

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:

- Councilman Forte
- Councilwoman Slavick
- Councilman Pastore
- Councilman Maikels
- 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 December 6th, 2011 Town Board meeting and the January 1st, 2012 Organizational meeting minutes.

**MOTION #31** Councilwoman Slavick moved to **APPROVE THE MINUTES OF THE DECEMBER 6TH, 2011 TOWN BOARD MEETING.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

- |                      |           |
|----------------------|-----------|
| Councilman Forte     | Abstained |
| Councilwoman Slavick | Aye       |
| Councilman Pastore   | Aye       |
| Councilman Maikels   | Abstained |
| Supervisor Runion    | Aye       |

Supervisor Runion explained that Councilmen Forte and Maikels abstained as they were not as yet board members at the December 6<sup>th</sup>, 2011 meeting.

**MOTION #32** Councilman Forte moved to **APPROVE THE MINUTES OF THE JANUARY 1<sup>ST</sup>, 2012 ORGANIZATIONAL MEETING MINUTES.** Councilman Maikels seconded the motion and it was carried by the following roll call vote:

- |                      |     |
|----------------------|-----|
| Councilman Forte     | Aye |
| Councilwoman Slavick | Aye |
| Councilman Pastore   | Aye |
| Councilman Maikels   | Aye |
| Supervisor Runion    | Aye |

**PUBLIC COMMENT PERIOD: No public comment**

**PUBLIC HEARINGS:**

**7:30 PM – Local Law reducing Zoning Board Members from seven (7) to five (5)  
Town Clerk, Rosemary Centi read the legal notice.**

Supervisor Runion stated that the Town Law which established the Zoning Board of Appeals originally indicated that the Zoning Board of Appeals would have seven members. This was

subsequently amended to provide the Zoning Board of Appeals with either three to five board members. As a seven member board was in existence at the time that the law was passed it was grandfathered in.

As a cost saving measure, it was decided that since a Zoning Board member had been elected to the Town Board and a second board member’s term had expired, it was decided not to appoint.

Further discussion was held.

**MOTION #33** Councilwoman Slavick moved to **CLOSE THE 7:30 PM PUBLIC HEARING ON A LOCAL LAW REDUCING THE NUMBER OF ZONING BOARD MEMBERS FROM SEVEN (7) TO FIVE (5)**. Councilman Forte seconded the motion and it was carried by the following roll call vote:

Councilman Forte	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Maikels	Aye
Supervisor Runion	Aye

**MOTION #34** Councilwoman Slavick moved to **ADOPT LOCAL LAW #1 OF 2012 REDUCING THE NUMBER OF ZONING BOARD OF APPEALS MEMBERS FORM SEVEN(7) TO FIVE (5)**. Councilman Forte seconded the motion and it was carried by the following roll call vote:

Councilman Forte	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Maikels	Aye
Supervisor Runion	Aye

**AGENDA ITEMS:**

Item #1 concerned the request of the Department of Water and Wastewater Management for a refund of a portion of the Guilderland Sewer Tax for Stuyvesant Plaza, Inc. due to an error in calculating the number of sewer units.

William West, Superintendent of Water and Wastewater Management, explained the error. He stated that they had applied all of their water usage to six accounts and then reapplied that usage to all of the other accounts.

**MOTION #35** Councilman Pastore moved to **APPROVE THE REQUEST OF THE DEPARTMENT OF WATER AND WASTEWATER MANAGEMENT TO REFUND A PORTION OF THE GUILDERLAND SEWER TAX FOR STUYVESANT PLAZA**. Councilman Forte seconded the motion and it was carried by the following roll call vote:

Councilman Forte	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Maikels	Aye
Supervisor Runion	Aye

**PUBLIC HEARING:**

**7:45 PM – Local law amending the Animal Control Law (local law #4 of 2010)**

**Rosemary Centi, Town Clerk, read the legal notice**

Supervisor Runion explained that the current law stated that the dog had to be “under the control of the owner”. There had been a number of complaints over the years where dogs, particularly in town parks, had been with their owners but not on a leash and the owner of the dog had to try to maintain control of the dog; this has resulted in some issues. The new law requires that dogs would have to be on an actual leash in public places and not merely under the control of their owner. They can run at large on private property, either of the owner of the dog or private property with permission of the owner of that property. Dogs would be allowed to be off leash at the Nott Road Dog Park.

Gerry Houser, Pine Ridge Drive, stated that there have been numerous situations where dogs that have been off leash have created issues such as dog fights. He further stated that “under the control of” is a very broad definition. He further stated that many towns already have a required leash law.

Councilman Forte stated that Animal Control found it difficult to enforce “under the control of” law as it was very broad.

Tom Quaglieri, Pheasant Walk, asked about the fee for the dog park being waived. He stated that there was a bulletin at the dog park where this law could be posted.

**MOTION #35** Councilwoman Slavick moved to **CLOSE THE 7:45 PM PUBLIC HEARING ON A LOCAL LAW AMENDING THE ANIMAL CONTROL LAW (Local Law #4 of 2010)**. Councilman Maikels seconded the motion and it was carried by the following roll call vote:

Councilman Forte	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Maikels	Aye
Supervisor Runion	Aye

**MOTION #36** Councilman Maikels moved to **ADOPT LOCAL LAW #2 OF 2012 AMENDING THE ANIMAL CONTROL LAW (Local law #4 of 2010)**. Councilman Forte seconded the motion and it was carried by the following roll call vote:

Councilman Forte	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Maikels	Aye
Supervisor Runion	Aye

Supervisor Runion stated that the Town had initially charged \$20.00 as a fee for the dog park. He stated the fee was implemented in order to pay for the fencing and improvements made to the park. Since then, these items have been paid for, so the fee is to be eliminated. It is also a fair thing to do as this would be the only public place where a dog could run off leash.

**MOTION #37** Councilwoman Slavick moved to **ELIMINATE THE \$20.00 FEE FOR THE NOTT ROAD DOG PARK**. Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Forte	Aye
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Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Maikels	Aye
Supervisor Runion	Aye

Supervisor Runion stated that since no funds were allocated for the Association of Towns, there would not be any delegates sent to NYC for the conference.

**MOTION #38** Councilman Maikels moved to **ADJOURN THE JANUARY 17<sup>TH</sup>, 2012 TOWN BOARD MEETING AT 7:50 PM.** Councilman Forte seconded the motion and it was carried by the following roll call vote:

Councilman Forte	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Maikels	Aye
Supervisor Runion	Aye

**Respectfully submitted,**

**Rosemary Centi  
Town Clerk**