

**GUILDERLAND TOWN BOARD  
REGULAR MEETING MINUTES  
November 15, 2022  
7:00 pm**

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 7:00 pm. The meeting was called to order by Supervisor Peter Barber and opened with the Pledge of Allegiance to the flag. Roll call by Lynne Buchanan, Town Clerk, showed the following to be present:

Councilman Crawford  
Councilwoman Beedle  
Councilwoman Centi  
Councilwoman Napierski  
Supervisor Barber

Also Present: Town Attorney, James Melita

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Supervisor Barber thanked everyone for coming out to this evening's meeting. He pointed out the emergency exits. He asked that cell phones and pagers be turned off due to the noise issues, as the meetings are broadcast live over public access.

Supervisor Barber opened the meeting for Public Comments. He asked that anyone who would like to be heard please come up and state your name for the record. If you have any comments on any matter already on the agenda, please wait until that agenda item is called.

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**PUBLIC COMMENT**

Robyn Gray, a Town of Guilderland resident, commented on the following; method to contact the Comprehensive Plan Update Committee, a building moratorium until the Comprehensive Plan is completed, and new-hire practices.

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**PUBLIC HEARING:** Consider approving a Local Law to Amend Fees in Town Code Chapter A285.

Rescheduled to December 6, 2022, at 7:15 pm.

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**Agenda Item No. 1.**

Consider adopting the General, Highway, and Special Districts 2023 Town Budget Final.

Supervisor Barber stated that all tax levies had been reviewed at the Preliminary Budget Hearing held on November 1, 2022. The comptroller was waiting for the Albany County Election tax levy amount before the Board approval.

The levy amount was increased by 8% to just over \$75,000. This tax includes any charges related to all the elections held in the town, which involves paying election inspectors and election staff, polling site fees, travel fees for troubleshooting, mileage for delivering, and storage of the voting machines.

With no further discussion, Supervisor Barber requested a motion be made to approve the 2023 Town Budget.

**MOTION # 229** Councilwoman Napierski moved to **Approve adopting the General, Highway, and Special Districts 2023 Town Budget Final.** Councilman Crawford seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

**Resolution No. 26 of 2022**  
**Adopt the Preliminary Budget as the 2023 Annual Budget**

**WHEREAS**, the Preliminary Budget for the Year 2023 has been duly prepared by the Supervisor and Town Board, and a duly publicized public hearing was held on November 1, 2022, at 6:00 pm; and

**WHEREAS**, at which time all persons desiring to be heard were heard; now, therefore, be it

**RESOLVED** that pursuant to Section 109 of the Town Law of the State of New York, the Town Board of the Town of Guilderland hereby

**ADOPTS THE PRELIMINARY BUDGET**, as amended, altered, and revised, as the Annual Budget of the Town of Guilderland for the fiscal year beginning January 1, 2023, and that such budget, as adopted, be entered in detail into the minutes of the proceeding of the Town Board duly conducted on November 15, 2022.

**RESOLVED**, this Resolution shall take effect immediately.



**Agenda Item No. 2**

Consider accepting the dedication and approving the signing by the Town Supervisor of the easement and right of way agreement offered by Barbara and Howard Brent, 47 Campus Club Road, that will provide public access across their property to the proposed trail system at the former Hiawatha Golf Course as recommended by the Town Attorney.

Attorney Melita thanked Howard and Barbara Brent for their generosity in donating their land to the Town, which will provide an easement to the new Hiawatha trail system. This trailhead will be a paved entrance along with a town-installed post and rail fence. The details of this agreement have been shared with the Town Board.

Mr. Brent added that the new Hiawatha trail system, as it stands right now, is landlocked. This easement will allow residents and neighbors a much safer access to the trail, and the paved entrance will allow easier entry for bikes and strollers. Mrs. Brent added that their yard had been certified by The Nature Conservancy as a protected wildlife area which made this easement even more possible. Mr. Brent thanked the Town for all its efforts to improve the community and enhance its recreational opportunities.

**MOTION # 230** Councilwoman Centi moved to **Approve accepting the dedication and approving the signing by the Town Supervisor of the easement and right of way agreement offered by Barbara and Howard Brent, 47 Campus Club Road, that will provide public access across their property to the proposed trail system at the former Hiawatha Golf Course as recommended by the Town Attorney.** Councilwoman Beedle seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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**PUBLIC HEARING** To consider approving the proposed conservation easement for approximately 57 acres of property located at 434 Wormer Road.

Notice of said Public Hearing was duly published in the Altamont Enterprise on November 3, 2022, and November 10, 2022, with the same being posted on November 1, 2022, on the Town Clerk’s bulletin board and the town’s website.

Supervisor Barber opened the Public Hearing at 7:27 pm and asked if anyone would like to speak regarding this matter. He stated that the Board had discussed this agenda item at their previous Town Board meeting and that the Conservation Easement Review Board and the Town Planner approved moving forward.

There was no one wishing to be heard regarding this matter.

**MOTION # 231** Supervisor Barber moved to **Close the public hearing at 7:29 pm to approve the proposed conservation easement for approximately 57 acres of property located at 434 Wormer Road.** Councilwoman Napierski seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

**MOTION #232** Supervisor Barber moved to **Approve the proposed conservation easement for approximately 57 acres of property located at 434 Wormer Road and to authorize the Town Attorney to take the necessary action in compliance with the legal requirements outlined in the Town Code.** Councilman Crawford seconded the motion, and it was carried by the following roll call vote.

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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**Agenda Item No. 3**

Consider approving the proposed EMS patient offload and delay policy.

Supervisor Barber reviewed that since the last Board Meeting when this policy was discussed, Councilwoman Napierski, Jay Tyler, Sean McGaughnea, Bonnie-Jean Johnson, Dr. Donald Doynow, and himself had met to finalize the policy.

Jay Tyler thanked the Board, specifically Councilwoman Napierski and Supervisor Barber, for their assistance. He added that the Saturation Plan was consolidated into the policy. The EMTALA Patient Consent Form and a sign-off form for the hospital were updated and added.

Supervisor Barber asked if these conversations regarding the policy had reached the hospitals and if EMS had seen any improvement.

Jay answered that nothing had changed, and no one had reached out to him regarding this policy.

The Supervisor Asked what the next step would be.

Jay stated that the next step would be to educate and train the EMS crews on the new procedures regarding these forms and this policy. He will continue to reach out to the local hospitals to discuss the policy.

Councilman Crawford asked Jay what he thought the response would be from hospital staff when they were requested to sign off.

Jay answered that he expects the EMS staff to advise the charge nurse of the current saturation level. When it becomes imperative for the Town residents' safety, EMS staff will take additional steps regarding sign-off forms being completed. Jay reiterated that this policy never gives Guilderland EMS permission to leave a critical patient at risk or unattended.

Councilwoman Beedle asked if other municipalities were on board with this policy and were considering adopting a similar policy.

Jay stated that he is the chairman of the EMS Offload and Delay Committee, comprised of regional agencies and two hospital liaisons. Most EMS agencies are not owned by their local municipalities. Most of them are either non-profits or commercial services.

Supervisor Barber added that he felt it was imperative to notify the hospital ED staff and the hospital boards regarding this policy.

**MOTION # 233** Councilwoman Napierski moved to **Approve the proposed EMS patient offload and delay policy.** Councilman Crawford seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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**Agenda Item No. 4**

Consider authorizing the issuance of the proposed request for proposals for food & beverage services at the Western Turnpike Golf Course.

Supervisor Barber stated that the same vendor has been at the golf course for the past three years and has decided not to renew their contract.

Councilman Crawford asked if there was anything the Town could do to make it easier for a vendor to succeed at the gold course.

Supervisor Barber commented that CJ Gallup and Casey Childs are looking at how to reduce the cost of operating a restaurant on a seasonal basis. He added that the town had updated and improved the main clubhouse and the pavilion.

Councilwoman Beedle asked if there was any consideration regarding updating the lighting on the road leading into the golf course. The darkness may impede residents from driving up the dark, twisty driveway.

The Supervisor said if it were open year-round, the roadway’s lighting would be considered.

**MOTION # 234** Councilman Crawford moved to **Approve authorizing the issuance of the proposed request for proposals for food & beverage services at the Western Turnpike Golf Course.** Councilwoman Beedle seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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**Agenda Item No. 5**

POSTPONED - Consider approving the proposed letter of intent agreement with Solomon Energy, LLC, for soliciting solar photovoltaic systems on Town properties and facilities.

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**Agenda Item No. 6**

Consider designating the Town Supervisor as the town’s voting delegate at the NYS Association of Towns annual meeting.

Supervisor Barber stated that there is a meeting on December 5 at the Albany Marriott, and he will share the proposed resolutions with the board before the meeting.

**MOTION # 235** Councilwoman Beedle moved to **Approve designating the Town Supervisor as the voting delegate for the Town at the annual meeting of the NYS Association of Towns.** Councilman Crawford seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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**Agenda Item No. 7**

Consider approving the proposed consent order and judgment of tax certiorari proceedings regarding vacant lots located at 2800 and 2808 Coles Lane, resulting in a refund of \$61.29 in Town property taxes as recommended by the Assessor and Town Attorney.

Attorney Melita stated that these two properties are keyhole lots. They have no municipal amenities and border the NYS Thruway. They have been on the market since 2019 with no sales. They were initially listed at \$100,000 when we had an equalization rate of 100%. Since the listing of these properties in 2019, they were reduced from \$100,000 to \$98,000, \$96,000, \$94,000, \$91,000, and finally, \$89,000. Reaching this settlement will avoid the cost of further litigation and the possibility of appraisal fees.

**MOTION # 236** Councilwoman Centi moved to **Approve the proposed consent order and judgment of tax certiorari proceedings regarding vacant lots located at 2800 and 2802 Coles Lane, resulting in a refund of \$61.29 in Town property taxes as recommended by the Assessor and Town Attorney.** Councilman Crawford seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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### Agenda Item No. 8

Consider approving the following appointments as recommended by the Personnel Assistant:

Kevin Efaw	Provisional Code Enforcement Officer (part-time)
Matthew Gionet	Permanent Paramedic
Victor Warner	Permanent Laborer, Parks & Recreation Department
Kiernan Hanley	Permanent Laborer, Parks & Recreation Department

Board Discussion:

Councilwoman Napierski stated that she understands this candidate is well qualified and this position needs to be filled. But we also must take this type of hiring into effect and how nepotism can demoralize a workforce. Staff may feel they can not speak up regarding an issue with a co-worker because a relative may be a higher-up in another department. She stated that the Town should start advertising for these positions elsewhere and bring in more people that may be new to the Town. She wants additional advertising regarding open positions within the town going forward.

Councilman Crawford suggested reaching out to professional organizations for applicants they may be aware of for applicable openings. He added that he appreciates the opportunity to hire a Town resident.

Councilwoman Beedle stated her concern lies in the fact that this position has been open for two years in a heavily utilized department. She disagreed with denying filling this position with a qualified individual because of who they are.

Councilwoman Napierski added that she doesn't believe in disregarding a qualified applicant because of their relationship with another Town employee. But felt it was important to speak up regarding future hires.

Councilman Crawford thanked the four new hires for applying and accepting these positions.

Supervisor Barber added that the town follows the civil service guidance regarding posting open positions. He also thanked the interview committee for bringing on the most qualified individuals.

**MOTION # 237** Councilman Crawford moved to **Approve the following appointments as recommended by the Personnel Assistant: Kevin Efaw, Provisional Code Enforcement Officer**

**(part-time). Matthew Gionet, Permanent Paramedic. Victor Warner, Permanent Laborer, Parks & Recreation Department. Kiernan Hanley, Permanent Laborer, Parks & Recreation Department**  
 Councilwoman Centi seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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**Agenda Item No. 9**

Consider authorizing modifications, pursuant to NYS Town Law § 112, to the 2022 adopted budget as recommended by the Fiscal Officer.

In accordance with the authority in Town Law Section 112, consider authorizing the following budget modifications to provide additional funding for amounts made or to be made in excess of the appropriation provided in the 2022 adopted budget.

Department	Object	Code	Increase/(Decrease)
1. To transfer funds for estimated overage for property tax billing.			
Town Clerk	Equip & Capital Outlay	A1410.2	(880.16)
Town Clerk	Contractual	A1410.4	130.16
Town Clerk	Contractual	A1330.4	750.00
2. To increase both revenue (Federal ARPA Aid) and Park's equipment for the purchase of fencing for the dog park at 200 Centre Drive. The Board has already approved the purchase.			
General Fund Revenue	Interfund Revenue	B5031	14,840.00
Parks	Equip & Capital Outlay	B7110.25	14,840.00
General Fund Revenue	Federal Aid	A4089	14,840.00
Transfer to Other Fund	Transfer to Other Fund	A9901.9	14,840.00
3. To transfer funds to Part Time Clerk from unused data processing line.			
Supervisor	Personal Services	A1220.1	1,200.00
Comptroller	Contractual	A1315.4	(1,200.00)

**MOTION # 238** Councilwoman Beedle moved to **Authorize modifications, pursuant to NYS Town Law § 112, to the 2022 adopted budget recommended by the Fiscal Officer.** Councilman Crawford seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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**Agenda Item No. 10**

Consider approving the use of \$20,098.50 in funds under the American Rescue Plan Act to purchase five portable radios and accessory equipment for the Fire Prevention Department as recommended by the Fiscal Officer.

Supervisor Barber said this investment would enable our fire investigators to communicate directly with other investigators and agencies. These radios will greatly promote response times at a scene.

**MOTION # 239** Councilwoman Beedle moved to **Approve the use of \$20,098.50 in funds under the American Rescue Plan Act to purchase five portable radios and accessory equipment for the Fire Prevention Department as recommended by the Fiscal Officer.** Councilwoman Napierski seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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**Agenda Item No. 11**

**MOTION # 240** Councilman Crawford moved to **Approve the Town Justice Court audit reports for the year ending December 31, 2021, as recommended by the Fiscal Officer.** Councilwoman Napierski seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

**TOWN OF GUILDERLAND  
RESOLUTION NO. 24 of 2022**

**(APPROVING THE TOWN COMPTROLLER'S OFFICE 2021  
AUDIT REPORTS FOR THE TOWN JUSTICES)**

Whereas, the Town Comptroller's Office has prepared the attached audit reports, pursuant to the NYS Comptroller's Local Government Management Guide, Appendix F, of the financial records of Town Justices John W. Bailey, Denise M. Randall, and Bryan M. Clenahan for the fiscal year ending December 31, 2021; and

Whereas, the Town Board has reviewed the findings and recommendations of each audit and determined that the audits are complete.

**NOW, THEREFORE, IT IS RESOLVED THAT:**

1. The Town Board acknowledges receipt of the audit reports of the financial records of Town Justices John W. Bailey, Denise M. Randall, and Bryan M. Clenahan for the fiscal year ending December 31, 2021.
2. The Town Board authorizes the Town Comptroller's Office to submit the audit reports to the NYS Office of Court Administration and other State agencies.

**Agenda Item No. 12**

**Original:** Consider approving the extension of the due date for paying the November water bills (Cycle 52) without penalty to December 14, 2022, as requested by the Superintendent of Water & Wastewater Management.

**Revised:** Approve the extension of the penalty-free period for paying the November water bills (Cycle 52) without penalty to begin thirty days after they are mailed, as requested by the Superintendent of Water & Wastewater Management.

Supervisor Barber was notified by the Superintendent of Water & Wastewater Management that there was a glitch in processing the Cycle 52 water bills. As of November 15, they had not been mailed.

Town Clerk Buchanan stated that any penalties received during this 30-day penalty-free period will be credited to the resident’s May 2023 water bill.

**Motion 241** Councilman Crawford moved to **Approve the extension of the penalty-free period for paying the November Water bills (Cycle 52) without penalty to begin thirty days after mailing them, as requested by the Superintendent of Water & Wastewater Management.** Councilwoman Beedle seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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**Approval of November 1, 2022, minutes.**

**MOTION # 242** Councilwoman Centi moved to **Approve the minutes of the November 1, 2022, regular meeting as submitted by the town clerk.** Councilwoman Napierski seconded the motion, and it was carried by the following roll call vote:

Councilman Crawford	Aye
Councilwoman Beedle	Aye
Councilwoman Centi	Aye
Councilwoman Napierski	Aye
Supervisor Barber	Aye

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**Supervisor’s Update:**

1. Update on GPAC renovation and EMS Station 3 construction.
2. Letters of Interest/Resume for Zoning Board of Appeals position (November 22, 2022)
3. Town Hall closed on Thanksgiving and Friday, November 25.

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**Other news:**

The next Town Board meeting will be held on December 6, 2022, at 7 pm.

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**MOTION # 243** With no further business, Supervisor Barber moved to **Adjourn the November 15, 2022, Town Board meeting at 8:04 pm.** Councilman Crawford seconded the motion, and it was carried unanimously.

Respectfully Submitted by,

Lynne M. Buchanan  
Town Clerk