

The 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 7:32 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 Carman
- Councilwoman Slavick
- Councilman Pastore
- Councilwoman Centi
- Supervisor Barber

ALSO PRESENT: Attorney Melita

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Supervisor Barber welcomed everyone to this evening’s meeting and reminded those in attendance of the emergency exits to the right and the rear of the room. Additionally, he asked that cell phones and pagers be turned off. As the meeting is being broadcast live, sometimes there is an echo effect while the meeting is being recorded for accuracy of the minutes.

Supervisor Barber opened the meeting up for Public Comments. He asked if anyone has any comments on items on the agenda that they wait until that appropriate time. Absent of that, please step forward and give your name and address and we will welcome your comments.

PUBLIC COMMENT PERIOD: None

MOTION #47 Supervisor Barber moved to **APPROVE THE MINUTES OF THE FEBRUARY 2, 2016 TOWN BOARD MEETING.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

- | | |
|----------------------|-----|
| Councilman Carman | Aye |
| Councilwoman Slavick | Aye |
| Councilman Pastore | Aye |
| Councilwoman Centi | Aye |
| Supervisor Barber | Aye |

Supervisor Barber advised he will be moving up a couple of items and pairing them together, so we can start getting some people home early. Agenda item number 7 regarding the contracts for the Tawasentha Pool House and item number 15 which deals with potential interest in the Board approving some additional insurance policies related to the construction of the Pool House.

Supervisor Barber shared that he sees Ken Johnson from Delaware Engineering, Linda Cure, Greg Wier and John Decatur from Arthur J. Gallagher in the room who have been involved since Day One.

Ken Johnson of Delaware Engineering gave a brief overview of the bids for the Pool House. He confirmed for the Supervisor that he get three references on each of the successful bidders. The contracts total \$777,800. Construction should start by the end of this month.

Supervisor Barber added it was an open process and the bid documents were very clear. A number of upgrades are included to comply with code issues as we are replacing a 40-year-old pool.

MOTION #48 Supervisor Barber moved to **AWARD, AND AUTHORIZE THE SUPERVISOR TO SIGN, THREE CONTRACTS FOR THE CONSTRUCTION OF THE NEW TAWASENTHA PARK POOL BUILDING PER THE RECOMMENDATION OF DELAWARE ENGINEERING, INCLUDING:**

- (a) **M.A. SCHAFFER CONSTRUCTION, INC. FOR THE GENERAL CONSTRUCTION CONTRACT IN THE AMOUNT OF \$524,400.00.**
- (b) **LACORTE COMPANIES, INC. FOR THE ELECTRICAL CONTRACT IN THE AMOUNT OF \$111,800.00.**
- (c) **BPI PIPING, INC. FOR THE MECHANICAL**

CONTRACT IN THE AMOUNT OF \$141,600.00. Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Agenda matter #15: Supervisor Barber invited John Decatur to come up to the microphone to explain the merits of additional insurance during the five-month term to cover any construction or legal delays thereafter.

John Decatur advised the Builders Risk insurance was the responsibility of the Town in the case of a fire or vandalism. He added that you would want a Builders Risk on any project the Town is doing. Mr. Decatur answered questions from the Board including the insurance coverage will not start until the project actually starts. He continued that owners insurance is a separate policy to cover this building for the extent of the construction.

MOTION #49 Councilwoman Slavick moved to **AUTHORIZE THE SUPERVISOR TO SIGN INSURANCE POLICIES FOR BUILDERS RISK, GENERAL LIABILITY AND EXCESS (UMBRELLA LIABILITY) FOR A 5 MONTH TERM FOR THE CONSTRUCTION OF THE NEW TAWASENTHA PARK POOL BUILDING PER THE RECOMMENDATION OF THE TOWN'S INSURANCE BROKER.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye

Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Supervisor Barber shared that he would like to add another item to the agenda to designate Patricia Slavick to be the Designee to sign on his behalf during his upcoming vacation absence. If necessary, he would be able to sign using overnight mail. The goal here is to get the Pool House done for the upcoming season and every day could count.

In response to Councilman Pastore's question, Supervisor Barber clarified that Pat would be signing as the Acting Supervisor for the purpose of these documents.

MOTION #50 Supervisor Barber moved to **APPOINT COUNCILWOMAN PATRICIA SLAVICK TO SIGN CONTRACTS IN HIS UPCOMING ABSENCE FROM THE TOWN.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Agenda Matter #10: Supervisor Barber assumed the Board typically may not have seen this list in the past and explained these are just minor adjustments in a large part due to changes in the minimum wage. This is all within the 2016 budget. Linda Cure of Parks and Recreation answered questions from the Board.

MOTION #51 Councilman Pastore moved to **AUTHORIZE THE 2016 RECREATIONAL SEASONAL PAY RATES PER THE SCHEDULE PREPARED BY THE DEPARTMENT OF PARKS & RECREATION.**

Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Agenda Matter #11: Supervisor Barber asked Linda Cure, of Parks & Recreation to highlight the changes between 2015 and 2016. Linda reported the entrance fees to Tawasentha Park did not change except she requested 50% off the fee for Veterans. She continued they have not had a fee schedule for buses. It is proposed that 15 passenger buses be charged \$15.00 and \$30.00 for school buses outside the Guilderland Central School District. Non-resident pool fees will be slightly increased.

Supervisor Barber asked Linda to speak about the non-resident veteran. Linda explained, Mary Reinemann, (Booth Manager), would ask to see proof of Veteran status. Supervisor Barber confirmed there would be no pre-registering or passes for the Veterans.

Linda Cure continued the increase for the Junior Volunteer Counselor 2-week camper fee would increase from \$30.00 to \$50.00. These are the 14 and 15 year olds who help out the counselors during the camp session. They are still considered campers. Other fees are remaining the same.

Linda further shared we now have a Cabana and there would be a fee to rent it for a couple of hours. She elaborated about the Ballet Barn adding there will be a fee structure for several dance classes to be offered there. Additional information will be available on the Town website.

MOTION #52 Supervisor Barber moved to **AUTHORIZE THE 2016 PARKS & RECREATION FEE SCHEDULE PER THE RECOMMENDATION OF THE DEPARTMENT OF PARKS & RECREATION.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Agenda Matter #12: Supervisor Barber advised, Superintendent of Water and Waste Water Management, Tim McIntyre, has requested a raise in fee for residential and commercial sprinkler fees. This is for the hook-up and not an annual charge. It is part of an effort to gather fund from various sources to move forward with the Guilderland/Rotterdam Interconnect. Supervisor Barber stressed this is a one-time only fee. He continued that Tim checked other Towns comparing these new rates and they are substantially below rates in other Towns and these rates have not changed in quite some time.

Councilman Pastore asked if these increases could be achieved in steps. Supervisor Barber further explained he would like to defer to the Superintendent of Water and Wastewater. He continued this would be proactive. This is not an annual fee. Councilman Pastore respectfully disagreed explaining enforcement issues versus new homes being built which have not either benefitted or detrimented our current water supply with the sprinkler system, in his personal opinion is excessive in one year.

Supervisor Barber shared this memo is to deal with existing issues to move forward with the interconnect and enhance the pre-treatment of raw water. Additionally, he is dealing with the capacity and quality of the water.

MOTION #53 Supervisor Barber moved to **INCREASE THE SPRINKLER PERMIT FEES FROM \$50 TO \$150 FOR RESIDENTIAL PROPERTIES AND FROM \$100 TO \$300 FOR COMMERCIAL PROPERTIES PER THE RECOMMENDATION OF THE DEPARTMENT OF WATER &**

WASTEWATER MANAGEMENT. Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Opposed
Councilwoman Centi	Aye
Supervisor Barber	Aye - Supervisor Barber added that

Superintendent McIntyre does a very careful job developing his budget and he is trying to build a fund over time to provide quality water and capacity to Town residents. He is not going to second guess the decision making by the Water Superintendent.

MOTION #54 Supervisor Barber moved to **AUTHORIZE THE SUPERVISOR TO SIGN THE ANNUAL FIELD INTERNSHIP AFFILIATION AGREEMENT WITH THE SUNY COLLEGE OF AGRICULTURE & TECHNOLOGY AT COBLESKILL THAT ALLOWS STUDENTS TO PARTICIPATE IN FIELD CLINICAL ACTIVITIES WITH THE TOWN EMS.** Councilman Carman seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Agenda matter #2: Supervisor Barber advised the person to be appointed as Court Scheduling Liaison ranked number 1 on the Civil Service list.

MOTION #55 Councilwoman Centi moved to **APPOINT SHARON GROVES TO THE POSITION OF COURT SCHEDULING LIAISON PER THE RECOMMENDATION OF THE DIRECTOR OF HUMAN RESOURCES.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Agenda matter #3: Supervisor Barber advised we are building up, once again, to a seven member Board for the IDA. This would be the sixth member.

MOTION #56 Supervisor Barber moved to **APPOINT KEVIN R. HICKS AS MEMBER OF THE INDUSTRIAL DEVELOPMENT AGENCY FOR A**

TERM ENDING DECEMBER 31, 2016. Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Agenda Matter #4: Supervisor Barber asked Greg Wier, Superintendent of the Transfer Station, if we have dates yet for the Household Hazardous Waste Days. Greg shared the events will be held Saturday, May 14 and Saturday, September 17. There are two events each year. This is part of the DEC grant procedure. We have to spend the money before getting reimbursement. Councilwoman Slavick inquired about shredding. Greg advised there will be paper shredding at both events.

MOTION #57 Supervisor Barber moved to **ADOPT A RESOLUTION THAT AUTHORIZES THE SUPERVISOR TO SIGN AN APPLICATION WITH NEW YORK STATE FOR PARTICIPATION IN THE HOUSEHOLD HAZARDOUS WASTE STATE ASSISTANCE PROGRAM.** Councilwoman Centi seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Supervisor Barber also announced we are now accepting electronic disposal at the Transfer Station. Greg Wier shared we had a snag the end of 2015 having received an email from our vendor advising they could no longer service the Town of Guilderland. This was the same for other local Town. We stopped collecting the electronics until another vendor was secured. We are once again accepting the electronics at no charge to Town residents.

Agenda Matter #5 – Supervisor Barber advised there is no need to vote on this item it is more for your information. Every year the County Legislature adopts a resolution that exempts the City of Watervliet's water supply system from property taxes. There are three parcels identified in the Town of Guilderland.

Agenda Matter #6: Councilman Carman asked how can we better notify our residents about the Public Hearing as it is going to affect every landowner, every taxpayer. People need to know.

Supervisor Barber agreed with him. It's a good point, you're right. Every time we have a specific property, we put it in the paper and we go 750 feet out. We cannot send a card to every property owner. My belief would be we will have a Public Hearing and then we will continue it and continue to put notice out. Various iterations of this code have been on the Town website for several years. The Board did have a Public Hearing on a prior version about a year and a half ago. Councilwoman Slavick noted January 20, 2015. Supervisor Barber shared he has been

raising the issue wherever he can. Supervisor Barber acknowledged Linda Cure. She shared as she handles the Town website, she would be happy to put a Press Release out under News and Announcements. Additionally, Linda offered to get something out to the thousands of families in Town through the Guilderland Rec.com group. Supervisor Barber is in agreement as we want more people to take an interest in it. The Committee is very proud of what it did and thinks it's very progressive. It's fair to both residents and businesses and allows people to use their property as they deem appropriate, for the most part. Councilwoman Slavick suggested the Town Crier as well and Linda added the Guilderland Chamber.

MOTION #58 Supervisor Barber moved to **SCHEDULE A PUBLIC HEARING FOR MARCH 15, 2016 AT 8:00PM ON THE PROPOSED NEW ZONING AND LAND USE CODE.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Hearing.	Councilman Carman	Aye – He urges more than one Public
	Councilwoman Slavick	Aye
	Councilman Pastore	Aye
	Councilwoman Centi	Aye
	Supervisor Barber	Aye

Agenda Matter #8: Supervisor Barber explained this is a private entity that operates the sewer in and around Presidential Estates and Heritage Village. The Town collects the sewer fees and we remit part of it back to the private entity to operate their sewer facility.

Councilwoman Centi asked Supervisor Barber when the Town will be taking it over and he responded we probably will not take it over until the debt has been retired.

MOTION #59 Supervisor Barber moved to **AUTHORIZE THE RELEASE OF \$53,378 IN ESCROWED FUNDS TO STATE FARM UTILITY CORPORATION FOR THE OPERATIONS AND ADMINISTRATION OF THE STATE FARM SEWER AREA PER THE RECOMMENDATION OF THE TOWN'S FISCAL OFFICER.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Agenda Matter #9: This item is related to the previous item. We continue to retire the debt through payments to NBT Bank by releasing funds held in escrow for the State Farm Utility Corp. Again, the Town is collecting the sewer rates and on an annual basis we release money both for operating expenses and to further retire the existing debt.

MOTION #60 Supervisor Barber moved to **AUTHORIZE TWELVE MONTHLY PAYMENTS TOTALING \$92,799.84 FOR FIXED ANNUAL PRINCIPAL AND INTEREST TO NBT BANK FOR THE ANNUAL DEBT SERVICE ON NBT BANK'S LOAN TO THE STATE FARM UTILITY CORPORATION PER THE RECOMMENDATION OF THE TOWN'S FISCAL OFFICER.**

Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Agenda Matter #13: Supervisor Barber advised John Wemple, Chair of the Guilderland Conservation Advisory Council has submitted his report in detail regarding the activities of his Board over the 2015 year. Under the General Municipal Law the Board is to look it over and send it on to the DEC Commissioner. With thanks the Board agreed his reports are very detailed and exemplary.

MOTION #61 Councilman Pastore moved to **APPROVAL OF THE CONSERVATION ADVISORY COUNCIL'S ANNUAL REPORT FOR 2016 AND AUTHORIZING THE SUPERVISOR TO FILE IT WITH THE DEC COMMISSIONER.** Councilwoman Centi seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Supervisor Barber again thanked John Wemple and his entire Council who go out, in sometimes awful weather, to serve a very important function to provide detailed reports on environmental issues to both the Planning and Zoning Boards.

Agenda Matter #14: Supervisor Barber advised that the County of Albany is in the process of securing a grant for \$486,720. The purpose of the Storm Water Grant is to map the outflows for stormwater. He met with the Nancy Hudson, the Stormwater Coalition Manager for the County. He was joined by Steve Oliver, Ken D'Arpino of the Highway Department and SUNY officials. The Town will be participating in this project. Within the grant award it includes a contribution by the various municipalities. Our matching funds can be provided by our Town employees going out to help with this mapping effort. It is no funds per se, but it is devoting some of our employees.

MOTION #62 Councilman Carman moved to **ADOPT, AS A MEMBER OF THE STORMWATER COALITION, A RESOLUTION IN FAVOR OF A**

CONTRACT AWARD BETWEEN THE COUNTY OF ALBANY AND DEPARTMENT OF ENVIRONMENTAL CONSERVATION THAT WILL FUND THE MAPPING OF STORMWATER OUTFLOWS INCLUDING IN THE TOWN AND AUTHORIZE THE SUPERVISOR TO SIGN A DESIGNATION THAT COUNTY MAY ACT AS LEAD APPLICANT FOR THE CONTRACT AWARD PER THE REQUEST OF THE COUNTY'S STORMWATER PROGRAM COORDINATOR.

Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Supervisor Barber wanted to share his Monthly Updates before going into Executive Session:

McKownville fire ceremony: Supervisor Barber expressed his thanks and that of the Town Board as he recapped the February 25 ceremony that honored the eight members who performed heroic and life-saving measures as well as the members of the 15 agencies and departments in the Town of Guilderland, Town of Colonie and the University that played a collective role in saving lives. The ceremony was attended by well over a hundred people.

Active Shooter course: Town employees are being trained in this scenario if it were to happen at Town Hall or Town facilities. He encouraged the Town Board members to attend as there will be more training opportunities.

Association of Towns meeting: The sessions provided opportunities to learn about the budgeting and bargaining process as well as preparing for a Town audit.

Employee recognition: Neil Spawn was thanked for his efforts in acquiring a dilapidated bus not being used by the School District. The Town purchased it for \$800.00 and the Highway Garage did their magic with rebuilding the engine, reinforcing the vehicle, painting and decaling for about \$4,000. It's a beautiful looking vehicle and if we had to buy one today it would cost \$50, 60, 70,000. It is now on the road and has become a primary vehicle for Senior Services. The Supervisor encouraged the Board members to tour the Town departments, such as Highway and the Transfer Station. It's amazing what they do.

Policy Review: The Board should get in the habit of regularly reviewing policies to make sure they are up-to-date. There are a number of policies that are required by law, we have them in place, but should still be reviewed on an annual basis. There are some policies that are recommended, but not required, that we should be up to speed on.

New York State Comptroller's Office: We are still gathering information that they've requested but they have not made their site visit yet.

MOTION #63 Supervisor Barber moved to **ENTER INTO EXECUTIVE SESSION REGARDING: (A) SETTLEMENT OF A PENDING ADMINISTRATIVE EMPLOYEE PROCEEDING; AND (2) DEFENSE OF A PENDING TAX CERTIORARI PROCEEDING.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

MOTION #64 Supervisor Barber moved to **AUTHORIZE THE SUPERVISOR TO SIGN A MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF GUILDERLAND AND RICHARD SAVAGE AND HIS UNION.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

MOTION #65 Supervisor Barber moved to **ALLOW KAREN VANWAGENEN, THE TOWN ASSESSOR, TO SIGN AN AGREEMENT WITH PURTELL ASSOCIATES, REAL ESTATE APPRAISERS, FOR THE APPRAISAL OF PROPERTY LOCATED AT 1-3 LEXINGTON FIELDS LANE.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

MOTION #66 Councilwoman Slavick moved to **EXIT EXECUTIVE SESSION AT 9:08 PM.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

MOTION #67 Councilman Pastore moved to **ADJOURN THE MARCH 1, 2016 TOWN BOARD MEETING AT 9:10 PM.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Carman	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Respectfully submitted,

Jean J. Cataldo