

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

\*\*\*\*\*

Supervisor Runion welcomed everyone to the evening's meeting and asked for a motion accepting the minutes of the November 8th, 2012 Town Board meeting.

**MOTION #171** Councilman Pastore moved to **APPROVE THE MINUTES OF THE NOVEMBER 8<sup>TH</sup>, 2012 TOWN BOARD MEETING.** 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 |

**PRESENTATION:**

Guilderland Police Chief, Carol Lawlor, presented a Certificate of Appreciation to Madison Bini for all of her selfless contributions to the Guilderland Animal Shelter. Madison took it upon herself to solicit donations for the shelter.

Chief Lawlor stated that earlier in the year she had been asked to write a letter of support for Madison for the Channel 13 Kids Who Care.

Madison was awarded a \$500.00 check to give to her favorite charity, which she donated to the Guilderland Animal Shelter.

Supervisor Runion expressed his and the Town Board's sincere appreciation to Madison for her contribution.

Chief Lawlor also noted that the Police Department's National Night Out, which is held to foster anti-crime and anti-drug awareness, was recognized by Target and given a \$1,000.00 Award of Excellence Grant.

She went on to state that this event is funded almost entirely by donations from the community. The Police Department and Town employees all work together to make this a successful yearly event.

**PUBLIC COMMENT PERIOD - None**

**PUBLIC HEARINGS:**

**7:30 PM – Request for a change of zoning from Industrial (I) to Rural Agricultural 3 (RA3) for premises located at 5803 Ostrander Road.**

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

Notice is hereby given that a Public Hearing has been scheduled for December 4<sup>th</sup>, 2012 at **7:30 PM** at the Guilderland Town Hall, Rte. 20 Guilderland, N.Y. at the request of Michael Dura on a proposed Local Law for re-zone of a property located at 5803 Ostrander Road, Altamont, N.Y., 12009, tax map # 50.00-2-22.11 from Industrial (I) to Rural Agricultural (RA3)

All those wishing to be heard will be heard.

DATED: November 8<sup>th</sup>, 2012

BY ORDER OF THE TOWN BOARD OF THE TOWN OF GUILDERLAND.

ROSEMARY CENTI, RMC  
TOWN CLERK

Mr. Jonathan Blanchard, representing Michael Dura, applicant, answered questions regarding the re-zone.

**MOTION #172** Councilwoman Slavick moved to **CLOSE THE PUBLIC HEARING ON A REZONE REQUEST FOR A CHANGE OF ZONE FROM INDUSTRIAL (I) TO RURAL AGRICULTURAL 3 (RA3) FOR PREMISES LOCATED AT 5803 OSTRANDER ROAD.** 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 #173** Councilwoman Slavick moved to **ADOPT THE SEQRA DECLARATION WHICH STATES THAT THE REZONE OF PREMISES LOCATED AT 5803 OSTRANDER ROAD FROM INDUSTRIAL (I) TO RURAL AGRICULTURAL 3 (RA 3) WOULD NOT HAVE A NEGATIVE EFFECT ON THE ENVIRONMENT.** 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 #174** Councilman Forte moved to **ADOPT LOCAL LAW #5 OF 2012 REGARDING A ZONING CHANGE AT 5803 OSTRANDER ROAD FROM INDUSTRIAL (I) TO RURAL AGRICULTURAL 3 (RA3).** 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 #175** Councilwoman Slavick moved to **SET JANUARY 1, 2013 AT 11:00 AM FOR THE 2013 ORGANIZATIONAL MEETING.** 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

Item #1 on the agenda concerned setting a public hearing on a request for the Town to grant an easement over a paper street known as Sheffield Avenue.

Mr. Scott Olsen, Empire Avenue, expressed his misgivings regarding the easement, questioning the legality of it.

Supervisor Runion noted that the original subdivision plans had been amended and stated that the applicant WAS only seeking to build one home.

Further discussion would be held at the public hearing.

**MOTION #176** Councilwoman Slavick moved to **SET A PUBLIC HEARING ON A REQUEST FOR THE TOWN TO GRANT AN EASEMENT OVER A PAPER STREET KNOWN AS SHEFFIELD AVENUE ON JANUARY 15<sup>TH</sup>, 2013 AT 7:30 PM.** 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 #177** Councilwoman Slavick moved to **AWARD THE BID FOR THE SUPPLY, INSTALLATION AND INTEGRATION OF TEN ACE SCADA UNITS AT VARIOUS LOCATIONS IN THE AMOUNT OF \$59,780.00 WITHIN THE SEWER DISTRICT AT THE REQUEST OF THE DEPARTMENT OF WATER AND WASTEWATER MANAGEMENT TO GENERAL CONTROLS, SOLE BIDDER.**

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 #178** Councilman Maikels moved to **AUTHORIZE THE SUPERVISOR TO SIGN A COLLECTOR'S WARRANT FOR THE GUILDERLAND WATER DISTRICT IN THE AMOUNT OF \$494,411.96.** 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 #179** Councilman Forte moved to **APPROVE TRANSFERS AS SUBMITTED BY TOWN COMPTROLLER, JEAN STERLING.** Councilwoman Slavick 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 #180** Councilman Pastore moved to **AUTHORIZE THE SUPERVISOR TO CANCEL THE DECEMBER 18<sup>TH</sup>, 2012 TOWN BOARD MEETING IF NOT NECESSARY.** 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 #181** Councilman Maikels moved to **ENTER INTO EXECUTIVE SESSION AT 7:58 PM TO DISCUSS A TAX LITIGATION MATTER.** Councilwoman Slavick 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 #182** Councilman Forte moved to **AUTHORIZE THE SETTLEMENT OF A TAX CERTIORARI PROCEEDING FOR 2007-2012 FOR THE FOLLOWING:**

**1991 WESTERN AVENUE - \$1,025,900.00 TO \$840,000.00**

**1480 WESTERN AVENUE - \$1,112,400.00 TO \$956,000.00**

Councilwoman Slavick 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 #183** Councilman Pastore moved to **EXIT EXECUTIVE SESSION AT 8:28 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

**MOTION #184** Councilman Pastore moved to **AUTHORIZE THE REFUND OF AN OVERPAID PENALTY OF \$128.20 FOR 7 WORTHINGTON ROAD, SCHENECTADY, N.Y.** 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 #185** Councilwoman Slavick moved to **ADJOURN THE DECEMBER 4<sup>TH</sup>, 2012 TOWN BOARD MEETING AT 8:31 PM.** 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

**Respectfully submitted,**

**Rosemary Centi, RMC**