

A regular Meeting of the Town Board of Guilderland was held at the Town Hall, Route 20 McCormick's Corners, Guilderland, NY, on the above date at 7:30 pm. The meeting was opened with the Pledge of Allegiance to the flag. Roll call by Rosemary Centi, Town Clerk, showed the following to be present:

- Councilwoman Slavick
- Councilman Pastore
- Councilman Grimm
- Supervisor Runion

**ALSO PRESENT:** Richard Sherwood, Town Attorney

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Supervisor Runion welcomed everyone to the evening's meeting and asked for a motion accepting the minutes of the July 5<sup>th</sup> Town Board meeting and the July 24<sup>th</sup>, 2011 Special Town Board meeting.

**MOTION #127** Councilwoman Slavick moved to **ACCEPT THE MINUTES OF THE JULY 5<sup>TH</sup> TOWN BOARD MEETING AND JULY 24<sup>TH</sup>, 2011 SPECIAL TOWN BOARD MEETING.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

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|----------------------|-----|
| Councilwoman Slavick | Aye |
| Councilman Pastore   | Aye |
| Councilman Grimm     | Aye |
| Supervisor Runion    | Aye |

**PUBLIC COMMENT PERIOD: No public comment**

**AGENDA ITEMS:**

Item #1 on the agenda was a presentation of a draft study entitled "Watervliet-Guilderland Investigation of Consolidation of Water Supply and Filtration Services. **Rocco Ferraro**, Director of the **Capital District Regional Planning Commission**, (CDRC), presented.

He stated that they had received a \$50, 000 shared services grant to investigate the feasibility of consolidation of water supply and filtration services between the City of Watervliet and the Town of Guilderland. A review was made of the Study Objective, Existing Conditions, Evaluation of Alternatives and Recommendations.

Michael Hall, Esq. and A. Joseph Scott, Esq., Bond Counsel, did a detailed review and analysis of the advantages and disadvantages of each alternative. The focus was on the legal structures. (Documents available in the Town Clerk's office)

The Watervliet Reservoir is owned by the City but is located in the Town of Guilderland. The study objective consisted of an analysis of alternative legal and financial structures to create a singular entity, jointly owned and operated by Watervliet and Guilderland and responsible for the water treatment plant.

The review identified three ownership and operation structures:

Public Authority  
Private not-for-profit  
Intermunicipal cooperation agreement.

Following is the summary of the investigation.

### Executive Summary

**The purpose of this study was to investigate alternative legal and financial structures to accommodate the creation of a joint enterprise responsible for the construction of a singular water treatment plant at the Watervliet reservoir to be owned or operated cooperatively by the City of Watervliet and the Town of Guilderland. The project team consisted of Rocco A. Ferraro, AICP, Executive Director of the Capital District Regional Planning Commission, Joanna H. King, Assistant Planner, Capital District Regional Planning Commission, A. Joseph Scott, III, Esq., Hodson Russ LLP, and Michael J. Hall, Esq. of McNamee, Lochner, Titus, & Williams, P.C.**

**The team undertook an assessment of the existing water systems in the two municipalities, investigated alternative options for joint ownership and operation of water facilities and identified three such structures to study in detail, a public authority, a private not-for-profit and an intermunicipal cooperation agreement. The analysis included a review of the governance structure of the City of Watervliet and Town of Guilderland, their outstanding financial obligations, and a review of the existing billing and collection procedures by the two communities. The review of each option included a detailed review and analysis of the advantages and disadvantages of each of the alternative arrangements. The legal structure and charter revisions necessary to accommodate each of the three alternative arrangements were also investigated.**

**Based on the detailed review of the alternatives, the project team recommends that the private not-for-profit and intermunicipal cooperation agreement structures warrant further study and evaluation to determine the financial impacts, both positive and negative, of each alternative. The proposed cooperative management structure of joint ownership/operations of the water supply system compliments the recently announced new regional economic development initiative by Governor Andrew Cuomo to create economic development opportunities applying a collaborative model of intermunicipal cooperation. Therefore, it is highly recommended that the City of Watervliet and the Town of Guilderland pursue the logical next step and apply for a local government efficiency grant from the New York State Department of State to undertake the fiscal analysis of the management alternatives outlined in this report.**

Supervisor Runion asked for questions.

Chuck Klaer, Meadowdale Road, asked if the plan only concerned the water treatment plant or did it also concern maintenance of the reservoir and other reservoir issues.

Mr. Ferraro stated that it may concern both. He further stated that the financial makeup would be critical.

They could be applying for another grant that deals with public input.

Stephen Wilson, Stitt Road, asked to what extent other entities would confound their proposal.

Mr. Ferraro stated that there was a discussion regarding allowing other entities to buy water.

Questions from board members were asked concerning the structuring, and goals.

Councilman Grimm asked what the goals of the mission were.

Mr Ferraro stated that the objective was to service in the most efficient, most cost effective manner.

Supervisor Runion stated that the next phase would address the financial analysis. He further stated that he had a concern with borrowing money as a not-for-profit as opposed to an inter-municipal agreement. The study was taken as part of the state initiative to look at shared costs. The Town would need to look at the best financial benefit to the taxpayers.

He thanked Mr. Ferraro, Mr. Hall and Mr. Scott for the presentation.

Item #2 on the agenda concerned a request for a rezone by Wolanin Companies Ltd. The request would rezone 21.36 acres from Residential R15 and R40 to Planned Unit Development (PUD), located at 1700 Western Avenue.

Frank Bossolini, Ingalls & Associates, LLP, presented the project details.

He stated that the project would consist of the construction of 248 residential apartments units in 14 buildings, 12,000 square foot commercial component, and clubhouse and pool facilities. The site plan would have a 100' setback to the residential properties surrounding the site and included in that is a 50' no disturbance buffer.

The site has access directly to Western Avenue through an existing connection near the 1700 units and onto Johnston Road on property that the applicant owns behind the Price Chopper. He stated that the site has almost 60% green space. Also, in the internal workings that would be looking at green infrastructure techniques.

He gave reasons for a higher density at the site. He asked the Board to consider setting a public hearing.

Councilwoman Slavick asked how many stories the building would have and Mr. Bossolini stated that each building would have 2 stories.

The small commercial building would have 2 stories.

Town Clerk, Rosemary Centi, asked about the proximity of the egress road from the project onto Johnston Road to Westmere Elementary and the surrounding neighborhood streets such as Patricia Lane, Ruth Terrace and Joseph Terrace and the traffic impact.

Mr. Bossolini stated that the school had been using the access road under an easement agreement with Wolanin. They were in contact with the school district and would be updating the traffic study to include the traffic from the elementary school.

Further discussion was held regarding egress onto Western Avenue from the 1700 apartments.

Councilman Grimm asked how the increase in traffic from 248 apartments would be addressed.

Mr. Bossolini stated that they had done a traffic study and that they anticipated a large number of residents would be using mass transit.

Supervisor Runion stated that the Albany County Planning Board was looking for more information regarding the traffic study.

Mr. Bossolini stated that once the elementary school was in session they would be updating their traffic study.

Councilwoman Slavick asked if there would be a buffer for Newman Road. Mr. Bossolini explained the buffering. The residents would be able to see the apartments through the woods.

Town Clerk, Rosemary Centi, asked about buffering for Patricia Lane.

Greg Wolanin, Loudonville, explained the type of project that he would be building. He stated that it was a different project in that it was geared toward a professional client; it would be high tech and modern. This would be a secure community with underground garages, one and two bedrooms.

Councilman Pastore questioned the egress to Johnston out of the proposed site.

Further discussion was held regarding traffic issues.

Supervisor Runion asked that the applicant address all of the Board's concerns when they next came in before the Board.

**MOTION #128** Councilman Pastore moved to **SET A PUBLIC HEARING ON OCTOBER 18<sup>TH</sup>, 2011 AT 7:30 PM ON AN APPLICATION FOR A CHANGE OF ZONE FOR 1700 WESTERN AVENUE FROM R15/RO40 TO PLANNED UNIT DEVELOPMENT.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**MOTION #129** Councilwoman Slavick moved to **AUTHORIZE THE POLICE DEPARTMENT TO AUCTION POLICE/TOWN SURPLUS EQUIPMENT.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

Pursuant to an agreement between the Water & Wastewater Management Department and the Northeast Industrial Park, when a violation occurs, a \$200.00 daily fee is collected and then escrowed. This fee is released when work related to the repair and elimination or inflow and infiltration of the collection system are completed.

**MOTION #130** Councilwoman Slavick moved to **AUTHORIZE A RELEASE OF ESCROW FUNDS IN THE AMOUNT OF \$19,000 TO NORTHEASTERN INDUSTRIAL PARK FOR WORK PERFORMED TO THE SANITARY SEWER SYSTEM.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**MOTION #131** Councilman Pastore moved to **APPROVE APPOINTING SUSAN LANAHAN TO THE POSITION OF TELECOMMUNICATOR FROM THE ALBANY COUNTY CIVIL SERVICE LIST AND PER THE RECOMMENDATION OF THE POLICE DEPARTMENT**. Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**MOTION #132** Councilwoman Slavick moved to **ADJOURN THE AUGUST 16<sup>TH</sup>, 2011 TOWN BOARD MEETING AT 9:11 PM**. Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**Respectfully submitted,**

**Rosemary Centi, RMC  
Town Clerk**