

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 7:35pm. The meeting was opened with the Pledge of Allegiance to the flag. 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: James Melita, Town Attorney

Supervisor Runion welcomed everyone to the evening's meeting and asked for a motion accepting the minutes of the August 19, 2014 Town Board meeting.

MOTION #135 Councilman Forte moved to **APPROVE THE MINUTES OF THE AUGUST 19, 2014 TOWN BOARD MEETING.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

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

PUBLIC COMMENT PERIOD: No Public Comment

Agenda Item 1: Supervisor Runion explained currently the speed limit is 45mph on Depot Road. The intersection of School Road and Depot Road is problematic. The County Engineer indicated that a reasonable speed would be 35mph and also indicated that the Town Board can establish the speed limit on County roads. The County plans on installing some additional signage.

MOTION #136 Councilman Forte moved to **APPROVE ESTABLISHING SPEED LIMIT OF 35 MPH ON DEPOT ROAD FROM ITS INTERSECTION WITH NYS ROUTE 146 TO THE OLD ENTRANCE TO THE NORTHEAST INDUSTRIAL PARK.**

Councilman Maikels seconded the motion and it was carried by the following roll call vote:

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

Agenda Item 2: Supervisor Runion explained that the Town has several agreements with the Town of Princetown. All fees will be paid by the party requesting water. If their water bill isn't paid, then it would become a lien and appear on their Property Tax bill.

MOTION #137 Councilman Forte moved to **APPROVE AUTHORIZING SUPERVISOR TO SIGN AN AGREEMENT WITH PRINCETOWN WATER DISTRICT NO. 1 FOR THE EXTENSION OF WATER TO 7181 DUNNSVILLE ROAD IN THE TOWN OF GUILDERLAND CURRENTLY OWNED BY LOWELL CARSON D/B/A DOUBLE L RANCH.** 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

Agenda Item 3: Captain Curtis Cox, Chair of the Traffic Safety Committee, submitted a memo to the Supervisor regarding the Stop sign on Springfield Drive. As Springfield Drive was to be a through road, a house was built across from the sign and, therefore, it no longer is necessary to have the Stop sign.

MOTION #138 Councilwoman Slavick moved to **APPROVE REMOVING THE STOP SIGN AT SPRINGFIELD DRIVE AT UPPER WEDGEWOOD LANE AS REQUESTED BY THE TRAFFIC SAFETY COMMITTEE.** 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 Item 4: Captain Curtis Cox, Chair of the Traffic Safety Committee, submitted a memo to the Supervisor regarding parking issues in the neighborhood of the Dunkin Donuts on Old Carman Road.

MOTION #139 Councilwoman Slavick moved to **APPROVE INSTALLATION OF RESTRICTED PARKING SIGNS AS RECOMMENDED BY THE TRAFFIC SAFETY COMMITTEE AS FOLLOWS:**

- A. OLD CARMAN ROAD IN ITS ENTIRETY, NO PARKING ON BOTH SIDES OF THE ROAD FROM 6AM UNTIL 2PM MONDAY THROUGH SUNDAY.**
- B. WAYTO ROAD FROM STATE ROUTE 146 TO APPROXIMATELY 415 FEET IN FROM THE INTERSECTION OF STATE ROUTE 146, NO PARKING ON BOTH SIDES OF THE ROAD FROM 6AM UNTIL 2PM MONDAY THROUGH SUNDAY.**

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

Agenda Item 5: Town Assessor, Karen VanWagenen, submitted a memo to the Supervisor at the request of Jodi Novak Wey and Aaron Wey to change the name of Danvers Road Rear, a private road, to Solana Lane or Hummingbird Lane.

MOTION #140 Councilman Forte moved to **APPROVE THE REQUEST FOR A PRIVATE LANE FOR PROPERTY CURRENTLY ADDRESSED AS DANVERS ROAD REAR TO SOLANA 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

Agenda Item 6: Attorney Edward Grogan, III presented on behalf of property owner Joan Audi for a change in zoning for the parcel currently occupied by Pizza Hut on Western Avenue to allow for a new tenant, Auto Zone.

MOTION #141 Councilman Forte moved to **SET A PUBLIC HEARING FOR OCTOBER 7, 2014 AT 8:00PM TO CONSIDER AMENDING THE ZONING LAW TO PERMIT BY SPECIAL USE PERMIT AUTO ACCESSORIES AND PARTS (EXCLUDING REPAIR) IN A LOCAL BUSINESS ZONE PROVIDED THE BUILDING DOES NOT EXCEED 7,500 SQ. FT.** 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 Town Attorney, James Melita, that a Public Hearing was set for October 7, 2014 to amend the zoning law to permit an auto accessories and parts store (excluding repairs) providing the building does not exceed 7,500 Sq. Ft. in area in a Local Business zone and he will need to draft the Local Law and send it to the Town Board members.

Agenda Item 7: Supervisor Runion advised that we authorized the purchase of a new Senior van as the other one was totalled in an accident; a transfer is needed for Recreation Supplies and a transfer is needed for payment of Basic Emergency Ambulance Service from the Western Turnpike Rescue Squad contract.

MOTION #142 Councilman Forte moved to **APPROVE TRANSFERS AS REQUESTED BY TOWN COMPTROLLER.** 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

Agenda Item 8: Supervisor Runion advised that the Town Board has a copy of the plan for the Section 8 Housing Choice Voucher Program and the Board needs to set a Public Hearing. Supervisor Runion suggested November 6, 2014 at 8:00pm. Councilman Forte questioned the timing as noted in Mr. Mastrianni's letter to the Supervisor requesting a hearing before October 18. Supervisor Runion advised that he discussed the 45-days advance notice with Mr. Mastrianni and he is fine with a Public Hearing date in early November.

MOTION #143 Councilman Forte moved to **SET A PUBLIC HEARING ON NOVEMBER 6, 2014 AT 8:00PM FOR TOWN OF GUILDERLAND SECTION 8 HOUSING CHOICE VOUCHER PROGRAM FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2015.** 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

Agenda Item 9: Supervisor Runion explained there are vacancies on the Traffic Safety Committee, one resulting from a member being appointed to another Board and a retirement. Councilwoman Slavick thanked Jerry Houser for his 14 years of service on the Traffic Safety Committee.

MOTION #144 Councilwoman Slavick moved to **APPROVE APPOINTING LAURA BARRY TO THE TRAFFIC SAFETY COMMITTEE.** 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 Item 10: Supervisor Runion explained that a \$30,000 escrow is in accordance with the recommendations of Delaware Engineering per their letter of August 28, 2014.

MOTION #145 Councilman Forte moved to **CONSIDER ACCEPTING DEDICATION OF REMAINING PORTION OF LANDBRIDGE DRIVE (APPROX. 800 FEET) WITHIN TWENTY WEST SUBDIVISION SUBJECT TO AN ESCROW OF \$30,000 FOR REMAINING ITEMS TO BE COMPLETED BY DEVELOPER.** 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

Agenda Item 11: Supervisor Runion recused himself from this item on the agenda regarding the petition by Pangburn Farm, LLC and the Preserve at Bozenkill Creek Homeowner's Association, Inc., for the annexation of approximately 52 acres of land on Bozenkill Road

from the Town of Guilderland to the Village of Altamont. He turned the meeting over to Councilwoman Slavick.

Councilwoman Slavick gave a recap of the last meeting regarding the annexation. Altamont Village Deputy Mayor Kerry Dineen came up to the podium to share the decision of the Village Board earlier in the evening. She advised they passed the revised resolution. She explained that there are two separate action items, the transfer of the road and the conservation easement. Town Attorney, James Melita, and the Town Board has been provided a copy of the Village’s resolution. The Town’s Resolution has mirrored language. In agreement with the Village Attorney, Michael Moore and Attorney Melita they will pursue a QuitClaim Deed for the transfer of Bozenkill Road. Councilwoman Slavick wanted assurance that everything is spelled out in the QuitClaim deed and that the Developer would be paying for repairs to the road. Councilman Pastore questioned if the Village has an agreement with the Developer as to what repairs and maintenance will be done with the road. Village Deputy Mayor Dineen replied that the Village has a Letter of Intent and a punchlist of things that the Developer is planning on addressing to get back to condition or better than condition the areas that need repair due to construction. Councilman Forte asked if there was any expectation from the Village for any financial burden from the Town for that portion of the road. Ms. Dineen responded that once the transfer takes place they would work with the Developer to make the repairs.

Councilwoman Slavick wanted to put a timeline on the QuitClaim Deed. Attorney Melita will work with Village Counsel Moore to make it happen as quickly as possible. Councilwoman Slavick asked Attorney Melita what is the alternative if the QuitClaim Deed doesn’t work. Attorney Melita offered that he would pursue another legal means to transfer the property. It was agreed to further discuss the status of the QuitClaim Deed at the October 7, 2014 Town Board Meeting.

Councilwoman Slavick advised that before voting on the annexation, they had to vote on the SEQRA. She read that “there will be no significant adverse environmental impact based on the Annexation” as contained in the SEQRA Assessment Form.

MOTION #146 Councilman Maikels moved to **APPROVE ADOPTING THE SEQRA RESOLUTION IN REGARD TO THE PROPOSED ANNEXATION OF LAND ON BOZENKILL ROAD FROM THE TOWN OF GUILDERLAND TO THE VILLAGE OF ALTAMONT.** 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

MOTION #147 Councilman Forte moved to **ADOPT A PETITION BY PANGBURN FARM, LLC AND THE PRESERVE AT BOZENKILL CREEK HOMEOWNER’S ASSOCIATION, INC., FOR THE ANNEXATION OF APPROXIMATELY 52 ACRES OF LAND ON BOZENKILL ROAD FROM THE TOWN OF GUILDERLAND TO THE VILLAGE OF ALTAMONT.** Councilman Maikels seconded the motion and it was carried by the following roll call vote:

Councilman Forte	Aye – Councilman Forte explained that the road was a big hold-up for him especially the fact that there is no cost benefit for the Town to hold on to a road that goes through the middle of the Village and getting no cost return. He thinks
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that they've worked out those issues with the Village and there's a pretty cooperative agreement between the Village and Town Boards and, therefore, he is in favor of the annexation.

Councilwoman Slavick Aye – Councilwoman Slavick had the same concerns as Councilman Forte but she believes after all the discussion this evening they've come to a good resolution and she is confident that the attorneys will work together to draw up this document for the transfer of the road.

Councilman Pastore Aye – Councilman Pastore explained that the Town and Village have vast experience of working together, sharing of services and intermunicipality agreements and the like and have every confidence that this will proceed in the manner that we all deem fit.

Councilman Maikels Aye

Agenda Item 12: Supervisor Runion returned to the podium and advised that the Board will now retreat to the Supervisor's Conference Room for the budget meetings.

MOTION #148 Councilman Pastore moved to **ADJOURN THE SEPTEMBER 2, 2014 TOWN BOARD MEETING AT 10:20 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,

Jean J. Cataldo
Town Clerk