

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 Jean Cataldo, Town Clerk, showed the following to be present:

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

ALSO PRESENT: Attorney Melita



Supervisor Barber welcomed everyone to this evening’s meeting and reminded those in attendance there should be no cell phone or pager activity due to the meetings being broadcasted and recorded for accuracy of the minutes. Additionally, he pointed out the emergency exits to the right and the rear of the room.

Supervisor Barber advised the first matter will be to take care of the Minutes as prepared by the Town Clerk. He added as Councilman Carman and Councilwoman Centi were not on the Board for the December 1, 2015 meeting, only those present would vote.

MOTION #30 Supervisor Barber moved to **APPROVE THE MINUTES OF THE DECEMBER 1, 2015 TOWN BOARD MEETING.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

- Councilwoman Slavick Aye
- Councilman Pastore Aye
- Supervisor Barber Aye

MOTION #31 Supervisor Barber moved to **APPROVE THE MINUTES OF THE JANUARY 5, 2016 TOWN BOARD MEETING.** 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

MOTION #32 Supervisor Barber moved to **APPROVE THE MINUTES OF THE JANUARY 19, 2016 TOWN BOARD MEETING.** 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

Supervisor Barber opened the meeting up for Public Comments, items that are not on the agenda.

PUBLIC COMMENT PERIOD: None

Presentation by Jonathan Falk of Virtual Town Hall Holdings, LLC of proposed new Town website.

Mr. Falk reviewed the new proposal for the Town’s website and the cost savings. He answered questions asked by Board members.

MOTION #33 Supervisor Barber moved to **AUTHORIZE THE SUPERVISOR TO SIGN A CONTRACT CONSISTENT WITH THE PROPOSAL BY VIRTUAL TOWN HALL HOLDINGS, LLC FOR UPGRADES TO THE TOWN WEBSITE.** 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 explained the leases are month-to-month tenancy located at the Golf Course or Community Gardens. The intent behind the leases is to have the obligations in writing and over the next several months they will be reviewed more carefully. Supervisor Barber confirmed that the tenants pay the utilities. Additionally, as most of the tenants are Town employees it is good to have an onsite presence in the evening and overnight hours.

MOTION #34 Supervisor Barber moved to **AUTHORIZE THE SUPERVISOR TO SIGN ANNUAL RESIDENTIAL LEASES PER THE RECOMMENDATION OF THE DEPARTMENT OF PARKS & RECREATION.** 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 #4: Supervisor Barber advised that Chief Court Clerk Eileen Dean resigned recently. He extended the Town’s thanks for her many years of service. He further explained this appointment is actually made by the Town Justices. The Board members have their memo of support for the appointment of Jennifer Stephens. Her resume is included as well.

MOTION #35 Supervisor Barber moved to **APPOINT JENNIFER STEPHENS TO THE POSITION OF CLERK TO THE JUSTICES PER THE RECOMMENDATION OF TOWN JUSTICES AND THE DIRECTOR OF HUMAN RESOURCES.** 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 #5: Supervisor Barber advised this appointment should have been made at the January 5, 2016 Organizational Meeting, however, through no fault of Vera's, the paperwork was not available.

MOTION #36 Councilman Pastore moved to **APPOINT VERA DORDICK AS MEMBER OF THE INDUSTRIAL DEVELOPMENT AGENCY FOR A TERM ENDING DECEMBER 31, 2016.** 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

Agenda Matter #6: Supervisor Barber invited Ken Johnson of Delaware Engineering to present regarding the SEQRA determinations for the West End Water District. Mr. Johnson answered questions asked by the Board regarding the advantages and the next steps.

MOTION #37 Supervisor Barber moved to **AUTHORIZE THE SUPERVISOR TO SIGN A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT THAT THE PROPOSED WEST END WATER DISTRICT EXTENSION ALONG ROUTE 158 WILL NOT HAVE A SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT PER THE RECOMMENDATION OF DELAWARE ENGINEERING, THE TOWN'S ENGINEER.** 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 #7: Supervisor Barber advised this is a request for the potential scheduling of a Public Hearing to Amend Local Law #3 of 2006 for the Mill Hollow development. This request involves two aspects, one to eliminate the 55 plus age restriction and the other to modify the requirement for the installation of sidewalks along Route 20.

Attorney Mary Beth Slevin presented. Attorney Slevin advised she is here on behalf of Mill Hollow II. She continued: this applicant is not the original applicant as the project was approved in 2006. The project commenced construction and substantially all the infrastructure is in place. The critical components for the Senior Center are completed. Two of the multiple buildings are complete as well.

Attorney Slevin stated that a lot has changed from 2006. The real estate market has had significant changes. The market for condominiums is significantly smaller than it was in 2006. The market for Senior housing 55 and older has substantially changed as well. More of these types of units have come onto the market over the years getting ahead of this project. This project will still be designed for Seniors. We are asking the Board for relief from the age restriction on the project and relief from the requirement to put sidewalks all the way down Route 20 to Hannaford. The original estimate for the sidewalks was approximately \$60,000. A recent estimate that our client received is over \$250,000 to do the same sidewalk without consideration of utilities that may be encountered that would increase that cost.

Ms. Slevin and her associate answered additional questions from the Town Board. Ms. Slevin shared if this request for relief from the two requirements is not granted, it would be a huge obstacle to move forward. She added that lenders are not interested in age restrictions.

Supervisor Barber advised if the Board decides to schedule a Public Hearing, the applicant would have to go before the Town Planning Board at least once and provide input. He would consider making the following Motion:

MOTION #38 Supervisor Barber moved to **SET A PUBLIC HEARING ON AN APPLICATION TO AMEND THE REZONE ENACTED BY LOCAL LAW #3 OF 2006 FOR THE MILL HOLLOW DEVELOPMENT AT 5060 WESTERN AVENUE BY ELIMINATING THE CONDITION WHICH IMPOSED A 55 YEAR AND OVER AGE REQUIREMENT AND AMENDING THE CONDITION WHICH REQUIRED A SIDEWALK ALONG ROUTE 20 FOR MARCH 15, 2016 AT 7:45PM.** 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

Agenda matter #8: Supervisor Barber provided background on the issue regarding the former Holt-Harris property in McKownville. He believes this is the first step in the process to protect the property. He shared that he had toured the site and attended at least two meetings regarding it. He prepared a Resolution, (attached), if the Town Board approves, outlining the Town's stand on this situation. If the Board agrees, it will allow him to take further steps to protect the residence.

Councilman Carman shared he spoke with the Supervisor before this evening's meeting and only has a concern about abdicating the responsibility to just one person, as we are a Board. He

continued that he is in favor of the Resolution and would not hold it up. Supervisor Barber advised he has limited authority, however, before any action he would advise the Town Board members.

Supervisor Barber advised the audience that typically there isn't public comment at this time, however, he would welcome it. Mr. Reeb approached the Board with a picture of the property.

Town resident, Don Reeb of 5 Norwood Street, read a statement into the record. (Comments attached to these minutes.)

Supervisor Barber asked Mr. Reeb when the picture was taken. His reply, 2010, I believe. Although it is not in perfect shape, he's seen houses not in perfect shape saved, but we don't want the residential quality of McKownville to be changed. We are very much in favor of the resolution because it let's them (SUNY) know that we are watching and are concerned.

Supervisor Barber added the Deputy Director of the University at Albany Foundation, Rick McGinn, has generally kept the Town informed of activities such as the cutting of trees. He wanted to thank him at least to the extent that he is able to share information, we were also able to get a copy of the title and deeds. We do have a line of communication available with UAlbany Foundation which it is important to be able to chat as anything could happen very quickly without us even knowing it.

Councilman Pastore complimented Supervisor Barber for taking such a strong, proactive step in the right direction. He further asked if there is anything else that can be done to remain proactive. Supervisor Barber responded there are other steps the Town could do, but I see this as a notice. There are other steps that could be far more aggressive, adversarial. The point of the Resolution was to send it out to our other elected representatives in the State Senate and Assembly. If there are others that should be notified, that is the purpose of the last paragraph. It is important to appear at the McKownville Improvement Association meetings and other gatherings of this nature to show the Town's support.

MOTION #39 Supervisor Barber moved to **ADOPT A TOWN BOARD RESOLUTION REGARDING THE FUTURE USE OF THE FORMER HOLT-HARRIS PROPERTY WHICH BORDERS NORWOOD STREET AND WAVERLY PLACE IN MCKOWNVILLE AND WAS RECENTLY PURCHASED BY THE UNIVERSITY AT ALBANY FOUNDATION.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

	Councilman Carman	Aye
	Councilwoman Slavick	Aye
	Councilman Pastore	Aye – added he enthusiastically supports
this Resolution		
	Councilwoman Centi	Aye
	Supervisor Barber	Aye

The audience applauded.

Agenda matter #9: Supervisor Barber advised it is required by law for the Town Board to authorize the bid process.

MOTION #40 Councilman Pastore moved to **APPROVE THE DEPARTMENT OF PARKS & RECREATION TO REQUEST BIDS FOR THE CONSTRUCTION OF THE NEW TAWASENTHA PARK POOL BUILDING.** Supervisor Barber 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 shared that previous Supervisor Ken Runion encouraged him to attend the training offered by the Association of Towns during their February Training Conference. Especially, in lieu of the fact that there will be an audit due to the change in Town Administration. Additionally, the Town should designate a delegate for the Association’s Annual Meeting.

MOTION #41 Councilwoman Slavick moved to **APPOINT THE SUPERVISOR AS THE TOWN’S DELEGATE TO THE ASSOCIATION OF TOWNS ANNUAL MEETING ON FEBRUARY 17, 2016 IN NEW YORK CITY.** 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

Agenda matter #11: Supervisor Barber explained he was asked to add Adirondack Engineering to the list of Town Designated Engineers at the request of Timothy McIntyre, Superintendent of the Department of Water & Wastewater Management. They were inadvertently omitted.

MOTION #42 Supervisor Barber moved to **AMEND THE LIST OF DESIGNATED ENGINEERS BY ADDING ADIRONDACK ENGINEERING 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	Abstained, as he abstained from the original approval list
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilwoman Centi	Aye
Supervisor Barber	Aye

Agenda matter #12: Supervisor Barber explained there were two major fires in the Town recently. The Town has historically waived building fees associated with damage sustained due to fires.

MOTION #43 Councilman Carman moved to **WAIVE BUILDING PERMIT FEES RELATED TO FIRE DAMAGE AT 7 AYRE DRIVE ON JANUARY 24, 2016, AND AT 1 DOWNING SQUARE (REGENCY PARK APARTMENTS) ON JANUARY 31, 2016 PER THE RECOMMENDATION OF THE BUILDING & ZONING INSPECTOR.** 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 #13: Supervisor Barber advised the following is a budgeted item for removal of yard waste. This bid is less than what we are paying now.

MOTION #44 Supervisor Barber moved to **AWARD THE BID FOR GRINDING AND REMOVAL OF YARD WASTE AT THE TRANSFER STATION TO SM GALLIVAN, LLC FOR \$4.11 PER CUBIC YARD PER THE RECOMMENDATION OF THE SUPERINTENDENT OF THE TRANSFER STATION.** 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

An added agenda item #13A: Supervisor Barber advised this is a budgeted item and is added at the request of Greg Wier, Superintendent of the Transfer Station. This item is partially funded by a grant from the New York State Department of Environmental Conservation.

MOTION #45 Councilman Carman moved **AUTHORIZE THE TRANSFER STATION TO SPONSOR TWO HOUSEHOLD HAZARDOUS WASTE DAYS TO BE HELD AT THE GUILDERLAND HIGHWAY DEPARTMENT ON SATURDAY, MAY 14, 8:00AM-2:00PM AND SATURDAY, SEPTEMBER 17, 8:00AM-2:00PM.** 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’s Monthly Updates:

Supervisor Barber shared that he has started monthly updates for the Board’s benefit as well as the public about items of interest. He also encouraged the Board members to feel free to add their own items to the agenda.

- A. McKownville & Regency Park Apartment fires
- B. NYS Comptroller’s Audit of the Town’s financial operations
- C. Active Shooter Course on February 9 at 7:00PM at Town Hall
- D. Westmere Corridor Study Open House on February 11 at 7:00PM at the Westmere Fire Department
- E. Crouse House update
- F. Continuation in March of the public hearing on the proposed Zoning and Land Use Code

The Town Clerk briefly announced March 1, 2016 is the deadline for tax exemptions. It was suggested that anyone turning 65 this year, inquire at the Assessor’s Office about the Enhanced STAR benefit.

MOTION #46 Supervisor Barber moved to **ADJOURN THE FEBRUARY 2, 2016 TOWN BOARD MEETING AT 8:58PM.** 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

Respectfully submitted,

Jean J. Cataldo
Town Clerk