

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 7:30pm. The meeting was opened with the Pledge of Allegiance to the flag.

Supervisor Runion explained that we have special guests this evening. The Mayor of the Village of Altamont and the Village of Altamont Board of Trustees. The first item we have this evening is a Joint Public Hearing with the Village of Altamont concerning a request by Pangburn Farms LLC to annex territory from the Town of Guilderland to the Village of Altamont. At the conclusion of the hearing, we'll have a five-minute break so our guests can return to Altamont to continue their Village Board meeting. Then we will go back to our regular printed Town Board agenda. Supervisor Runion is recusing himself from participation in the hearing as well as the vote on the annexation. The Supervisor is asking Councilwoman Slavick to chair the meeting on behalf of the Town with respect to the Joint Public Hearing.

Mayor Gaughan said thank you for hosting us for this joint hearing. He, too, is recusing himself from the discussion and hearing and turning the meeting over to Trustee Kerry Dineen to work with Councilwoman Slavick on this meeting.

Councilwoman Slavick asked the Town Clerk for a reading of the Legal Notice. The Legal Notice was read.

Councilwoman Slavick read the Pangburn Farm, LLC Petition for the Annexation of Territory from the Town of Guilderland, County of Albany, State of New York to the Village of Altamont, County of Albany, State of New York and this is to the Town Board of Guilderland and the Village Board. Eleven items were included in the Petition. The Petition concludes this proposed annexation of the territory to the Village is in the overall public interest.

Councilwoman Slavick advised that this is a Public Hearing and anyone is welcome to speak. She asked that they state their name and address for the record.

Kate Provencher, 7 Thatcher Drive, Altamont, NY. As there hasn't been a presentation to the Village as to how they would benefit, she wanted to ask some questions. She understands the Village isn't making a decision this evening. Deputy Mayor Dineen explained the process according to New York State guidelines. SEQRA has to be completed by both municipalities. They are expecting additional information from the Superintendent of Public Works and some zoning questions need to be answered. As the Village does not have an August meeting, they will address it at the September 2, 2014 meeting. The October meeting would be past the 90 days that are allowed.

Ms. Provencher had additional questions about tax implications that were answered by Deputy Mayor Dineen. More information was requested on the cost of repairs to the road. Village Trustee Chris Marshall advised that the Superintendent advised the total cost of repairs could be approximately \$45,000.

Ms. Provencher questioned if the Design Standards for this project are similar to the Design Standards already in place in Altamont. Deputy Mayor Dineen reported that Michael Moore just received the report. Some of the Design Standards were incorporated into this subdivision. As they just arrived at the office, they haven't been fully reviewed yet. Deputy Mayor Dineen further explained they would have to do a different zoning classification to fit within their Comprehensive Plan. There have been some preliminary conversations with Nan Stolzenburg about ideas that would be applicable to this territory if it was incorporated.

Ms. Provencher inquired about sidewalks. Deputy Mayor Dineen advised that it wasn't part of their plan with the Town of Guilderland. Trustee Chris Marshall inquired if they could do a completely different zoning pattern than has been approved by the Town.

Village Attorney, Allyson Phillips, said we have a very unique situation that we have a project that has already gone through a process in the Town of Guilderland and has received final subdivision approval, so there are plans that have been approved and filed with the County Clerk's Office. So if we were to approve an annexation, the Village must make a consideration of what the proper zoning for that parcel should be. Zoning from the Town does not come with the Territory into the Village, essentially it's an unzoned parcel that the Village then must consider how to zone. That will all be part of the process for the Board's consideration of the overall benefits or detriments to the annexation. Does the approved plan fit in context with the surrounding parcels that are already in the Village that are compliant or non-compliant with the zoning specifications that are in place now? How does the approved subdivision fit within the zoning classifications that we already have in the Village? These are all considerations that the Board must pay attention to as to part of its overall analysis of whether or not the annexation is in the overall public benefit.

As far as the Design Standards that have already been approved for the subdivision by the Town of Guilderland but what the Village will consider is how that approved design will fit within its overall zoning scheme and the zoning classification we already have in Village law. That will be part of the overall consideration of whether the annexation is in the overall public interest and then a separate consideration for support must be made at some point as to what the proper zoning for that parcel should be. Then the Village would go through the local law adoption process with another Public Hearing.

Village Trustee Aylward said Bozenkill Road should be studied and find out who is going to do what and why, perhaps at the next meeting we could expound on that.

Norman Bauman, 208 Maple Avenue, expressed concern over the jurisdiction for emergency services, police, fire and ambulance. Trustee Marshall explained that the fire and ambulance would be the same and that only the police would be different. He had additional concerns if the prospective buyers were told if they'd be part of Altamont or Guilderland. Deputy Mayor Dineen advised that notifications of this Public Hearing were sent out by the Village Clerk to those who are currently planning on building in that territory.

Councilwoman Slavick wanted to address if the village would be taking over Bozenkill Road from Dunnsville Road to the Village line. Deputy Mayor Dineen advised that if the annexation is approved that would be their understanding. That is where the concern is now whereas the road hasn't been kept up, but the Village does understand that the road would be part of the annexation.

Trustee Marshall asked if any representatives from Pangburn Farms would be available for questions.

Troy Miller, 10 Indian Maiden Pass, introduced himself and his partner, George Slingerland. In response to Trustee Marshall's question to Mr. Miller, he responded that personally he wants to be in the village as he has been his whole life. He feels that the line should include both sides of the road and the services are provided by Altamont. He confirmed for Trustee Marshall that there are no other roads in the development. He additionally advised that they did budget some money for repairs to the road and there would be no further subdividing.

Councilman Forte asked for confirmation that the annexation only includes the ten lots along Pangburn. Mr. Slingerland confirmed that there are eleven parcels each with their own Tax Map I.D. including the 35-acre conservation preserve parcel, however, there are ten building lots. Village Trustee Whalen also confirmed that there is no further subdivision allowed due to the conservation easement.

Deputy Mayor Dineen shared her thoughts that this parcel fits in with the Village, that Altamont provides the water and sewer services, tax revenue will improve Altamont's condition and maybe the Town of Guilderland could help with patching the road.

Trustee Marshall commented that the road is a big concern and if the Town was planning on making some improvements in the near future it would be good if they could be made. Deputy Mayor Dineen would like to see continued consolidation with the Town and perhaps a solution could be found between the Developer and the Town and with C.H.I.P.S. funds.

Councilwoman Slavick advised that the Guilderland Town Board will vote at a subsequent meeting and the Village of Altamont board will have their vote at a future meeting. She asked for a motion to close the public hearing.

MOTION #107 Altamont Village Trustee Marshall moved to **CLOSE THE JOINT PUBLIC HEARING ON THE REQUEST OF PANGBURN FARM, LLC TO ANNEX TERRITORY FROM THE TOWN OF GUILDERLAND TO THE VILLAGE OF ALTAMONT.** Altamont Village Trustee Dineen 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

Trustee Whalen	Aye
Trustee Marshall	Aye
Trustee Aylward	Aye
Trustee Dineen	Aye

Councilwoman Slavick advised that there would be a five-minute break to rearrange the dias.

Supervisor Runion welcomed everyone back to the Town Board Meeting this evening. Roll call by Jean Cataldo, Town Clerk, showed the following to be present:

Councilman Forte
 Councilwoman Slavick
 Councilman Pastore
 Councilman Maikels
 Supervisor Runion

Also present: Attorney Melita

Supervisor Runion asked for a motion to accept the minutes of the June 3, 2014 and June 17, 2014 Town Board Meetings.

MOTION #108 Councilman Forte moved to **APPROVE THE MINUTES OF THE JUNE 3, 2014 AND JUNE 17, 2014 TOWN BOARD MEETINGS.** 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

PUBLIC COMMENT PERIOD: Cindy Wadach, 12 Woodlake Road – Requested suggestions for a new location in the Hamilton Union Church area for the Food Pantry. A space of at least 600 square feet on the ground level of a building would be ideal.

Supervisor Runion announced the Public Hearing regarding a Rezone Request by Armand Quadrini for Ashford Drive RO-40 to Multiple Residence (MR). The Legal Notice was read by the Town Clerk.

Supervisor Runion read into the record the May 30, 2014 advisory opinion from Town Planner, Jan Weston, and the June 19, 2014 Albany County Planning Board Notification.

Supervisor Runion invited Mr. Quadrini to explain his request. Mr. Quadrini explained that his plan includes building 2 four-unit structures that look like single-family homes. There will be no entrance from Malpass or Kraus.

Jim Ryan, 41 Kraus Road, opposes the rezone as he feels it would significantly impact the character of the neighborhood and the value of the homes. He added that there are swamp areas already in the neighborhood and Mr. Quadrini has allowed illegal dumping of yard waste. Mr. Ryan bought his home 35 years ago knowing the area zoning was for single family homes and he said that Mr. Quadrini purchased the land zoned the same way and he should be required to live within the same limits. Mr. Ryan also spoke on behalf of Mary Spadaro who has lived in that neighborhood for 47 years and is opposed to the rezone as well.

Jami Cotler, 42 Kraus Road – 21-year Guilderland resident having purchased this house 5 years ago. She does have a swamp behind her house. She is opposed to the rezone because of water table concerns, concerns about fill and the quality of fill as well as traffic issues.

Kevin Berry, 38 Kraus Road – Has only lived here for a couple of months but was led to believe it would be forever wild behind his house. He heard of the possibility of a pedestrian walkway which could become a road. He's against the rezone, but respects Mr. Quadrini's right to build single family homes as it is important to preserve the neighborhood.

Billy Foster, 38 Malpass - 11-12 year resident; opposes the rezone due to water issues (sometimes up to his chest), dumping issues and more blacktop would cause more water problems. Sometimes his riding mover sinks into the ground.

Joseph Pierle, 37 Kraus Road – Purchased in this area because it is a quiet community to raise two daughters. He's concerned about the proposed footpath giving direct access to his neighborhood and that it could become a cut-through. Additional concerns were voiced about a space where two homes should be built with current zoning, we'd be fitting in eight families, their vehicles and all those associated with visiting.

Jim Cifarelli, 10 Malpass Road – He believes we have zoning laws for a reason. His neighborhood is very quiet and he feels this would have a negative impact on his neighborhood where his family has invested their future and he hopes that this parcel is kept for single family homes.

Gina Vichiconti, 38 Malpass Road – Against the rezone because her property was bought in an area of single family homes and she doesn't think it's fair to benefit one person when everyone else is impacted in a negative way. She doesn't want to see a bike path to allow easy access to the neighborhood and she doesn't want to see the apartments either.

Councilwoman Slavick asked Mr. Quadrini to address the parking. Mr. Quadrini advised there would only be access from Ashford Dr. He'd be happy to erect a fence around the perimeter. Each unit would have an attached garage, double depth. The building is a unique design so each driveway is private. He would be spending a lot more money to make it look like an upscale single-family home. Between the two buildings would be an area for guest parking, four spaces and additional space behind each garage.

Councilwoman Slavick also asked about the bike path. Mr. Quadrini replied that it's proposed, not already there. As the neighbors have voiced opposition to the bike path, there would be a fence there.

Supervisor Runion asked what had changed from the last time Mr. Quadrini was before the Board and the zone change was unanimously denied by the Board. Mr. Quadrini thought it was tabled. Mr. Ryan advised that there was a no show from Mr. Quadrini's side and a couple of people from the neighborhood spoke against it and it was assumed that he dropped the project so the Board voted it down at that time. Supervisor Runion added that the County has significant issues with water and drainage, a big environmental issue.

Councilman Pastore asked Mr. Quadrini if he was aware of the observations and conclusions of our Town Planner, Jan Weston, as earlier read by Supervisor Runion. Mr. Quadrini was satisfied with only the two multi-unit buildings with no further requests for multiple residence uses. He also was willing to do a multi-use pathway if the Town wants him to do it, otherwise, he could fence it in. Councilman Pastore asked how Mr. Quadrini could improve the storm water flow. Supervisor Runion interjected that water issues were not only brought up by the neighbors but also in Jan Weston's memo and more significantly by the Albany County Planning Board. The discussion there is that it will impact County Route 203. The storm water facilities in that area cannot handle anymore storm water drainage. If Mr. Quadrini wanted to develop the site he'd need to pipe the water somewhere and the proper place would not be County Route 203 as it may tip the balance.

Councilman Pastore asked why Mr. Quadrini wouldn't just do single-family homes. Mr. Quadrini shared that he could legally do seven homes but he's trying not to disturb five or six acres to remain forever green to minimize the impact on the neighbors.

Supervisor Runion added that about half of the seven acres is wetland and with the one acre lot size it might allow three homes. Supervisor Runion stated that the lot size has to be one-acre lots. Mr. Quadrini replied that he should be able to get six homes comfortably which would include keyhole lots.

Councilman Pastore added that Mr. Quadrini expressed a willingness to meet with the neighbors and asked if there is something he could do. Mr. Quadrini said he should have tried to reach neighbors after 7pm. Councilman Pastore thought, through further conversation with the neighbors, perhaps something could be discovered or discussed that could help the neighbors in the future.

Mr. Foster commented that the 21” pipe buried under Johnston Road is crushed and full of dirt.

In response to a question from a gentleman in attendance about the Town Planner’s notes guaranteeing that other parts of the parcel would remain single family zoning, Supervisor Runion clarified what she was looking for was some sort of a covenant that would say that there would be no further development on the remainder of the land. That would be a guarantee because it would be filed with the County Clerk’s Office.

Mr. Ryan spoke that he has a very large sewer in front of his house which catches the water coming down Kraus and his neighbor, Mary, has a very large sewer in front of her house catching the water from Malpass. Nothing in his neighborhood has changed since they moved in. What has changed is that Mr. Ryan used to walk his dogs in an area that was bone dry then about 20 years ago, it became a swamp. Mr. Ryan feels that the neighbors have spoken tonight unanimously against the rezone.

Supervisor Runion asked for a motion to close the Public Hearing.

MOTION #109 Councilwoman Slavick moved to **CLOSE THE PUBLIC HEARING**. 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 has a short environmental assessment form. There has been a lot of testimony that there are significant storm drainage issues with the property. Supervisor Runion asked for a motion that based on the recommendation of the Town Planner, the Albany County Planning Board and the testimony of the residents that there is an environmental issue particularly storm drainage and water, wetland issues that would have a significant effect on the environment if there was a rezoning request.

MOTION #110 Councilman Maikels moved the motion that **BASED ON THE RECOMMENDATION OF THE TOWN PLANNER, THE ALBANY COUNTY PLANNING BOARD AND THE TESTIMONY OF THE RESIDENTS THAT THERE IS AN ENVIRONMENTAL ISSUE PARTICULARLY STORM DRAINAGE AND WATER, WETLAND ISSUES THAT WOULD HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT IF THERE WAS A REZONING**. 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 asked that the Town Board issue a motion denying the request for rezone.

MOTION #111 Councilman Maikels moved to **DENY THE REQUEST FOR REZONE**. Councilman Forte seconded the motion and it was carried by the following roll call vote:

Councilman Forte Aye

Councilwoman Slavick Aye - in favor because many of you residents came out tonight and spent an hour here telling us what you thought, that you're opposed to it. Your reasons including traffic, water and so forth.

Councilman Pastore Aye - in favor; He

suggests that the developer still meet with the neighbors. There may be an opportunity in the future to make another request to the Town Board, that request can certainly be denied again as the one has been in the past. If your continued endeavor is to develop the property as you have a right to do, but within the confines of the existing zone, there might be an opportunity to help the condition of the property and the welfare and well being of the neighbors and that's what we all look forward to. I think you've acquitted yourself well before this Board and the Planning Board. I think there are concerns that have been raised by the neighbors that should be looked into. I think that you're a conscientious and forward-looking individual and that you could assist in this whole review process so that it is a win/win situation.

Councilman Maikels Aye

Supervisor Runion Aye – in favor, recalls the

Public Hearing 5-10 years ago and there were significant issues of storm drainage at that point in time and nothing has changed with respect to the storm drainage as we've had testimony of crushed pipes, fill being put into the wetland areas, we have the opinion of our Town Planner that the wetlands have not been properly delineated and we also have an advisory from the Albany County Planning Board that any type of storm drainage which would leave this site and enter into the County Route 203 storm drainage system could tip the balance and cause that storm drainage system to fail. So based on all of that testimony and the evidence that we have before us this evening, I just don't think it would be proper for the Town Board to rezone this property.

Supervisor Runion thanked all of the residents that came out tonight.

Supervisor Runion announced the Rezone request for Cumberland Farms – 2444 Western Avenue from Local Business to General Business which is a continuation of the Public Hearing held June 3, 2014.

Stefanie Bitter, Local Counsel for Cumberland Farms, gave a synopsis of what they did over the last month. They are seeking a rezone of 2444 Western Avenue from LB to GB for the purpose of constructing a Cumberland Farms with the supporting fueling station.

At the Planning Board's June 12, 2014 meeting, they did finalize the boundary line adjustment to have the concept of the 1.35 acre lot that they are proposing to rezone finalized and have the lot immediately adjacent to it separated. This is one action that the Planning Board did take. The second action was to review the recommendation. They are very much interested in hearing DOT's response to their review of the traffic study as well as Cumberland Farms proposed site plan. DOT has been very accommodating; they did respond to the request on June 23 in identifying a couple of comments and concerns relative to the site plan. They were able to meet with the Planning Board on June 25, but there are still some open discussion items. In response to Mark Kennedy's June 23 DOT letter, they did modify the site plan and are identifying on Route 146 there will be only one access immediately across from the Stewart's access. The DOT letter left open for discussion the Western Avenue access point. Due to the fact that they've been extremely accommodating, we are meeting with DOT's Kevin Novak tomorrow at 9:00 am here at Town Hall with Jan Weston to hopefully try and identify how the new Western Avenue access will operate. The Planning Board at its June 25 meeting did emphasize that in order to finalize their recommendation they are really looking for that direction from DOT. They also asked for a sketch of how the immediately adjacent parcel will work together with the shared access which we are working on supplying to them.

Stefanie understands that the action she is seeking from the Board this evening is just simply to commence the SEQRA process to classify the action to identify the Town Board as Lead Agent also because DOT is looking for that direction so that they can actively participate in this application.

Supervisor Runion responded just a couple of other issues to make you aware of so that when you are looking at this site plan you'll take them into consideration. The site plan that you submitted, the revised site plan with the single access, doesn't really meet the Town's zoning requirements. It would require a number of variances in order to be approved, some of them pretty significant. It looks to him that you've got designated on the site plan 32 parking spaces and our zoning law for a convenience store plus gasoline service would require in excess of 46 parking spaces. Stefanie responded that is one of the items the Planning Board did bring up for discussion; the parking for the adjacent lot if it was to be shared, as well as numbers/statistical analysis from Cumberland Farms as to why they thought that the site plan with those supporting parking lots would support the store from their experience.

Supervisor Runion continued that the building location is a 75 foot setback and buffer required from the rear lot line and it looks like the building is about 60 feet from the rear lot line so it would be in the setback and buffer and also the drive aisle is showing in the buffer as well and setback area. So those may be a couple of things you may want to take a look at.

The Supervisor then confirmed that they are looking for us to declare that the Town Board is the Lead Agent. The Supervisor confirmed that the Town Attorney has been working on that. The Town Attorney would like the Supervisor to make the motion to act as Lead Agent. It's just to get the DOT process started with their attorneys and he

indicated that a lot of these DOT issues and other issues will have to be cleared up before the Town does any type of finding.

Supervisor Runion asked for a motion to declare the Town Board the Lead Agent for purposes of SEQRA with respect to the rezone request of Cumberland Farms, 2444 Western Avenue.

MOTION #112 Councilwoman Slavick moved the motion to **DECLARE THE TOWN BOARD THE LEAD AGENT FOR PURPOSES OF SEQRA WITH RESPECT TO THE REZONE REQUEST OF CUMBERLAND FARMS, 2444 WESTERN AVENUE.** 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

Stefanie confirmed that that the short form is sufficient due to being an unlisted action. Town Attorney Melita will touch base with Stefanie for the additional documents needed to provide the other agencies with proper notice.

Cindy Wadach, from the audience, asked Supervisor Runion to explain Lead Agent.

Supervisor Runion explained for the environmental review process a Board that is issuing some sort of decision or permit needs to have a Lead Agent. There is a coordinated review because there would be multiple agencies that would be issuing permits. One board has to take the lead for the environmental review as that would be the Town Board as they would be the first to act on the application. The multiple Boards would be DOT issuing permits for the curb cuts, the Zoning Board of Review would issue a special use permit and the Town Board would be looking at the rezoning request so it's a coordinated review.

Supervisor Runion announced the 8:00PM Guilderland Water District Extension No. 82 Public Hearing. The Town Clerk read the Legal Notice.

Angelo Serafini, 2022 Philomena Drive – He's a resident in the Town of Guilderland and a property owner in the West Lydius area. He supports the water district extension in that area and as the district is going by his property to the south and north he'd like to be included. He believes it was an oversight that he was not included. He discussed the situation with the Water Superintendent who saw no reason why he shouldn't be included.

Jack McDonald, Project Engineer with McDonald Engineering, gave some history of this project. The subdivision was approved in the mid 90's, with water and sewer. Legal

issues were finally resolved. Sewer has been installed. There's eight proposed houses in the subdivision and twelve lots across the street. As required by the Town, they are going to bring water services to the houses across the street at no cost to them. A 12" main is going to be installed with no cost to them. Mr. Serafini's parcel was not included because it a very large vacant parcel with a proposed subdivision. They are only servicing the existing homes that have frontage on the main.

Mr. McDonald would expect Mr. Serafini to have his own extension at some point. It would require roads, water mains and sewer lines. He added that they could do a one inch service to the 60 foot frontage across the street if it's going to be a single family home.

Supervisor Runion asked if a "T" could be put in at the 60 foot right-of-way instead of a one inch service. Mr. McDonald said they could but it would be the cost of valves and an eight inch line which would be pretty expensive. They could work with Mr. Serafini.

Mr. Serafini added he is not asking for a subdivision to be approved. He's just asking that if he builds one home back there they would be in the district and allowed to use the water. He's not asking them to expend any money, just asking that his parcel be identified as the neighbors are identified and be treated as the neighbors are being treated. Mr. Serafini added that other parcels drain through his parcel. He stated that it won't cost anyone a dime.

Supervisor Runion commented that Mr. McDonald believes to amend the legal description to include Mr. Serafini's parcel would delay Mr. McDonald's water district due to needing another public hearing. Mr. Serafini sees no reason why he shouldn't be included to amend the application by a motion. It's a question of fairness. He supports that the other parcels are being developed.

Mr. McDonald said that this is a unique situation. He believes Mr. Serafini's parcel can be added into the legal description and they'll put in the one-inch service. Mr. Serafini will have to pay the debt service to the parent district. The resolution will need to be amended to include Lands of Larapa, SBL # 14.00-3-27. It doesn't need any other approvals as it's internal.

Supervisor Runion stated first we need a resolution on the SEQRA determination, it's an unlisted action and we have a resolution as prepared by Counsel. Can we have motion to approve that action.

MOTION #113 Councilman Forte moved the motion to **ACCEPT THE RESOLUTION ON THE SEQRA DETERMINATION AS AN UNLISTED ACTION AS PREPARED BY COUNSEL.** 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

Supervisor Runion stated we need a resolution approving Water District Extension No. 82 pursuant to Article 12A of the State of New York with the legal description as amended.

MOTION #114 Councilman Pastore moved the motion to APPROVE WATER DISTRICT EXTENSION NO. 82 PURSUANT TO ARTICLE 12A OF THE STATE OF NEW YORK WITH THE LEGAL DESCRIPTION AS AMENDED.

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 #115 Councilman Forte moved to APPROVE PRIVATE LANE REQUEST FOR PROPERTY LOCATED AT 2901 FURBECK ROAD TO RICARD LANE.

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 #116 Councilwoman Slavick moved to AUTHORIZE THE DEPARTMENT OF WATER AND WASTEWATER MANAGEMENT TO AUCTION SURPLUS EQUIPMENT. 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 explained the tabled item regarding the purchase of a forklift for the Guilderland Transfer Station from the last Board Meeting was so they could look through their budget and find the money to pay for it. They've identified the three budget lines from which we will have a transfer in a subsequent agenda item.

MOTION #117 Councilman Forte moved to **AUTHORIZE THE PURCHASE OF A FORKLIFT FOR THE GUILDERLAND TRANSFER STATION.** 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

Supervisor Runion requested they move the Transfers from Agenda Item #5 to #4 and approve the transfers for the purchase of the forklift.

MOTION #118 Councilman Forte moved to **AUTHORIZE THE TRANSFERS TO PAY FOR THE FORKLIFT FOR THE GUILDERLAND TRANSFER STATION.** 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

Supervisor Runion explained that each year we're required by the Office of Court Administration for the Town Comptroller's Office to conduct an audit of the Town Justices books and records. It was done and completed and the Town Comptroller's Office has issued an audit report of their audit finding and recommendations. Part of the process is for us to consider accepting those findings and recommendations.

MOTION #119 Councilwoman Slavick moved to **ACCEPT AUDIT FINDINGS AND RECOMMENDATIONS OF TOWN COMPTROLLER'S OFFICE IN REGARD TO TOWN OF GUILDERLAND JUSTICE COURT.** 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 #120 Councilman Pastore moved to **APPROVE THE RELEASE OF ESCROW FUNDS IN THE AMOUNT OF \$5,089.02 FROM THE TWENTY WEST SUBDIVISION PER MEMORANDUM OF TOWN DESIGNATED ENGINEER.** 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

Supervisor Runion explained he has one additional item that came in late this afternoon which is a fee waiver request from the Building Department due to some damage sustained by fire 9 Denny Road, Guilderland, NY.

MOTION #121 Councilman Maikels moved to **APPROVED WAIVING BUILDING PERMIT FEES AT 9 DENNY ROAD DUE TO FIRE DAMAGE**. Councilman

Pastore 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 advised the Board that in case they didn't read it in this morning's paper that the Court of Appeals sided with the towns that zoning can be used to control hydrofracking. We had passed the ordinance based on the Appellate Division decision that use of zoning powers was the proper way to control hydrofracking.

The next Board Meeting is August 19. We take a summer recess for Board members who have vacations or other plans for the summer.

MOTION #122 Councilwoman Slavick moved to **ADJOURN THE JULY 1, 2014 TOWN BOARD MEETING AT 9:55 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,

Jean J. Cataldo
Town Clerk