section 1. Amend Section 151-1 entitled "Definitions" by adding the following:

COMMERCIAL SOLICITATION

A commercial activity that involves selling or promoting products or services, or raising funds for an entity. It can also include encouraging membership in a group or organization. Political activity is not commercial solicitation.

Section 2. Amend Section 151-2 entitled "Applicability" as follows:

A. Generally, nothing in this chapter shall apply to sales conducted pursuant to statute or by order of any court or to any person selling personal property at wholesale to dealers in such article.

B. The licensing provisions of this chapter shall not apply to merchants having an established place of business within the Town of Niskayuna or their employees; to farmers and truck gardeners who, themselves or through their employees, vend, sell or dispose of the products of their own farms or gardens; to any veteran who has procured a license from the State of New York pursuant to § 32 of the General Business Law; to party plans; or to calls in response to a prior invitation.

~~C. Charitable, religious, fraternal and civic organizations.~~

~~(1) This chapter shall not apply to solicitations by charitable, religious, fraternal or civic organizations which have or maintain a regular place of worship, chapter, lodge, troop or other regular meeting place within the Town of Niskayuna or a municipality contiguous to the Town of Niskayuna.~~

~~(2) Charitable, fraternal, religious or civic organizations not described above shall be exempt from license fees but shall be required to obtain a license and must comply with all restrictions contained in this chapter. Such organizations, while exempt from license fees, will not be exempt from background check fees.~~

D. This chapter shall not apply to a mobile industrial caterer. The term "mobile industrial caterer," as used in this chapter, shall mean and include any retail dealer operating from a motor vehicle with which to travel from place to place on a regularly scheduled basis in order to stop at business locations and construction sites in the Town for the purpose of selling or offering for sale such items as coffee, doughnuts, sandwiches, milk, candy, cigarettes and snacks. A "business location," as used in this definition, shall not mean a retail store or an office area but shall be limited to factories, warehouses and places of manufacturing and construction.

E. This chapter shall not apply to any event duly licensed under the Town of Niskayuna ordinance regulating circuses, carnivals and public dance halls.

Section 3. Add a new section: Section 151-13 and entitle it “No Solicitation Registry” and it shall state as follows:

§151-13. No Solicitation Registry

- A. Any owner or lawful occupant of any residence within the Town who wishes to prohibit door-to-door commercial solicitation at his or her residence may register the address of such residence within the Town by completing a form prepared by the Town, which form may be submitted to the Town either in person, by mail or on the Town’s website.
- B. The Town Clerk shall maintain a no-solicitation list consisting of all residential addresses that have been registered under Subsection A of this section, The list shall be provided to all persons obtaining a vending permit.
- C. For all addresses registered under Subsection A of this section, all door-to-door commercial solicitation at such address shall be prohibited.
- D. Door-to-door commercial solicitation shall be prohibited on residential property which has displayed a sign bearing the words “No Soliciting” or words of like intent. No solicitor shall remain on the premises after the owner or occupant thereof shall have requested his/her departure therefrom.
- E. Neither the Town nor any of its officers, employees, agents or authorized volunteers shall be liable to any person for any injuries, damages or liabilities of any kind arising from or relating to any errors or omissions that may occur in compiling or maintaining the no-solicitation registry.



Resolution No. 2025 - 30

**A RESOLUTION CALLING FOR A PUBLIC HEARING ON PROPOSED
AMENDMENTS TO CHAPTER 151, ENTITLED *PEDDLING AND SOLICITING*, OF
THE CODE OF THE TOWN OF NISKAYUNA**

The following resolution was offered by **Councilmember Brennan**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Town Attorney has been reviewing and considering certain amendments to Chapter 151 of the Code of the Town of Niskayuna, entitled *Peddling and Soliciting* that would create a no-solicitation registry for residents to utilize and would expand the organizations for which the Code would apply to; and

WHEREAS, it is necessary that the Town Board call for a public hearing to consider the proposed amendments.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby call for a Public Hearing to be held on February 25, 2025, at 7:00 o'clock p.m. at the Niskayuna Town Office Building, One Niskayuna Circle, Niskayuna, New York 12309, to consider proposed amendments to Chapter 151 of the Code of the Town of Niskayuna, entitled *Peddling and Soliciting*.



Resolution No. 2025 - 31

**A RESOLUTION AUTHORIZING PAYMENT OF THE 2025 MEMBERSHIP FEES
FOR THE ZONE FIVE REGIONAL LAW ENFORCEMENT TRAINING ACADEMY**

The following resolution was offered by **Councilmember Brennan** who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Zone Five Regional Law Enforcement Training Center is a New York State accredited Police Academy and offers various State-mandated courses to police officers during the year that are beneficial to the Police Department and the Town; and

WHEREAS, the Police and Public Safety Committee recommends that the membership fees be paid at this time; and

WHEREAS, the Finance and General Government Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby authorize payment of the 2025 membership fees in the amount of \$4,995.00 for continued participation in the Zone Five Regional Law Enforcement Academy.



Resolution No. 2025 - 32

**A RESOLUTION AUTHORIZING THE PURCHASE OF A VAC TRUCK FOR USE IN
THE TOWN'S HIGHWAY DEPARTMENT**

The following resolution was offered by **Councilmember McPartlon**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Superintendent of Highways has recommended the purchase of a vac truck for use in the Town's Highway Department; and

WHEREAS, Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota that offers cooperative procurement solutions to government agencies; and

WHEREAS, Sourcewell participation is open to federal, state/province and municipal entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States; and

WHEREAS, Sourcewell provides a competitive quote for a vac truck and the Superintendent of Highways recommends purchasing the vac truck off of the Sourcewell contract from a local vendor; and

WHEREAS, the Transportation and Public Facilities Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby approve and authorize the purchase of a Vactor 2100i Positive Displacement Blower Sewer Cleaner Unit mounted onto a Western Star 47X Chassis, from Joe Johnson Equipment, 4519 Old Charlotte Highway, Monroe, N.C. 28110, at a total cost not to exceed \$561,500.00 pursuant to Sourcewell Contract #101221-VTR.



Resolution No. 2025 – 33

**A RESOLUTION APPOINTING A PAYROLL CLERK IN THE
COMPTROLLER'S DEPARTMENT**

The following resolution was offered by **Supervisor Cassady-Dorion**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Town of Niskayuna has an opening for a full-time payroll clerk; and

WHEREAS, the Town Comptroller has recommended the appointment of a full-time payroll clerk; and

WHEREAS, the Finance and General Government Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby provisionally appoint Cory Towner of 2121 Van Vranken Avenue, Schenectady, New York 12308 to the position of full-time Payroll Clerk, at Grade 08, Step 04 of the CSEA White-Collar Collective Bargaining agreement at an annual salary of \$43,371.42, effective February 3, 2025; and be it

FURTHER RESOLVED, that the Town Clerk on behalf of this Town Board be, and she hereby is, authorized and directed to notify the said Cory Towner of the above-described provisional appointment.



Resolution No. 2025 – 34

**A RESOLUTION APPOINTING A SENIOR ACCOUNT CLERK IN
THE COMPTROLLER'S DEPARTMENT**

The following resolution was offered by **Supervisor Cassady-Dorion**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Town of Niskayuna has an opening for a full-time Senior Account Clerk; and

WHEREAS, the Town Comptroller has recommended the appointment of a full-time Senior Account Clerk on a provisional basis; and

WHEREAS, the Finance and General Government Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby provisionally appoint Heather Makowski of 1140 N. Westcott Road, Schenectady, New York 12306 to the position of full-time Senior Account Clerk, at Grade 10, Step 08 of the CSEA White-Collar Collective Bargaining agreement at an annual salary of \$55,515.54 effective January 29, 2025; and be it

FURTHER RESOLVED, that the Town Clerk on behalf of this Town Board be, and she hereby is, authorized and directed to notify the said Heather Makowski of the above-described provisional appointment.



Resolution No. 2025 – 35

**A RESOLUTION APPOINTING AN EXECUTIVE SECRETARY II IN
THE POLICE DEPARTMENT**

The following resolution was offered by **Councilmember Brennan**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Town of Niskayuna has an opening for a full-time Executive Secretary II; and

WHEREAS, the Chief of Police has recommended the appointment of a full-time Executive Secretary II as a promotion; and

WHEREAS, the Police and Public Safety Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby provisionally appoint Kristine O'Brien of 876 Pearse Road, Niskayuna, New York 12309 to the position of full-time Executive Secretary II, at Grade 10, Step 11 of the CSEA White-Collar Collective Bargaining agreement at an annual salary of \$60,839.94, effective February 3, 2025; and be it

FURTHER RESOLVED, that the Town Clerk on behalf of this Town Board be, and she hereby is, authorized and directed to notify the said Kristine O'Brien of the above-described provisional appointment.



Resolution No. 2025 – 36

A RESOLUTION APPROVING THE RECONCILIATION OF RESIDENTIAL AND COMMERCIAL UTILITY RENTS CHARGED AND COLLECTED FOR THE FIRST HALF OF 2024

The following resolution was offered by **Councilmember Moskowitz**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Superintendent of Water and Sewer, and the Receiver of Taxes and Assessments have been reviewing the utility rent amounts charged and the utility rent amounts collected for the first half of 2024 from residential and commercial consumers of Consolidated Water District No. 1 and Consolidated Sewer District No. 6; and

WHEREAS, said amounts due for utility rents collected during the first half of 2024 have been corrected and adjusted accordingly; and

WHEREAS, this Town Board, acting for and on behalf of Consolidated Water District No. 1 and Consolidated Sewer District No. 6, now wishes to reconcile the residential and commercial utility rents collected during the first half of 2024.

NOW, THEREFORE, be it

RESOLVED, that this Town Board, acting for and on behalf of Consolidated Water District No. 1 and Consolidated Sewer District No. 6, does hereby approve the reconciliation of the residential and commercial utility rents charged and collected for the first half of 2024, as indicated on the sheet attached hereto and made a part hereof.

FALL 2024 RESIDENTIAL/COMMERCIAL UTILITY BILLING

JANUARY 1, 2024 -JUNE 30, 2024 USAGE PERIOD)

WARRANTS	FROM REPORT	GENERATED BY
	Billing Report	
WATER	\$ 1,690,710.00	Utility Billing Clerk
SEWER 1	\$ 604,078.57	
SEWER 6	\$ 915,792.32	
WATER PRIOR DUE	\$ 243,152.68	
SEWER 1 PRIOR DUE	\$ 113,051.52	
SEWER 6 PRIOR DUE	\$ 119,362.99	
	\$ 3,686,148.08	(warrant)
RECONCILIATIONS		Utility Billing Clerk
<i>*from warrant</i>		
WATER BILLED*	\$ 1,690,710.00	
SEWER 1 BILLED*	\$ 604,078.57	
SEWER 6 BILLED*	\$ 915,792.32	
WATER PRIOR DUE	\$ 243,152.68	
SEWER 1 PRIOR DUE	\$ 113,051.52	
SEWER 6 PRIOR DUE	\$ 119,362.99	
ADJUSTMENTS MADE	\$ (7,962.51)	
ADJUSTED WARRANT	\$ 3,678,185.57	
PAYMENTS COLLECTED (A)	Transactions Report	
WATER	\$ 1,332,041.98	Outside users pmts + WA pmts less reverse WA pmts
WATER PENALTIES	\$ -	
SEWER 1 (STCS)	\$ 452,138.82	STSC pmts less reverse STCS pmts
SEWER 1 PENALTIES		
SEWER 6 (STC)	\$ 724,920.53	STC pmts less STC reverse pmts
SEWER 6 PENALTIES		
TOTAL COLLECTED		
BY RECEIVER OF TAXES	\$ 2,509,101.33	Total pmts less total reverse pmts
Amount Outstanding (B)	Relevy Report	Utility Billing Clerk
WATER	\$ 604,949.64	(includes outside use-01)
SEWER 1	\$ 256,048.52	
SEWER 6	\$ 308,819.71	
TOTAL OUTSTANDING	\$ 1,169,817.87	(Relevy report *)
MINUS PENALTIES ON CURRENT BILLS	\$ -	no penalties will be assessed
(INCLUDED IN RELEVY TO 2025 PROPERTY TAX) ©	\$ 1,169,817.87	
OVERPAYMENTS (C)	\$733.63	credit balance report – overpayments
A + B - C = WARRANT/ADJUSTED	\$ 3,678,185.57	

* Includes 4 accounts approved for payment plan – see tab 4

\$ -



Resolution No. 2025 – 37

**A RESOLUTION AUTHORIZING THE RECONCILIATION OF THE THIRD
QUARTER OF 2024 CORPORATE UTILITY BILLING**

The following resolution was offered by **Councilmember Moskowitz**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Superintendent of Water & Sewer and the Receiver of Taxes have reviewed the utility rent amounts charged and collected for the third quarter of 2024 from the corporate consumers of Consolidated Water District No. 1, Consolidated Sewer District No. 1, and Consolidated Sewer District No. 6; and

WHEREAS, said amounts due for utility rents collected during the third quarter of 2024 have been corrected and adjusted accordingly; and

WHEREAS, this Town Board, acting for and on behalf of Consolidated Water District No. 1, Consolidated Sewer District No. 1, and Consolidated Sewer District No. 6, now wishes to reconcile the corporate utility rents collected during the third quarter of 2024.

NOW THEREFORE, be it

RESOLVED, that this Town Board, acting for and on behalf of Consolidated Water District No. 1, Consolidated Sewer District No. 1, and Consolidated Sewer District No. 6, does hereby approve the reconciliation of the corporate utility rents charged and collected during the third quarter of 2024 as detailed in the sheets attached hereto and made a part hereof.

2024 3RD QUARTER CORPORATE RECONCILIATION

(JULY 1 –SEPT 30, 2024 USAGE PERIOD)

WARRANTS	FROM REPORT	GENERATED BY
	Billing Report	
SEWER 1	\$	3,605.99
SEWER 6	\$	103,398.42
WATER	\$	186,307.89
UNPAID SEWER 1 (Q2-2024)	\$	12,003.76
UNPAID SEWER 6 (Q2-2024)	\$	131,029.16
UNPAID WATER (Q3 2024)	\$	258,606.73
SEWER 1 PENALTY (UNPAID Q2)	\$	127.77
SEWER 6 PENALTY (UNPAID Q2)	\$	3,373.38
WATER PENALTY (UNPAID Q2)	\$	6,077.22
	\$	704,530.32 see Resolution No. 2024-267

RECONCILIATIONS

**from warrant*

SEWER 1	\$	3,605.99
SEWER 6	\$	103,398.42
WATER	\$	186,307.89
UNPAID SEWER 1 (Q2-2024)	\$	12,003.76
UNPAID SEWER 6 (Q2-2024)	\$	131,029.16
UNPAID WATER (Q2-2024)	\$	258,606.73
SEWER 1 PENALTY (UNPAID Q2)	\$	127.77
SEWER 6 PENALTY (UNPAID Q2)	\$	3,373.38
WATER PENALTY (UNPAID Q2)	\$	6,077.22
	\$	704,530.32

PAYMENTS COLLECTED (A)

	TRANSACTION REPORTS – PAYMENTS	(Payment Report)
SEWER 1 (STSC)	\$	838.84
SEWER 1 PENALTIES	\$	-
SEWER 6 (STC)	\$	232,745.11
SEWER 6 PENALTIES	\$	5,055.85
WATER	\$	435,073.57
WATER PENALTIES	\$	9,694.85
TOTAL COLLECTED		
BY TAX COLLECTOR	\$	683,408.22

Amount Outstanding (B)

	Outstanding Balance Report	(Outstanding Balance Report)
SEWER 1 (STSC)	\$	14,898.68
Sewer penalty to be billed in 4 th QUARTER	\$	110.69
SEWER 6 (STC)	\$	-
Sewer penalty to be billed in 4 th QUARTER	\$	3,481.74
WATER	\$	6,223.42
Water penalty to be billed in 4 th QUARTER	\$	6,123.45
TOTAL OUTSTANDING	\$	30,837.98

MINUS PENALTIES ON CURRENT BILLS	\$	9,715.88	(Penalty Report)
(TO BE INCLUDED IN Q4 2024 QUARTER BILLING)			

OVER/UNDER PAYMENTS (C)

	\$	-
A + B + C = WARRANT/ADJUSTED	\$	704,530.32
	\$	-



Resolution No. 2025 – 38

**A RESOLUTION APPOINTING TWO GROUNDWORKERS IN THE
TOWN'S PARKS DEPARTMENT**

The following resolution was offered by **Councilmember McPartlon**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Superintendent of Highways has recommended the appointment of two full-time Groundworkers to assist in the operation and maintenance of the Town's parks; and

WHEREAS, the Transportation and Public Facilities Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby appoint David Rodriguez who resides at 1028 Hickory Road, Niskayuna, N.Y. 12309, and Gregory Messier who resides at 1934 Ferguson Street, Schenectady, N.Y. 12303 to the positions of full-time Groundworkers in the Parks Department, subject to the probationary provisions of the Civil Service Law, and satisfactory completion of pre-employment background checks, physical, and drug test screening; and be it

FURTHER RESOLVED, that the compensation for said David Rodriguez and Gregory Messier shall be fixed pursuant to the applicable Collective Bargaining Agreement (\$22.0697/hour); and be it

FURTHER RESOLVED, that the Town Clerk on behalf of this Town Board be, and she hereby is, authorized and directed to notify the said David Rodriguez and Gregory Messier of the above-described appointments.

PROPOSED LOCAL LAW B (2025)

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF NISKAYUNA, CHAPTER 203, ENTITLED VEHICLES AND TRAFFIC

Section 1. Section 203-45 of the Code of the Town of Niskayuna, Schedule X: *Parking Prohibited at All Times*, is hereby amended to ADD the following:

Name of Street	Side	Location
Onondaga Road	Both	Beginning at Troy Schenectady Road, north Approximately 200 feet to the driveway of 1021 Onondaga Road

Section 3. This local law shall take effect as provided in Section 27 of the Municipal Home Rule Law.



Resolution No. 2025 - 39

**A RESOLUTION CALLING FOR A PUBLIC HEARING ON PROPOSED
LOCAL LAW B (2025) TO AMEND THE VEHICLE AND TRAFFIC CODE TO
PROHIBIT ON STREET PARKING ON A PORTION OF ONONDAGA ROAD**

The following resolution was offered by **Councilmember Brennan** who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Police and Public Safety Committee has been reviewing the need to prohibit on street parking on a portion of Onondaga Road in the Town of Niskayuna; and

WHEREAS, Chapter 203, Section 203-45, Schedule X of the Town Code of the Town of Niskayuna provides a list of places where parking is prohibited within the Town of Niskayuna; and

WHEREAS, it is necessary to call for a public hearing prior to amendment of the Vehicle and Traffic Code of the Town of Niskayuna.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby call for a Public Hearing to be held on February 25, 2025 at 7:00 o'clock, PM at the Niskayuna Town Office Building, One Niskayuna Circle, Niskayuna, New York 12309, to consider amendment of the Vehicle and Traffic Code of the Town of Niskayuna to provide for no parking on Onondaga Road from Troy Schenectady Road north approximately 200 feet to the driveway of 1021 Onondaga Road, said no parking to be during all hours and on both sides of the street.



Resolution No. 2025 - 40

**A RESOLUTION AUTHORIZING THE PURCHASE OF A HYDROSEEDER FOR USE
BY THE TOWN'S HIGHWAY DEPARTMENT**

The following resolution was offered by **Councilmember McPartlon**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Superintendent of Highways has recommended the purchase of a trailer mounted hydroseeder for use by the Town's Highway Department; and

WHEREAS, Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota that offers cooperative procurement solutions to government agencies; and

WHEREAS, Sourcewell participation is open to federal, state/province and municipal entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States; and

WHEREAS, Sourcewell provides a competitive quote for a trailer mounted hydroseeder and the Superintendent of Highways recommends purchasing the hydroseeder off of the Sourcewell contract; and

WHEREAS, the Transportation and Public Facilities Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby approve and authorize the purchase of a FINN T-60T Series II Hydroseeder (trailer mounted), from Hydrograss Corp., P.O. Box 1, Pittsfield, M.E. 04967-0001, at a total cost not to exceed \$41,000.00 pursuant to Sourcewell Contract # 070821-FNN.



Resolution No. 2025 – 41

**A RESOLUTION APPOINTING AN ASSISTANT TO THE
SUPERINTENDENT OF WATER AND SEWER**

The following resolution was offered by **Councilmember Moskowitz**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Town of Niskayuna has an opening for a full-time Assistant to the Superintendent of Water & Sewer; and

WHEREAS, the Superintendent of Water & Sewer has recommended the appointment of an Assistant to the Superintendent of Water & Sewer; and

WHEREAS, the Water, Sewer, and Engineering Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby provisionally appoint Deborah Harris of 1533 Clifton Park Road, Niskayuna, New York 12309 to the position of full-time Assistant to the Superintendent of Water & Sewer, at Grade 15, Step 3 of the CSEA White-Collar Collective Bargaining agreement at an annual salary of \$61,891.68 effective upon completion of all pre-employment screenings; and be it

FURTHER RESOLVED, that the Town Clerk on behalf of this Town Board be, and she hereby is, authorized and directed to notify the said Deborah Harris of the above-described provisional appointment.



Resolution No. 2025 - 42

**A RESOLUTION AUTHORIZING CERTAIN BUDGETARY MODIFICATIONS AND
INTERFUND TRANSFERS**

The following resolution was offered by **Supervisor Cassady-Dorion**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, during the fiscal year, it becomes necessary from time to time to make certain budgetary transfers and interfund transfers to reflect unanticipated revenues and/or unanticipated operating expenditures as they have arisen since adoption of the budget(s) involved.

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby authorize the Office of the Town Comptroller to make transfers of funds as indicated on the sheets attached hereto and made a part hereof.

Budget Modifications
1/23/2025 For
December 2024

GENERAL FUND

<u>APPROPRIATIONS</u>		<u>DECREASE</u>	<u>INCREASE</u>	<u>TOTAL</u>
A001680.4405	COMPIUTER SERVICES/PLAN & ZONE	90.00		
A001680.1400	PERSONAL SERVICES		90.00	
A003510.4600	MISCELLANEOUS & CONTRACTUAL	1,796.00		
A003120.1100	PERSONAL SERVICES	354.00		
A003510.1000	PERSONAL SERVICES		2,150.00	
A003120.4100	SUPPLIES & MATERIALS	200.00		
A003120.2000	EQUIPMENT/CAPITAL OUTLAY		200.00	
A007610.4107	MEAL PROGRAMS		2,239.00	
A007110.4300	INSURANCE	3,721.00		
A001989.4000	TOWN & CITY REPORT		3,721.00	
A008165.4600	MISCELLANEOUS & CONTRACTUAL	1,012.00		
A008165.4132	EQUIPMENT MAINTENANCE	221.00		
A008160.4006	DISPOSAL FEES		1,233.00	
A001990.4000	CONTINGENCY	11,485.00		
A001620.4220	ELECTRICTY		11,485.00	
A009015.8000	NYS RETIREMENT	24,924.00		
A001910.4000	UNALLOCTAED INSURANCE		24,924.00	
A003620.1400	PERSONAL SERVICES	24.00		
A003620.4060	TRAINING & MEMBERSHIPS		24.00	
		<u>43,827.00</u>	<u>46,066.00</u>	<u>2,239.00</u>
<u>REVENUE</u>				
A0027-270500	GIFTS & DONATIONS	2,239.00		
A0021-200192				
		<u>2,239.00</u>	<u>-</u>	<u>(2,239.00)</u>
<u>Fund Balance</u>				
A00.90900	UNRESERVED FUND BALANCE			
A00.90900	UNRESERVED FUND BALANCE			
A00.90900	UNRESERVED FUND BALANCE	<u>-</u>	<u>-</u>	<u>-</u>
				<u>-</u>
				<u>-</u>

Budget Modifications
1/23/2025

SEWER DIST. 6

APPROPRIATIONS

S068120.4600	MISCELLANEOUS & CONTRACTUAL	<u>DECREASE</u>	<u>INCREASE</u>	<u>TOTAL</u>
		-	35,192.51	(35,192.51)
		-	35,192.51	

REVENUE

-	-	-
---	---	---

FUND BALANCE

S06-909.00	FUND BALANCE	35,192.51		
		35,192.51	-	35,192.51

-
-

WATER DISTRICT 1

APPROPRIATIONS

W018320.4600	MISCELLANEOUS & CONTRACTUAL	<u>DECREASE</u>	<u>INCREASE</u>	<u>TOTAL</u>
		-	27,371.95	27,371.95
		-	27,371.95	

REVENUE

-	-	-
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Fund Balance

W01-909.00	FUND BALANCE	27,371.95		
		27,371.95	-	(27,371.95)

-
-



Resolution No. 2025 – 43

A RESOLUTION HIRING STUDENT WORKERS

The following resolution was offered by **Councilmember Della Ratta**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Town Planner has advised that it would be appropriate to hire student works in the Planning and Building Department in 2025; and

WHEREAS, the Economic Development, Historic Preservation and Environmental Conservation Committee, and the Finance and General Government Committee recommend the hiring of such student workers.

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby appoint the persons listed below, at the hourly rate set forth herein, effective January 1, 2025:

**Planning and Building Department
As of January 1, 2025**

<u>Name</u>	<u>Title</u>	<u>Hourly Rate</u>
Simran Utturker	Student Worker (High School Student)	\$12.50
Jacob Gresens	Student Worker – Planning (College Student)	\$15.50



Resolution No. 2025 - 44

A RESOLUTION AUTHORIZING THE PURCHASE OF A SIDEWALK CLEARING MACHINE WITH ATTACHMENTS FOR THE TOWN'S PARKS DEPARTMENT

The following resolution was offered by **Councilmember McPartlon**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Superintendent of Highways has recommended the purchase of a sidewalk clearing machine with attachments for use in the Town's Parks Department; and

WHEREAS, Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota that offers cooperative procurement solutions to government agencies; and

WHEREAS, Sourcewell participation is open to federal, state/province and municipal entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States; and

WHEREAS, Sourcewell provides a competitive quote for a sidewalk clearing machine with attachments and the Superintendent of Highways recommends purchasing the sidewalk clearing machine from the Sourcewell contract from a local vendor; and

WHEREAS, the Transportation and Public Facilities Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby approve and authorize the purchase of a sidewalk clearing machine with attachments as set forth in the quote provided to the Town dated January 7, 2025, from Upstate NY Plow & Truck Body, LLC, 399 Old Loudon Road, Latham, N.Y. 12110, at a total cost not to exceed \$35,500.00 pursuant to Sourcewell Contract #031121-TTC.



Resolution No. 2025 - 45

**A RESOLUTION AUTHORIZING THE PURCHASE OF A SKID STEER FOR THE
TOWN'S HIGHWAY AND PARKS DEPARTMENTS**

The following resolution was offered by **Councilmember McPartlon**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows

WHEREAS, Superintendent of Highways has requested authorization to purchase a mini skid steer for use in the Town's Highway and Parks Departments;

WHEREAS, the New York State Office of General Services Commission awarded a group award for heavy equipment that includes a procurement contract for mini skid steers (Contract # PC69682); and

WHEREAS, the Transportation and Public Facilities Committee has recommended the purchase of a mini skid steer for use in the Town's Parks and Highway Departments, said purchases to be from New York State contract in accordance with authorization set forth in the General Municipal Law.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby approve and authorize the purchase of a mini Dingo TX 1300 skid steer from Grassland Equipment & Irrigation Corp., 892-898 Troy Schenectady Road, Latham, New York 12110 for a total cost not to exceed \$63,000.00 and such purchase of which will be made from NYS Contract #PC69682.



Resolution No. 2025 - 46

**A RESOLUTION AUTHORIZING THE PURCHASE OF AN EXCAVATOR FOR USE
IN THE TOWN'S HIGHWAY DEPARTMENT**

The following resolution was offered by **Councilmember McPartlon**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Superintendent of Highways has recommended the purchase of an excavator for use in the Town's Highway Department; and

WHEREAS, Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota that offers cooperative procurement solutions to government agencies; and

WHEREAS, Sourcewell participation is open to federal, state/province and municipal entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States; and

WHEREAS, Sourcewell provides a competitive quote for an excavator and the Superintendent of Highways recommends purchasing the excavator off of the Sourcewell contract from a local vendor; and

WHEREAS, the Transportation and Public Facilities Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby approve and authorize the purchase of an excavator, from Finke Equipment, 1569 Route 9W, Selkirk, N.Y. 12158, at a total cost not to exceed \$163,500.00 pursuant to Sourcewell Contract #011723-KBL.



Resolution No. 2025 - 47

**A RESOLUTION AUTHORIZING THE PURCHASE OF A TRACTOR FOR USE IN
THE TOWN'S PARKS DEPARTMENT**

The following resolution was offered by **Councilmember McPartlon**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Superintendent of Highways has recommended the purchase of a tractor for use in the Town's Parks Department; and

WHEREAS, Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota that offers cooperative procurement solutions to government agencies; and

WHEREAS, Sourcewell participation is open to federal, state/province and municipal entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States; and

WHEREAS, Sourcewell provides a competitive quote for a tractor and the Superintendent of Highways recommends purchasing the tractor off of the Sourcewell contract from a local vendor; and

WHEREAS, the Transportation and Public Facilities Committee concurs with this recommendation.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby approve and authorize the purchase of a new Holland Boomer 55 ROPS HST Tractor with 260TLA Loader, from H&M Equipment Co., Inc., 4551 State Highway 30, Amsterdam, N.Y. 12010, at a total cost not to exceed \$50,500.00 pursuant to Sourcewell Contract # 011723-CNH-2.



Resolution No. 2025 – 48

**A RESOLUTION ENACTING A LOCAL LAW AMENDING CHAPTER 220,
ENTITLED *ZONING*, OF THE CODE OF THE TOWN OF NISKAYUNA**

The following resolution was offered by **Councilmember Della Ratta**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, Section 220 - 72 of the Code of the Town of Niskayuna grants the Town Board authority to, from time to time on its own motion, or on petition or on recommendation of the Planning Board to amend, supplement or repeal the regulations and provisions of the Zoning Ordinance of the Town of Niskayuna after public notice and hearing as provided in Section 265 of the Town Law; and

WHEREAS, the Planning Board and Zoning Commission reviewed and considered certain amendments to Chapter 220 of the Code of the Town of Niskayuna, entitled *Zoning*, and by Planning Board Resolution No. 2024-36, set forth its favorable recommendation; and

WHEREAS, the Town Board referred the Environmental Assessment Form to the Niskayuna Conservation Advisory Council for their review and on September 4, 2024 such Council recommended that a negative declaration be prepared; and

WHEREAS, the Town Board called for a public hearing by Resolution 2024 – 255 to be held on November 19, 2024 and an additional public hearing was held on January 14, 2025, during which all parties were afforded an opportunity to be heard.

NOW THEREFORE, be it

RESOLVED, that this Town Board of the Town of Niskayuna does hereby adopt Local Law No. 1 (2025) as follows:

Local Law 1 (2025)

**A LOCAL LAW TO AMEND CHAPTER 220, ENTITLED *ZONING*, OF THE CODE OF
THE TOWN OF NISKAYUNA**

Section 1: Amend section 220-4, entitled Definitions, of Chapter 220 of the Code of the

Town of Niskayuna to add as follows:

CHANGE IN OWNERSHIP

A transfer of ownership whether by deed, by membership interest in the case of a limited liability company, by partnership interest in the case of a partnership, or by shareholder interest in the case of a corporation. Neither the death of an owner leaving a surviving joint tenant(s) with right of survivorship or tenant by the entirety, nor real property conveyances between spouses, nor real property conveyances, without consideration, from individuals to an entity of which the transferors are principals shall constitute changes in ownership for purposes of the Zoning Code.

RENTAL

Granting use or possession of a dwelling unit, in whole or part, to a person or group in exchange for consideration valued in money, goods, labor, credits, or other valuable consideration.

SHORT-TERM RENTAL (STR)

Rental of any dwelling unit, in whole or part, to any person, persons or entity for a period of less than 30 consecutive nights including any residential building or apartment, single- or two-family dwelling, condominium, townhouse, guest house, cottage, or cabin. Neither timeshare units, hotels, motels, bed and breakfast establishments and school or non-profit dormitories nor use of a short-term rental by a record owner of a property shall be considered to be a short-term rental for purposes of the Zoning Code.

HOSTED SHORT-TERM RENTAL

A short-term rental property at which an owner of the property resides and at which an owner of the property stays overnight during the entire term of each short-term rental of the property

UNHOSTED SHORT TERM RENTAL

A short-term rental property at which an owner of the property does not stay overnight during the entire term of each short-term rental of the property.

Section 2: Add section 220-32., entitled Short-Term Rentals, to read as follows:

- A. Purpose: The purpose of this section is to regulate the short-term rental of dwelling units within the Town of Niskayuna to promote the quiet enjoyment of private property and to establish comprehensive permitting regulations to safeguard the public health, safety and welfare by regulating and controlling the

use, occupancy, oversight and maintenance of short-term rental properties. The Town of Niskayuna recognizes that the majority of the Town is a small, residential community of owner-occupied dwellings and that without appropriate regulations to maintain such character, extensive short-term rentals endanger the affordability of housing in Niskayuna, endangers the residential character of the community and may cause disruption to the peace, quiet and enjoyment of neighboring homeowners. Accordingly, due to the potential adverse and/or harmful impacts of extensive short-term rentals, these standards shall supplement the applicable regulations of 220-10, District Regulations, and the regulations of Article V of this Chapter.

B. Permit Required. An owner shall obtain a revocable short-term rental permit prior to and whenever a dwelling unit is to be used for short-term rental purposes.

1. No property may be used as a short-term rental without a short-term rental permit.
2. A short-term rental permit shall be valid for one year from the date of issue and must be renewed upon expiration as long as the unit is used as a short-term rental. The renewal application requirements shall be the same as the initial application requirements.
3. The short-term rental permit is not transferable in the event of a change of ownership of a short-term rental property.
4. There shall be only one short-term rental permit issued per property. If a property has more than one dwelling unit, the permit issued shall be limited for one dwelling unit only.
5. Violation of any provisions of a short-term rental permit or these regulations or those subsequently adopted may result in revocation of the short-term rental permit and the owner shall be subject to the penalties set forth in this Section 220-32.8 (J).
6. No permit shall be issued or re-issued unless and until: (i) the property complies with the Town of Niskayuna Zoning Code, specifically including the terms of this Section, the New York State Building Code and any other municipal code which may be applicable to the property and its use as a short-term rental; (ii) the Enforcement Officer receives the septic system inspection report required by subdivision (B)(4) of this subsection, if applicable; and (iii) payment of the permit fee.

C. Short-Term Rental Permit Application Requirements. An application for issuance or renewal of a short-term rental permit shall be submitted to the Enforcement Officer, signed by all persons and entities that have an ownership interest in the subject property, accompanied by payment of the annual permit fee in an amount

to be set by Resolution of the Niskayuna Town Board, accompanied by a copy of the current vesting deed showing how title to the subject property is held, completed on the form provided and established by the Enforcement Officer, and shall at a minimum provide the following information:

1. A list of all of the property owners of the short-term rental property including names, addresses, telephone numbers and email addresses. If owned by a limited liability company, a partnership, a corporation or other entity the names, addresses, telephone numbers and email addresses of the members, partners, shareholders, officers and principals of such entities.
2. Proof of a satisfactory inspection of the Short-Term Rental Property by the Enforcement Officer or a NYS Licensed Home Inspector conducted within the sixty (60) days immediately preceding the Application Date which sets forth the number of bedrooms used to determine the maximum overnight occupancy for the Short-Term Rental property in accordance with paragraph F.
3. Completion of a signed and notarized Affidavit by the property owner(s) certifying the following:
 - a. Compliance with the following standards:
 - i. There shall be one functioning smoke detector in each bedroom and at least one functioning smoke detector in at least one other room, one functioning fire extinguisher in the kitchen and in each room with an open flame source, and at least one carbon monoxide detector.
 - ii. Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
 - iii. Electrical systems shall be serviceable with no visual defects or unsafe conditions.
 - iv. All fireplaces, fireplace inserts (excluding gas inserts) or other fuel burning heaters and furnaces shall be vented and properly installed, and flues cleaned within 12 months of application for permit.
 - v. Each bedroom shall be in compliance with the New York State Building Code.
 - b. A statement of the number of bedrooms within the short-term rental property that meet the standards set forth herein.
 - c. A statement of the number of parking spaces on the property that meet the standards set forth herein.
 - d. A statement that the applicant has met and will continue to comply with the standards set forth in this Section 220-32.8.
 - e. Affidavit certifications shall be valid during the term of the short-term rental permit. If relevant circumstances on the property change or for any reason the certification is or becomes inaccurate, a new Affidavit

certification shall be submitted.

- f. The form of the affidavit certification shall be established by the Enforcement Officer.
 4. A site plan, drawn to scale, showing the location of buildings, required parking and, if not served by a public sewer, the location of the septic system and leach field may be required at the discretion of the Enforcement Officer.
 5. If the property is served by a private septic system, a septic inspection report issued by a NYS Licensed Home Inspector or engineer and dated within two (2) years before the date of the application, stating the size of the tank(s) and leach or absorption field or area, and the location and condition of all septic system components. The report must state the septic system was adequately functioning at the time of inspection. The septic system must be in compliance with the regulations of the NYS Building Codes and regulations and/or standards applicable to aerobic septic systems. The maximum occupancy of the short-term rental unit shall be limited by the number of bedrooms allowed for the size of the septic tank and leach or absorption area . A system failure will require a new passing inspection report.
 6. The name, address, telephone number and email address of an owner or a contact person authorized to act on the owner's behalf, who shall be available to promptly remedy any violation of Section 220-32.8 or the permit. The contact person may be the owner or an agent designated by the owner to serve as a contact person.
 7. A copy of the short-term rental agreement as required by 220-32.8 (F)(11)
- D. Procedure Upon Filing Application.
1. Upon filing with the Enforcement Officer the permit application, permit fee, and all documents and information required by this Section, the Enforcement Officer shall have sixty (60) days to review the application and either issue the permit, with or without conditions, or notify the applicant in writing that the application has been denied along with the reasons for denial.
 2. In reviewing the application, the Enforcement Officer shall have the right to inspect the short-term rental property for purposes of ensuring compliance with this Section after obtaining the express consent of the property owner or the contact person designated by the property owner, for such limited inspection purposes.
 3. In issuing a short-term rental permit, the Enforcement Officer may impose such reasonable conditions and restrictions as are directly related to the use of the property for short-term rental so long as such conditions and restrictions are consistent with the requirements of the Town of Niskayuna

Zoning Code, including this Section, and are imposed for the purpose of minimizing any adverse impact the short-term rental could have on the neighborhood or community.

4. The Enforcement Officer may deny an application for any of the following reasons:
 - a. If the application is incomplete or the information required by this Section or regulations adopted by the Town of Niskayuna were not included with the application or the full permit fee, in acceptable form of payment, was not included with the application.
 - b. If the Enforcement Officer previously issued a short-term rental permit to any of the owners of the property and any of such owners had a short-term rental permit revoked within the previous year.
 - c. If the affidavit from the owners or if an inspection conducted by the Enforcement Officer as authorized in this Section evidences that the subject property is not in compliance with this Section or the Town of Niskayuna Zoning Code.
 - d. If the site plan required to be submitted with the application does not comply with the requirements of this Section and NYS Building Code.
 - e. If a private septic inspection report is required to be submitted with the application such report does not comply with the requirements of this Section or the Town of Niskayuna Zoning Code.
 - f. If access is not granted to the property for purposes of an inspection.
5. Short-term rental permits issued pursuant to this Section shall state the following:
 - a. The names, addresses, phone numbers and email of every person or entity that has an ownership interest in the short-term rental property and the primary contact person who shall be available to respond within 60 minutes to or investigate complaints during the entire time (24 hours per day) the short-term rental property is being rented;
 - b. The maximum occupancy for the property and the number of vehicle limits for the short-term rental unit;
 - c. Identification of the number of and location of parking spaces available;
 - d. A statement that littering is illegal;
 - e. A statement that all fires must be attended and in conformance with Chapter 107 (Fires, Open) of the Code of the Town of Niskayuna.
 - f. A statement that renters must comply with and be provided with a copy of Chapter 142 (Noise) of the Town of Niskayuna, which set strict limits on noise levels in the Town of Niskayuna.
 - g. A statement acknowledging Fireworks are prohibited in Schenectady County and the Town of Niskayuna;
 - h. Any conditions imposed by the Enforcement Officer;
 - i. The short-term rental permit expiration date; and
 - j. A statement that the short-term rental permit may be revoked for

violations.

E. Display of Permit and Notification

1. Holding of a short-term rental permit is subject to continued compliance with the requirements of these regulations.
2. Prior to any renters taking occupancy of the short-term rental property, a hard copy of the short-term rental permit shall be prominently displayed within the interior of the short-term rental unit in an area easily viewed by its occupants. The Enforcement Officer may also require that other information be placed on prominent display within the interior of the short-term rental unit.
3. A list of short-term rental permits may be published and updated quarterly on the Town of Niskayuna webpage. Information included shall be limited to permit number, physical address, maximum occupancy and number of parking spaces.
4. The owners must ensure that current and accurate information is provided to the Enforcement Officer and that they notify the Enforcement Officer immediately upon any change in information contained on the permit. If, based on such changes, the Enforcement Officer issues an amended short-term rental permit, the owners must immediately replace the displayed permit with the amended permit.
5. The requirements listed in section 220-32.8 (F) shall be posted upon any online listing site or advertisement used in this promotion of the short-term rental unit.

F. Short Term Rental Requirements. The following standards must be met and followed for all short-term rentals.

1. Occupancy Requirements

- a. The maximum number of occupants for each short-term rental unit shall be the most restrictive of the following:
 - i. Two (2) times the number of bedrooms (as determined by Section 220-8 C (2)) that are rented in compliance with Section 220-32.8 plus one (1) additional occupant.

Examples:
1 Bedroom unit = 2 occupants for 1 bedroom + 1 additional occupant = 3 maximum.
2 Bedroom unit=4 occupants for 2 bedrooms + 1 additional occupant = 5 maximum

3 Bedroom unit = 6 occupants for 3 bedrooms + 1 additional occupant = 7 maximum

- ii. Maximum capacity of the septic system for properties serviced by a septic system.
2. The minimum rental duration shall be seven (7) consecutive days.
3. Guests of the occupants are not allowed.
4. Required Off-Street Parking.
 - a. The number of vehicles permitted for each short-term rental unit is limited to one (1) vehicle per rented bedroom +1 vehicle, not to exceed three (3) vehicles for rented bedrooms and 4 vehicles total on the property.
 - b. Required off-street automobile parking spaces shall be equal to the maximum number of motor vehicles permitted. The applicant must demonstrate that they have off-street parking meeting the standards of this section. Spaces within a home garage shall not be counted as parking spaces unless the garage is actually used for and available for parking and each space meets the standards of subsection c, below.
 - c. A parking space shall have a minimum of 162 square feet in a rectangular configuration of at least 9 feet by 18 feet.
 - d. Parking for the short-term rental unit is not allowed on any part of the lawn of the property.
5. A house number visible from the street or road shall be maintained.
6. Provisions shall be made for at least weekly garbage removal during rental periods. Garbage containers shall be secured with tight-fitting covers at all times to prevent leakage, spilling or odors, and placed where they are not clearly visible from the street or road except when awaiting pick-up.
7. There shall be no campers located on the short-term rental property nor shall there be any overnight camping in tents, recreational vehicles, or otherwise used in conjunction with short-term rentals to provide additional sleeping areas.
8. Weddings, corporate events and commercial functions are not allowed at short-term rentals in the Town of Niskayuna.
9. Online listings and advertisements for a short-term rental must conform to what is allowed under these regulations and the short-term rental permit and shall clearly and prominently display the short-term rental permit number.
10. The allowable number of vehicles on a short-term rental property shall be

clearly and prominently displayed in all online listings or advertisements for short-term rentals.

11. Owners of a short-term rental shall have a short-term rental agreement in writing with every renter, in effect when rentals are active, which contains the following provisions: the owner or owner's representative shall terminate the rental in the event the short-term rental permit is suspended or revoked at least one full week prior the commencement of the rental term.
12. There shall be one functioning smoke detector in each bedroom and at least one functioning smoke detector in at least one other room, one functioning fire extinguisher in the kitchen and in each room with an open flame source, and carbon monoxide detectors as required by NYS Building Codes.
13. Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
14. Electrical systems shall be serviceable with no visual defects or unsafe conditions.
15. All fireplaces, fireplace inserts or other fuel burning heaters and furnaces shall be vented and properly installed, and flues cleaned within 12 months of application for permit.
16. Each bedroom shall be in compliance with the New York State Building Code.

G. The following two types of short-term rentals shall be permitted in the Town of Niskayuna upon issuance of the applicable short-term rental permit and subject to the limitations set forth herein:

1. Un-hosted Short-Term Rental
 - a. Un-hosted Short-Term Rental as defined in Zoning Code Section 220-4 shall be limited to the following Zoning District:
 - i. C-N Neighborhood Commercial Zoning District
2. Hosted Short-Term Rental
 - a. Hosted Short Term Rentals as defined in Zoning Code Section 220-4 shall be permitted in all Zoning Districts.
 - b. Online listings and advertisements for a hosted short-term rental must clearly and prominently indicate the host will be on the premises during the time that the unit is rented.
 - c. In addition to the application requirements set forth at Section 220-32.8 (F), applicants for a Hosted Short-Term Rental Permit shall provide a sworn statement that they are the owner of the property and that they will stay overnight during the entire term of each short-term rental of the

property.

- H. COMPLAINTS AND VIOLATIONS. Owners, operators, managers, marketers and renters of short-term rental units shall obey all applicable Federal, State and Local Laws, including but not limited to those the Town of Niskayuna, and shall be subject to the enforcement and penalty provisions contained in the Town of Niskayuna Zoning Code and any other State or local law.

The following process shall be followed in the event of a complaint alleging a violation of this Zoning Code Section 220-32.8 or a permit issued hereunder:

1. The complaining party may contact the Niskayuna Building Department and describe the problem from which the complaint arises.
2. Any property owner or contact person of a short-term rental shall, within sixty minutes of receiving any complaint, respond to the complaint and remedy as soon as reasonably possible any situation that is in violation of this law or the short-term rental permit for the property.
3. If the response is not satisfactory to the complaining party, the complaining party may file a written complaint with the Enforcement Officer. The form of the complaint shall be established by the Enforcement Officer and may be filed in person, by mail, by email or online. The complaint shall provide pertinent information including the date, time and nature of the alleged violation.
4. If the Enforcement Officer finds a violation of the permit or of Section 220-32.8, the Enforcement Officer may do any of the following depending on the circumstances:
 - a. Attach reasonable additional conditions to the existing short-term rental permit;
 - b. Issue a warning or violation;
 - c. Suspend the short-term rental permit; or
 - d. Revoke the short-term rental permit.
5. The Enforcement Officer of the Town of Niskayuna may also initiate enforcement proceedings under the Town of Niskayuna Zoning Code at any time following receipt of a complaint or discovery of a violation.
6. Decisions of the Enforcement Officer will be provided to the parties and may be appealed to the Town of Niskayuna Zoning Board of Appeals, within 30 days of receipt of the decision, by the owner or by the complainant in accordance with Section 220-32.8 (I).
7. The Enforcement Officer or her/his designee shall have the right to inspect the short-term rental property to ensure the situation complained of has been remedied and that it complies with the provisions of this Section, but only after

obtaining the express consent of the property owner or the contact person designated by the property owner for such limited inspection purposes.

8. Two warnings or violations issued by the Enforcement Officer within a one-year period will constitute an immediate revocation of the permit. Actions to remedy the revocation will require the owner to discontinue any existing contract for a short-term rental for the property, giving the current renter three days to vacate. Further, owner will void any future contracts with potential renters until remedies are agreed on and completed. Property owner should reflect conditions that will allow them to legally discontinue an existing short-term rental agreement if said status occurs during a renter's stay.
9. Revocation of short-term rental permit. Should a permit be revoked, none of the owners of the short-term rental property may obtain any short-term rental permit sooner than one year after the date of revocation.

I. Appeals

1. The Zoning Board of Appeals shall be appointed by the Town of Niskayuna to carry out the duties hereinafter prescribed.
2. Decisions and determinations made by the Enforcement Officer under this Section shall be made in writing and provided to the owner and complainant, if any. Said decision/determination may be appealed to the Zoning Board of Appeals within thirty (30) days of receipt of the decision. The decision/determination appealed from shall not be stayed unless the Zoning Board of Appeals agrees to grant appellant a stay upon his/her/its application for such stay. The Zoning Board of Appeals shall have all the powers and duties prescribed by this Code and may reverse, affirm, or modify wholly or partly any order, requirement, decision or determination as in its opinion ought to be made.
3. The general procedures for appeals to the Zoning Board of Appeals shall be the same as the general procedures set forth in Section 220-69 of Town Code.
4. An owner or complainant with standing who wishes to appeal the decision or determination made by the Enforcement Officer shall make a written request for a hearing to the Zoning Board of Appeals. At the hearing the Zoning Board of Appeals shall not be bound by strict rules of evidence and may accept evidence, including reliable hearsay evidence, offered by the property owner, the complaining party, the Enforcement Officer and any other witness with relevant evidence.

J. Penalties for Offenses.

1. Any person, association, firm, company, corporation or entity which violates any provision of this section or assists in the violation of any provision of this section or owns or operates a property at which a violation occurs, shall be subject to the following fines or civil penalties:
 - a. By a fine or civil penalty of not less than \$1000.00 for a first violation.
 - b. By a fine or civil penalty of not less than \$2,000.00 for a second violation, both of which were committed within a period of two (2) years.
 - c. By a fine or civil penalty of not less than \$3,000.00 for a third violation, all of which were committed within a period of two (2) years.
 - d. Each week's continued violation constitutes a separate additional violation.
2. The Town of Niskayuna may seek injunctive relief, civil penalties and any other relief available to enforce the provisions of this Section through commencement of an action in the New York State Supreme Court.
3. Violations of any provision of this Section or a permit issued hereunder may be remedied or enforced pursuant to this Section or Zoning Code 220-73. Enforcement remedies available are not exclusive and may be sought cumulatively.

Section 3. The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

Section 4. This Local Law shall take effect as provided in §27 of the NYS Municipal Home Rule Law.



Resolution No. 2025 - 49

A RESOLUTION ADOPTING A MODIFIED INVESTMENT POLICY

The following resolution was offered by **Supervisor Cassady-Dorion**, who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, by Resolution No. 96 -166, the Town Board adopted a comprehensive investment policy in accordance with General Municipal Law § 39, which applies to all moneys and other financial resources available for deposit and investment by the Town of Niskayuna; and

WHEREAS, General Municipal Law § 39 directs the Town Board to review the comprehensive investment policy annually; and

WHEREAS, the Town Comptroller's Office prepared an updated investment policy and recommended adoption of said policy; and

WHEREAS, the Finance and General Government Committee reviewed the updated investment policy and concur with this recommendation.

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby adopt the investment policy attached hereto and made a part hereof, which shall take effect prospectively and shall not invalidate prior custodial or security agreements or prior investments.



TOWN OF NISKAYUNA INVESTMENT POLICY

I. SCOPE

This investment policy applies to all moneys and other financial resources available for deposit and investment by the Town of Niskayuna (the "Town") on its own behalf or on behalf of any other entity or individual, in accordance with General Municipal Law §39(3).

II. OBJECTIVES

The primary objectives of the Town investment activities are:

- To conform with all applicable federal, state and other legal requirements;
- To adequately safeguard principal;
- To provide sufficient liquidity to meet all operating requirements;
- To obtain a reasonable rate of return; and
- To maximize efficient use of bank services offered in compensation for deposits.

III. DELEGATION OF AUTHORITY

The Town Board's responsibility for administration of this investment policy is delegated to the Chief Fiscal Officer, who shall establish procedures consistent with this investment policy. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates, and other relevant information, and shall regulate the activities of Town employees involved in the investment process.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town's ability to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudent discretion and intelligence exercise in the management of their own affairs, considering the safety of the principal as well as probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with and/or impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Town to diversify its deposits and investments by financial institution, by investment instrument, and by maturity schedule.

VI. INTERNAL CONTROLS

- A. It is the policy of the Town for all moneys collected by any officer or employee of the Town to be transferred before noon on business days to the Chief Fiscal Officer when the opening balance of deposit accounts(s) exceed within 10 days of deposit \$50,000, or within the time period specified by law by 5pm Thursday each week if deposits are less than \$50,000, whichever is shorter. When funds are not deposited or remitted to the Chief Fiscal Officer in a timely manner, there is a greater risk for loss through errors, theft or misuse, and revenues from moneys that would have been transferred to investment accounts, are lost.
- B. The Chief Fiscal Officer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, and that transactions are executed in accordance with management's authorization and are recorded properly, and managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of moneys shall be limited to those listed in the most recent applicable resolution of the Town Board.

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law § 10, all deposits of the Town, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- A. By a pledge of "eligible securities" with an aggregate "market value" that is at least equal to the aggregate amount of deposits. See Schedule A of this policy for a listing of eligible securities.
- B. By a pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a "market value" at least equal to the aggregate amount of deposits.
- C. By an "eligible surety bond" payable to the Town for an amount at least equal to one hundred percent (100%) of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.
- D. By an "eligible letter of credit", payable to the Town as security for the payment of one hundred forty percent (140%) of the aggregate amount of deposits and the agreed-upon interest, if any. An eligible letter of credit shall be an irrevocable letter of credit issued in favor of the Town, for a term not to exceed ninety (90) days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum riskbased capital requirements.

- E. By an “irrevocable letter of credit” issued in favor of the Town by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the for the payment of one hundred percent (100%) of the aggregate amount of deposits and the agreed-upon interest, if any.

IX. SAFEKEEPING OF COLLATERAL

- A. Eligible securities used for collateralizing deposits shall be held by a third-party trust company or bank, subject to written security and custodial agreements.
- B. Security Agreement: The security agreement shall provide that such securities are being pledged to secure the Town’s deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events of default which will enable the Town to exercise its rights against the pledged securities. In the event that the pledged securities are not registered or inscribed in the name of the Town, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the Town as set forth in the security agreement. Such agreement shall include all provisions necessary to provide the Town with a perfected interest in the securities.
- C. Custodial Agreement: The custodial agreement shall provide that securities held by the bank or trust company or agent of and custodian for the Town will be kept separate and apart from the general assets of the custodial bank or trust company and will not in any circumstances be commingled with or become a part of the backing for any other deposits or other liabilities. The agreement shall address the manner by which the custodian shall confirm the receipt, substitution or release of securities pledged to the Town. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Town with a perfected interest in the securities.
- D. Prior to entering into or executing any agreements discussed in this investment policy, the Chief Fiscal Officer shall seek input, whenever possible, from the Office of the Town Attorney.

X. PERMITTED INVESTMENTS

- A. As authorized by General Municipal Law §11, the Town Board authorizes the Chief Fiscal Officer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash-flow needs in the following types of investments:
1. Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York;

2. Certificates of deposit;
 3. Obligations of the United States of America;
 4. Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
 5. Obligations of the State of New York;
 6. Obligations of this Town, but only with any moneys in a legally established reserve fund.
 7. Obligations issued pursuant to Local Finance Law §24.00 or §25.00 (with the approval of the New York State Comptroller) by any municipality, school district or district corporation in the State of New York other than the Town; and
- B. All investment obligations shall be payable or redeemable at the option of the Town within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable, in any event, at the option of the Town within two years of the date of purchase.
- C. Repurchase agreements and “reverse” repurchase agreements are not permitted investments under this investment policy. If the Chief Fiscal Officer deems it advisable to enter into a repurchase agreement or a “reverse” repurchase agreement, the Town Board must authorize the Chief Fiscal Officer to do so by resolution.

XI. AUTHORIZED FINANCIAL INSTITUTIONS

The Town shall maintain a list of financial institutions and dealers approved for investment purposes. All financial institutions with which the local government conducts business must be creditworthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

- A. The Chief Fiscal Officer is authorized to contract for the purchase of investments:
1. Directly from an authorized trading partner.
 2. By participation in a cooperative investment program with another authorized government entity pursuant to Article 5-G of General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Town Board.
 3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Town Board.
- B. All purchased obligations, unless registered or inscribed in the name of the Town, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer

authorized to make the investment. All such transactions shall be confirmed in writing to the Town by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal

Law §10(3)(a).

- C. The Chief Fiscal Officer, where authorized, can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law §10(3)(a). When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIII. ANNUAL REVIEW AND AMENDMENTS

- A. The provisions of these investment guidelines and amendments shall not invalidate prior selection of any custodial bank or prior investments.
- B. This investment policy is effective upon the adoption by resolution of the Town Board and supersedes any prior investment policies of the Town.
- C. The Town Board shall review this investment policy annually on or at the special organizational meeting of the Town Board and shall have the power to amend this policy at any time by resolution.

SCHEDULE A – ELIGIBLE SECURITIES

Eligible Securities for Collateral	Market Value¹
i. Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States governmentsponsored corporation.	100%

¹ For purposes of determining aggregate market value, eligible securities shall be valued at these percentages of market value.

ii.	Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.	100%
iii.	Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.	100%
iv.	Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.	100%
v.	Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd; 80% for 3rd highest.
vi.	Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd; 80% for 3rd highest
vii.	Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd; 80% for 3rd highest.

Eligible Securities for Collateral		Market Value¹
viii.	Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.	80%
ix.	Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.	70%

x.	Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.	80%
xi.	Zero coupon obligations of the United States government marketed as "Treasury STRIPS."	80%



Resolution No. 2025 - 50

A RESOLUTION AMENDING RESOLUTION NO. 2024-250

The following resolution was offered by **Councilmember Brennan** who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, the Police Chief has advised that it is necessary to amend Resolution No. 2024-250 to correct the number of vehicles being upfitted.

NOW THEREFORE, be it

RESOLVED, that this Town Board does hereby amend the "Resolved" clause of Resolution No. 2024-250 as follows:

RESOLVED, that this Town Board does hereby approve and authorize the up-fitting of the three (3) [~~two (2)~~] vehicles from Specialized Vehicle Upfitting, Inc., 475 Harlem Street, Schenectady, New York 12306, at a total cost not to exceed \$27,500.00, and be it

FURTHER RESOLVED, that any other places in Resolution No. 2024-250 that state that two (2) vehicles are to be upfitted shall be changed to reflect that three (3) vehicles will be upfitted.



Resolution No. 2025 – 51

**A RESOLUTION RECOGNIZING KATHY PERSONS
FOR HER MANY YEARS OF SERVICE TO THE
TOWN OF NISKAYUNA**

The following resolution was offered by **Councilmember Moskowitz** who moved its adoption, and seconded by

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, in 1999, Kathleen Persons was appointed to the part-time position of Information Processing Specialist I in the Niskayuna Police Department; and

WHEREAS, from there, Kathleen Persons was appointed in 2000 to the position of full-time Account Clerk, whereby her time was split with the Comptroller's Office and Town Clerk's Office; and

WHEREAS, Resolution No. 2001-297, dated December 18, 2001, appointed Kathleen Persons to the position of Account Clerk in the Comptroller's Office; and

WHEREAS, in May of 2006, Kathy Persons was appointed to the position of Accountant in the Comptroller's Office and later that year she was appointed back into the position of Account Clerk in the Engineering Department; and

WHEREAS, Kathy Persons was appointed to the position of Administrative Assistant in the Water and Sewer Department in 2015; and

WHEREAS, in 2018, Kathleen Persons was appointed to the position of Administrative Assistant II in the Water and Sewer Department; and

WHEREAS, Kathy Persons has delivered exemplary service to town residents that contacted the Water, Sewer, and Engineering office; and

WHEREAS, whether fielding calls related to water and sewer emergencies or questions regarding utility bills, Kathy has been on the front line and has handled herself with professionalism and respect; and

WHEREAS, Kathy has served a vital role in the operation of the Water, Sewer, and Engineering Department by promptly and accurately processing payments to the many vendors and companies utilized to operate the department.

She has also performed many additional key tasks that are crucial to the efficient operation of the department; and

WHEREAS, throughout her years of dedicated service to the Town, Kathy has maintained a standard of excellence in all of her positions and has been an invaluable asset as an employee, co-worker, and friend.

NOW THEREFORE, be it

RESOLVED, that the members of the Niskayuna Town Board would like to thank Kathy Persons for 24 and a half years of dedicated service and commitment to the Town of Niskayuna and wish her many years of happiness during her retirement.