

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 7:38 pm. 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: Attorney Melita



Supervisor Runion welcomed everyone to the evening’s meeting and asked for a motion accepting the minutes of the June 16, 2015 Town Board meeting.

**MOTION #147** Councilman Pastore moved to **APPROVE THE MINUTES OF THE JUNE 16, 2015 TOWN BOARD MEETING**. 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, Albany, NY – Ms. Wadach shared the Town has three Food Pantries. One is at the Hamilton Union Church, another at St. Lucy’s Church in Altamont and the third is at St. Madeline Sophie’s Church on Carman Road. During the summer months, donations tend to be down so this is a reminder if you want to drop off some non-perishable food items, paper products or toiletry items they would be gratefully appreciated. Donations are also welcome.

Supervisor Runion thanked Cindy for the reminder.

Supervisor Runion announced the first item on the agenda tonight is a Public Hearing concerning an Order to Remedy New York State Building Code Violations in regard to One Gertrude Street. He asked for a reading of the Public Notice. The Town Clerk read the notice into the record.

Supervisor Runion advised before opening up the hearing for public comment that we received a memo from Jacqueline Siudy, Building Inspector, advising there have been some code violations at One Gertrude Street which is owned now or formerly by the estate of Amelia Burnash. Deficiencies from an inspection that was performed on May 15, 2015 indicate some alleged unsafe conditions within the structure. Those conditions were as follows:

Broken floor joists supported the living area. Walking above such joists resulted in a “spongy” feeling.

Sanitary sewage leaking in the basement.

Shifting of the entire structure on the foundation.

An unknown noxious odor in the kitchen.

A toilet collapsing into the bathroom floor.

Personal effects accumulated to a borderline hoarding condition.

The estate of the property owner has been cited by the Building Department with an Order to Remedy the violations. Apparently there has been no compliance, so the Building Department is asking for an Order by the Town Board to remedy the condition. If the property owner fails to do so, then the Town would be authorized to take remedial measures for the violations. Supervisor Runion will now open up the hearing for public comments. There being no comments, the Supervisor asked for a motion to close the public hearing.

**MOTION #148** Councilwoman Slavick moved to **CLOSE THE PUBLIC HEARING ON ONE GERTRUDE STREET**. 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 suggested that he'd like to give the property owner sixty (60) days to remedy the unsafe conditions or the Town Board would authorize remedial action to be taken. Councilman Pastore asked if there are residents there and Supervisor Runion said he doesn't think so. Councilman Pastore inquired of the Supervisor what it means that an inspection of the property was permitted by the residents and it is thought the owners were granted permission to see the property. Councilman Pastore further inquired about what remedial action would arise if the Town Board chooses to proceed with that order. Supervisor Runion advised the normal remedial action would be for the structure to be removed. Councilman Maikels inquired if we know if they paid the property taxes. The Supervisor did not know. Councilwoman Slavick commented that we would be requesting the property owner to remedy these bullet points and the Supervisor added that under the code they would either repair or demolish the building within the 60-day time period. Councilman Pastore asked if the owners are relatives of the deceased and the Supervisor advised that it is the estate of the deceased. Councilman Forte inquired if we know who is in charge of the estate and the Supervisor advised no. Supervisor Runion added the relatives have been contacted by the Building Department and speaking with them periodically about remedying the conditions and apparently no action has been taken so the

Building Department has asked us to issue an order. Councilman Pastore asked when would the Court be involved. Supervisor Runion advised that generally the Court is involved in zoning violations but they are not involved in a derelict building that is a health hazard and this would be deemed to be a health hazard/public safety hazard. Councilman Pastore asked if sixty days would be enough as his concern is if the building could be demolished within sixty days from the order. Supervisor Runion replied if the owner came in to say they were doing something about it then we could stay the order. Supervisor Runion chose sixty days because the next Board meeting is about 45 days from now. We could issue an order to remedy the condition and bring it back for a final order on or before the next Town Board meeting on August 18 and upon failure to take appropriate action the Town Board could issue a final order at that meeting to remove the building. Councilwoman Slavick inquired if the owners went beyond 60 days, the Supervisor added if they started to address the issue they normally would allow them to continue with the repairs. We are talking six weeks for the owners to take some type of corrective action. If there are no corrective actions within the six weeks we could issue a final order for another thirty days. We could perhaps get additional information for the Building Department on additional contact with the property owner(s). During the Supervisor's tenure as Supervisor he has seen several corrective actions. One being where there were abandoned tires and there were mosquitoes causing a health hazard and other types of vermin. Councilman Pastore inquired about the cost of the action and the Supervisor said the cost reverts back to the owner on the Property Tax bill.

**MOTION #149** Councilman Pastore moved to **APPROVE AN INITIAL ORDER FOR SOME EFFORTS TO BE MADE TO CURE THE DEFECTS AND ADDRESS THE ISSUES ON ONE GERTRUDE STREET PRIOR TO THE NEXT TOWN BOARD MEETING OF AUGUST 18, 2015 AND ON THAT DATE THE BOARD WILL RECONSIDER THE GRANTING OF A SECOND ORDER FOR FINAL REMEDIATION AND/OR DEMOLITION.** 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 #150** Councilman Pastore moved to **APPROVE THE PRIVATE LANE REQUEST OF SEVENTEEN HUNDRED CIRCLE FOR 1700 SOUTH PLANNED UNIT DEVELOPMENT.** 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 #2: This request is from the Highway Department to buy a New Holland Tractor to replace a 1980 John Deer Tractor that is no longer cost effective to repair. This unit is on State contract.

**MOTION #151** Councilman Forte moved to **AUTHORIZE THE TRANSFER OF FUNDS IN THE AMOUNT OF \$35,787 FROM HIGHWAY FUND BALANCE TO HIGHWAY CAPITAL OUTLAY FUND (DB5130.2000) FOR REPLACEMENT TRACTOR.**

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 #3: This item relates to the CHIPS Program funding we receive from the State of New York for maintenance of our Town roads. Portions of Old State Road West, Patrick Road, Rocco Drive and Vosburgh Road were not included in the Town's "All Roads List." By including these roads, we will receive additional CHIPS funding.

**MOTION #152** Councilwoman Slavick moved to **ADOPT RESOLUTION TO INCLUDE ROADS TO BE ADDED TO ALL ROADS LIST (LHI) AND MAINTAINED BY HIGHWAY DEPARTMENT FOR CHIPS PROGRAM PURSUANT TO LETTER DATED JUNE 15, 2015 FROM THE HIGHWAY SUPERINTENDENT.** 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: Our Network & Systems Technician, Jeff Gregory, has advised that we should become a member of the Center for Internet Security. There are no membership fees and this company would help with Internet Security and if there is a breach they take action to locate the breach and correct it.

**MOTION #153** Councilman Maikels moved to **AUTHORIZE THE TOWN TO BECOME A MEMBER OF THE CENTER FOR INTERNET SECURITY AND AUTHORIZE THE SUPERVISOR TO SIGN THE MEMBERSHIP AGREEMENT.** 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 #5: This item refers to the transfer of funds to pay for the Tawasentha Park Pedestrian Bridge.

**MOTION #154** Councilman Maikels moved to **AUTHORIZE THE TRANSFER OF FUNDS FROM THE PARK LAND ASSESSMENT FUND (TG-3004) TO PAY OUTSTANDING INTER-FUND BALANCE (V 14 DEBT SERVICE FUND) FOR TAWASENTHA PARK PEDESTRIAN BRIDGE (CAPITAL PROJECT H21) PURSUANT TO MEMO FROM TOWN COMPTROLLER'S OFFICE.** 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 #6: This item would allow the transfer of \$159,230.89 to the A General Fund.

**MOTION #155** Councilman Forte moved to **AUTHORIZE THE TRANSFER OF BALANCE IN V 14 DEBT SERVICE FUND TO THE A GENERAL FUND PURSUANT TO MEMO FROM TOWN COMPTROLLER'S OFFICE.** 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 #7: Each year the Office of Court Administration requires the Town Comptroller's Office to audit the accounts of the Town Justices. The reports from the Comptroller's Office for the period of January 1, 2014 to December 31, 2014 are for Judge Randall, Judge Sherwood and Judge Bailey. Councilman Pastore asked if each Judge has implemented the suggestions. The Supervisor advised it is up to each Justice to implement. Councilman Maikels added the errors were transposition and balance errors but no major systemic issues.

**MOTION #156** Councilman Maikels moved to **AUTHORIZE ACKNOWLEDGING AND APPROVING THE ANNUAL AUDITS OF TOWN JUSTICES (JUDGE JOHN W. BAILEY, JUDGE DENISE M. RANDALL, AND JUDGE RICHARD J. SHERWOOD) AS SUBMITTED BY TOWN COMPTROLLER'S OFFICE.** 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 #8: Supervisor Runion explained the low bid for the Town Hall roof replacement was \$195,327. Of the three bids the highest was \$214,600. Councilwoman Slavick asked for confirmation that this was just for the Town Hall piece not the Police Department side. Supervisor Runion confirmed it was and advised the roof has been in serious need of repair. The leaks are developing where the roof has been seamed.

**MOTION #157** Councilwoman Slavick moved to **ACCEPT AND AWARD BID FROM S & L ROOFING (LOW BIDDER) FOR TOWN HALL ROOF REPLACEMENT.** 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 #9: Supervisor Runion explained this next item is to consider the adoption of a SEQRA resolution in regard to capital project assistance funding through the New York State Dormitory Authority in the amount of \$175,000 for various capital projects which will be undertaken by the Town. Projects include the resurfacing of the tennis courts at Tawasentha Park and the gazebo at the McKownville Reservoir Park. There is also some money for additional improvements to the Schoolcraft House and a roof for the Crouse House. We need to declare the Town Board to be the Lead Agent and find that the projects which will be undertaken with proposed grant funding represent a Type II action under SEQRA which means there is no significant impact on the project with respect to the environment. Councilman Pastore noted that Item 11 needs to be answered. Supervisor Runion said the answer for #11 is No – not for the projects that are involved.

**MOTION #158** Councilman Pastore moved to **DECLARE THE TOWN BOARD AS THE LEAD AGENT IN REGARD TO CAPITAL PROJECT ASSISTANCE FUNDING THROUGH THE NEW YORK STATE DORMITORY AUTHORITY IN THE AMOUNT OF \$175,000 FOR VARIOUS CAPITAL PROJECTS TO BE UNDERTAKEN BY THE TOWN AND FIND THAT THE PROJECTS WITH PROPOSED GRANT FUNDING REPRESENT A TYPE II ACTION UNDER SEQRA.** 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 #10: Supervisor Runion explained this agenda item concerns the loss of the Pool House at Tawasentha Park two weeks ago. Fortunately, the swimming pool and pool pumping facilities for the pool were not damaged. The chlorinator and pump for the kiddie pool was

damaged and the kiddie pool closed. The pool was re-opened on July 3, and swimming lessons are in session. Supervisor Runion said we did incur some emergency purchases that I emailed the Town Board about, but I'd like the Town Board to ratify the purchases. We purchased a 12' x 28' Pool House Cabana Shed at a cost of \$10,900 and have rented a restroom trailer at a weekly fee of \$1,350 a week providing both male and female restrooms. He explained that some of the money will be recouped through our insurance proceeds. Councilman Pastore asked the cause of the fire. Supervisor Runion said it was an electrical fire causing a short and burned out some breakers in the panel box and caused the fire in the structure. The building was fully involved in fire at four in the morning and a trucker returning from the Northeast Industrial Park saw a glow in the park and called 911.

**MOTION #159** Councilman Pastore moved to **RATIFY AND APPROVE VARIOUS EMERGENCY PURCHASES MADE IN REGARD TO THE POOL HOUSE FIRE AT TAWASENTHA PARK (BATHROOM RENTAL AND POOL CABANA PURCHASE).**

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

Councilman Forte	Aye	
Councilwoman Slavick	Aye	
Councilman Pastore	Aye	- expressed thanks to the Pinehaven

Country Club for allowing the use of their pool in the interim

Councilman Maikels	Aye	- commended the response by the fire departments having kept the fire damage to just the one building and the follow-up by the Town to get the pool open was great
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Supervisor Runion	Aye	- added his thanks to various organizations that helped the Town during the disaster. Pinehaven Country Club and the YMCA offered the use of their pools for swimming lessons. SUNY Albany loaned us some of their pool equipment to help us out. We took advantage of these offers. A number of donations came from Mud Mania and other donors to help with the costs of the eventual reconstruction of the pool area. The fire departments did a tremendous job of limiting the fire to just the Pool House. No trees or grass fires occurred. No debris got into the pool. The Town Parks Department did a great job responding to this disaster. Quick action and a lot of hours were devoted to locating equipment and overseeing the job to get the pool back into use. They did a lot of notifying to advise people of the pool closing for a two-week period. He thanked the Town employees for stepping up to get everything restored to some sense of normalcy in a quick and expeditious manner.
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Agenda Item #11: Supervisor Runion advised our Police Department is requesting permission to auction the following surplus items: a Chevy Tahoe, a Jeep, a Kia Sedona, 3 cages from police vehicles, miscellaneous radio parts, miscellaneous vehicle MDT computer parts, 4 scales to weigh trucks and miscellaneous property items including electronics, jewelry, etc.

**MOTION #160** Councilwoman Slavick moved to **AUTHORIZE POLICE DEPARTMENT TO AUCTION SURPLUS VEHICLES AND ITEMS.** 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 advised this completes the regular agenda. The last item is to consider entering into Executive Session regarding union contract extensions with CSEA Unit A & B.

At this time, there is an extended break until August 18 for Board members to take vacations. The next meeting will be August 18 at 7:30pm. There are no Public Hearings scheduled for that evening. The Supervisor wished everyone a nice summer. He added that as the pool is open and normally for residents and non-residents, however, because of the limited facilities, reconstruction activity and for reasons of liability at this time, the use of the pool is limited to Town residents only for the rest of the summer.

**MOTION #161** Councilman Maikels moved to **ENTER INTO EXECUTIVE SESSION**. 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 #162** Councilman Maikels moved to **APPROVE A 2-YEAR CONTRACT EXTENSION FOR CSEA UNIT A AND UNIT B FOR A 2.50% SALARY INCREASE EACH YEAR AND THE TERM IS EXTENDED TO 2017**. 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 #163** Councilwoman Slavick moved to **EXIT EXECUTIVE SESSION at 8:44 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 #164** Councilman Forte moved to **ADJOURN THE JULY 7, 2015 TOWN BOARD MEETING AT 8:45 PM**. 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

**Respectfully submitted,**

**Jean J. Cataldo**  
**Town Clerk**