

**GUILDERLAND TOWN BOARD  
TOWN BOARD REGULAR MEETING**

*September 15<sup>th</sup>, 2026*

*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. Supervisor Peter Barber called the meeting to order 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  
Councilman Santos  
Councilman McDonald  
Supervisor Barber

Absent            Town Attorney James Melita

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Supervisor Barber thanked everyone for attending this evening's meeting. He pointed out the emergency exits and requested that cell phones and pagers be turned off due to noise issues, as the meetings are broadcast live over public access. The Town Board meeting is recorded and indexed and will be available on the Town's website.

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**PUBLIC HEARING** To consider adopting a local law imposing a six-month moratorium on data centers.

Notice of said Public Hearing was duly published in the Altamont Enterprise on September 3 and 10, 2026, with the same being posted on September 1 through 16, 2026, on the Town Clerk's signboard and the town's website.

Supervisor Barber opened the Public Hearing at 7:01 pm and asked if anyone would like to speak regarding this matter.

**Public Comment:**

**In Favor:**

Robyn Gray – commented on her concern with the wording in Section 5 regarding the availability of an 'exception'. Ms. Gray feels this wording opens a 'way around the moratorium' by applying for a Use Variance for an unusual hardship. Otherwise, she is in favor.

Rosemary Harrigan favors the moratorium. She spoke against data centers in general because of their excessive use of space, water and power. Ms. Harrigan also said she is against storing Flock camera data in future data centers.

**Against:**

No one spoke against adopting the local law.

## Board Discussion

Board discussion involved:

- Changing from a six-month moratorium to a ONE-YEAR moratorium.
- Completely removing Section 5: Relief from Provisions of this Law.

All persons desiring to be heard having been heard, Supervisor Barber made a motion to close the Public Hearing at 7:18 pm.

**MOTION # 158** Supervisor Barber moved to **Close the public hearing at 7:18 pm.** Councilman Santos seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

**MOTION # 159** Supervisor Barber moved to **Adopt Local Law No. 5 as drafted, except to change all references (3) from a six-month moratorium to a one-year moratorium on data centers and strike Section 5 (Relief from Provisions).** Councilman Santos seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

### **Local Law No. 5 of 2026 (Moratorium on Data Centers)**

#### **BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF GUILDERLAND AS FOLLOWS:**

##### **Section 1. Purpose.**

Pursuant to the statutory powers vested in the Town Board of the Town of Guilderland to regulate and control land use, and to protect the health, safety and welfare of its residents, the Town Board hereby declares a one-year moratorium on applications, construction, use, and placement of Data Centers in the Town.

Among the concerns are the large consumption of electricity by these facilities and potential impact of these demands on the cost of energy for residents and the current energy infrastructure. The amount of water to run and cool these facilities could have a major impact on the Town's water infrastructure and its ability to maintain capacity and pressure for its residents and fire protection needs. Other cited concerns include disposing of electronic waste, air quality, noise pollution, water discharges, greenhouse gases, firefighting, and health impacts.

Based on these concerns, the Town Board finds that the Town will need to consider appropriate amendments to the Zoning Code and Town Code to address these concerns, such as potential siting, placement, installation, and construction of Data Centers.

The Town Board is mindful of the Governor's Executive Order No. 62 (dated July 14, 2026), and pending legislation entitled Responsible Data Center Development Act (dated June 1, 2026), regarding data centers, and takes this action to consider amendments to address local concerns regarding Data Centers.

## **Section 2. Authority.**

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law § 10.

## **Section 3. Definitions.**

For purposes of this Local Law, the term ""Data Center" shall mean a facility housing multiple banks of computers within a building, modular facilities containing processors in multiple storage-like containers, server clusters commonly known as "Data Centers" and other operations related to cryptocurrency mining, blockchain authenticating, artificial intelligence processing, general data computing, processing and storage, and other large-scale electronic-based centers.

## **Section 4. Enactment of Moratorium.**

For a period of one-year, starting with the filing of this Local Law with the NYS Secretary of State, and subject to any other Local Law adopted by the Town Board during this period, the following moratorium is enacted:

- (a) No application for siting, establishment, placement, installation, construction, erection, modification and/or enlargement of Data Centers shall be accepted, processed or approved by the Town.
- (b) This moratorium shall be in effect from the effective date of this Local Law and shall expire on the earlier of (i) the date one-year from said effective date of this Local Law, unless renewed; or (ii) the enactment by the Town Board of a resolution indicating that the Town Board is satisfied that the need for the moratorium no longer exists.
- (c) Any person or entity that violates this Local Law shall be subject to a civil penalty of a fine not to exceed Five Thousand and 00/100 Dollars (\$5,000.00). Each day a violation continues shall be considered a new violation.

## **Section 5. Superseding.**

To the extent that any provision of this Local Law is in conflict or inconsistent with the provisions of the Town Code, this Local Law supersedes, amends, and takes precedence pursuant to the Town's municipal home rule powers under NYS Municipal Home Rule Law §§ 10(1)(ii)(d)(3), 10(1)(ii)(a)(14), and 22.

## **Section 6. Severability.**

If any part or provision of this Local Law is found by a court to be invalid or unconstitutional, such decision shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or provision.

## **Section 7. Effective Date.**

This Local Law shall take effect immediately upon its filing with the NYS Secretary of State.

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**PUBLIC HEARING** To Consider adopting a local law to rezone property located at 761 County Line Road from R40 to RA3.

Notice of said Public Hearing was duly published in the Altamont Enterprise on September 3 and 10, 2026, with the same being posted on September 1 through 16, 2026, on the Town Clerk's signboard and the town's website.

Supervisor Barber opened the Public Hearing at 7:37 pm and asked if anyone wanted to speak on this matter.

Supervisor Barber reviewed the memo submitted by Ken Kovalchik, Town Planner, which stated that the rezone request includes an 11.3-acre parcel of land located in the Single-family residential (R40) District and requests rezoning to the Rural Agricultural (RA3) district.

Surrounding zoning consists of properties located in the Rural Agricultural (RA3) District to the west; Single-family Residential (R40 and R20) to the east; and Rural Agricultural (RA3) District and Single-family Residential (R40) District to the south. The Town of Rotterdam (Schenectady County) is across County Line Road to the north.

Extending the RA3 District to this parcel will not be out of character with the neighborhood.

#### **Public Comment:**

Nalene Vanderpoel, the applicant, commented that she is seeking a rezone to Rural Agricultural (RA3) so she can have the ability to keep animals such as chickens or perhaps a horse on her property.

Supervisor Barber stated that the Albany County Planning Board will review the rezone application at their meeting on September 7 and provide its recommendation, if any, to the Town Board. The application will come before the Town Board in October for final adoption of the proposed local law.

After all persons desiring to be heard had been heard, Supervisor Barber moved to close the Public Hearing at 7:40 pm.

**MOTION # 160** Supervisor Barber moved to **Close the public hearing at 7:40 pm.** Councilman Crawford seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

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#### **Public Comment:**

Nico Cosenza, via a memo left with the Supervisor's Office, which asked the Town Board to remove FLOCK cameras from Guilderland, end all Flock Safety contracts, and stop any future state-sanctioned surveillance program in Guilderland related to the Flock Safety License Plate Camera Program.

John Haluska asked for updates on dilapidated properties at 2067 Western Ave., the M&M Motel, and the Western Avenue/Foundry properties.

Iris Brody commented on the berm between the Apex Apartments and Westmere Terrace. Ms. Brody noted the neglected landscape and the disrepair of the dividing fence. She asked the Town to help address this ongoing issue.

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#### **Minutes**

Consider approving the Town Board's minutes from the August 18, 2026, Regular Meeting.

**MOTION #161** Supervisor Barber moved to **Approve the minutes of the Town Board's August 18, 2026, regular meeting.** Councilwoman Beedle seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

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#### **Agenda Item No. 1**

Consider approving the appointment of Officer Joshua Harrison as Criminal Investigator and Officer Sean Ralston and Officer Kristopher Scarano as School Resource Officer Investigators, as recommended by the Chief of Police.

**MOTION #162** Councilman Crawford moved to **Approve the appointment of Officer Joshua Harrison as Criminal Investigator and Officer Sean Ralston and Officer Kristopher Scarano as School Resource Officer Investigators, as recommended by the Chief of Police.** Councilman McDonald seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

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#### **Agenda Item No. 2**

Consider accepting the donation by Efros Orthodontics of an exterior wrap for the School Resource Officer vehicle, with an estimated value of \$4,800, as recommended by the Chief of Police.

Supervisor Barber stated that, in a memo received from Chief McNally, this generous donation from Efros Orthodontics will be used to sponsor a combined Guilderland Police Department and Guilderland Central School District design exterior wrap for our School Resource Officer Car. The \$4800.00 donation will cover all costs associated with the application.

Supervisor Barber also explained that adding the donor's name did not change the determination that this was a donation.

**MOTION #163** Councilman Santos moved to **Accept the donation by Efros Orthodontics of an exterior wrap for the School Resource Officer vehicle, with an estimated value of \$4,800, as recommended by the Chief of Police.** Councilwoman Beedle seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

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### Agenda Item No. 3

Consider approving the following appointments to the Board of Assessment Review, with terms beginning on October 1, 2026, as recommended by the Assessor:

|                |                                                        |
|----------------|--------------------------------------------------------|
| Nancy Klopfer  | Alternate Member with a term ending September 30, 2027 |
| William Meehan | Alternate Member with a term ending September 30, 2027 |
| John Davis     | Member with a term ending September 30, 2031           |

**MOTION #164:** Councilman Santos moved to **Approve the following appointments to the Board of Assessment Review, with terms beginning on October 1, 2026, as recommended by the Assessor: Nancy Klopfer, Alternate Member with a term ending September 30, 2027; William Meehan, Alternate Member with a term ending September 30, 2027; John Davis, Member with a term ending September 30, 2031.** Councilman McDonald seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

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### Agenda Item No. 4

Consider approving the proposed rate schedule for the Western Turnpike Golf Course, as requested by the Director of Golf.

|                           | Non-Resident |       | Resident     |       |
|---------------------------|--------------|-------|--------------|-------|
| Green Fees                | 38           |       | 28           |       |
| 18 Holes – Weekend        | 36           |       | 28           |       |
| 18 Holes – Weekday        | 36           |       | 28           |       |
| 18 Holes – Twilight       | 27           |       | 22           |       |
| 18 Holes – Senior Weekend | 30           |       | 25           |       |
| 18 Holes – Senior Weekday | 30           |       | 25           |       |
| 18 Holes – Junior Weekend | 27           |       | 22           |       |
| 18 Holes – Junior Weekday | 27           |       | 22           |       |
| 18 Holes – Military       | 25           |       | 25           |       |
| 9 Holes – Weekend         | 26           |       | 18           |       |
| 9 Holes – Weekday         | 24           |       | 18           |       |
| 9 Holes – League          | 21           |       | 21           |       |
| Carts – 18 Holes 2 Riders | 48           |       | 48           |       |
| 18 Holes, 1 Rider         | 24           |       | 24           |       |
| 9 Holes, 1 Rider          | 12           |       | 12           |       |
| Memberships – Single      | Before 12/31 | 1,300 | Before 12/31 | 1,050 |
| Single                    | After 1/1    | 1,525 | After 1/1    | 1,250 |
| Single Sr                 | Before 12/31 | 1,225 | Before 12/31 | 1,000 |
| Single Sr                 | After 1/1    | 1,425 | After 1/1    | 1,175 |
| Married Cpl               | Before 12/31 | 1,950 | Before 12/31 | 1,575 |
| Married Cpl               | After 1/1    | 2,175 | After 1/1    | 1,825 |
| Sr. Married Cpl           | Before 12/31 | 1,800 | Before 12/31 | 1,450 |
| Sr.Married Cpl            | After 1/1    | 2,050 | After 1/1    | 1,675 |
| Junior                    |              | 600   |              | 500   |

**MOTION #165** Councilman Santos moved to **Approve the 2027 rate schedule for the Western Turnpike Golf Course, as requested by the Director of Golf.** Councilman Crawford seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

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#### **Agenda Item No. 5**

Consider scheduling a public hearing for October 6, 2026, at 7 pm for the proposed Guilderland Residences Planned Unit Development, as requested by the Town Planner.

**MOTION #166** Councilman Santos moved to **Schedule a public hearing for October 6, 2026, at 7 pm for the proposed Guilderland Residences Planned Unit Development, as requested by the Town Planner.**

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

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

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#### **Agenda Item No. 6**

Consider authorizing the Guilderland Town Court to apply for a Justice Court Assistance Program in the 2026-27 grant cycle up to \$30,000, as recommended by the Clerk to the Justice.

**MOTION #167** Supervisor Barber moved to **Authorize the Guilderland Town Court to apply for a Justice Court Assistance Program in the 2026-27 grant cycle up to \$30,000, as recommended by the Clerk to the Justice.** Councilman Crawford seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

#### **RESOLUTION NO. 13-2026**

**WHEREAS,** the Town Justice Court is requesting authorization to apply for funding from the Justice Court Assistance Program (JCAP) during the upcoming grant cycle; therefore, be it

**RESOLVED,** the Board of the Town of Guilderland authorizes the Guilderland Town Court to apply for the JCAP Grant in the 2026-2027 grant cycle up to \$30,000.00

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#### Agenda Item No. 7

Consider authorizing the Highway Department to issue a request for bids for a mower to maintain rights-of-way areas, as recommended by the Highway Superintendent.

**MOTION #168** Councilman Crawford moved to **Authorize the Highway Department to issue a request for bids for a mower for maintaining rights-of-way areas, as recommended by the Highway Superintendent.** Councilman McDonald seconded the motion, and it was carried by the following roll call vote:

|                     |         |
|---------------------|---------|
| Councilman Crawford | Aye     |
| Councilwoman Beedle | Aye     |
| Councilman Santos   | Abstain |
| Councilman McDonald | Aye     |
| Supervisor Barber   | Aye     |

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#### Agenda Item No. 8

Consider adopting the draft resolution to revalidate the Department of Emergency Medical Services under the Medicaid program, as requested by the Director of Emergency Medical Services.

**MOTION #169** Councilman McDonald moved to **Adopt Resolution No. 14 for revalidating the Department of Emergency Medical Services under the Medicaid program, as requested by the Director of Emergency Medical Services.** Councilman Santos seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

#### RESOLUTION NO. 14 OF 2026

#### **AUTHORIZATION OF THE DIRECTOR OF THE DEPARTMENT OF EMERGENCY MEDICAL SERVICES AS THE AGENT WITH REGARD TO THE NEW YORK STATE MEDICAID PROGRAM**

**BE IT RESOLVED** by the Town Board of the Town of Guilderland (Town Board) as follows:

**WHEREAS**, the Town operates a Department of Emergency Medical Services for the benefit of the community;

**WHEREAS**, the Town of Guilderland Department of Emergency Medical Services is a New York State certified Ambulance Service and an Advanced Life Support First Response Agency;

**WHEREAS**, the Town Board deems it necessary and in the best interest of the Town to establish, manage, or interact with affairs relating to the New York State Medicaid Program; and

**NOW, THEREFORE, BE IT RESOLVED THAT** Sean McGaughnea, Director of the Department of Emergency Medical Services, is hereby is authorized to execute and submit all applications, agreements, certifications, revalidations, and related documents on behalf of the Town of Guilderland Department of Emergency Medical Services in connection with the New York State Medicaid Program.

**RESOLVED**, the Town Supervisor, Director of the Department of Emergency Medical Services, and any other Town officers or employees as may be appropriate, are authorized to take such further actions as may be necessary or appropriate to implement the intent and purpose of this Resolution.

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

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF GUILDERLAND**

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**Agenda Item No. 9**

Consider scheduling a public hearing for October 20 at 7 pm on the proposed Wastewater 2027 budget under NYS Town Law § 202, as requested by the Superintendent of Water & Wastewater Management.

**MOTION #170** Supervisor Barber moved to **Approve scheduling a public hearing for October 20 at 7 pm on the proposed Wastewater 2027 budget under NYS Town Law § 202, 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 |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

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**Agenda Item No. 10**

Consider scheduling a public hearing for October 20 at 7:05 pm on the proposed Wastewater 2027 budget under NYS Town Law § 202-A, as requested by the Superintendent of Water & Wastewater Management.

**MOTION #171** Councilman Santos moved to **Approve scheduling a public hearing for October 20 at 7:05 pm on the proposed Wastewater 2027 budget under NYS Town Law § 202-A, as requested by the Superintendent of Water & Wastewater Management.** Councilman Crawford seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

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**Agenda Item No. 11**

Consider amending the Town's 2026 budget, under NYS Town Law § 112, as recommended in the Fiscal Officer's memorandum.

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 appropriations provided in the 2026 adopted budget.

| Department                                                                                                                                                                                                                                                                          | Object             | Code    | Increase/Decrease |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------|-------------------|
| 1) To amend the budget to utilize the PEG Capital Grant received to purchase end-user computer equipment. The equipment will support functions including the creation, editing, management, storage, administration, and distribution of PEG programming and related digital media. |                    |         |                   |
| General Fund (A) Revenue                                                                                                                                                                                                                                                            | Donations          | A2705   | \$25,000.00       |
| MIS                                                                                                                                                                                                                                                                                 | Equip & Cap Outlay | A1680.2 | \$25,000.00       |

**MOTION #172** Supervisor Barber moved to **Amending the Town's 2026 budget, under NYS Town Law § 112, as recommended in the Fiscal Officer's memorandum.** Councilman Santos seconded the motion, and it was carried by the following roll call vote:

|                     |     |
|---------------------|-----|
| Councilman Crawford | Aye |
| Councilwoman Beedle | Aye |
| Councilman Santos   | Aye |
| Councilman McDonald | Aye |
| Supervisor Barber   | Aye |

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### Adjourn

**MOTION #173** Councilman Crawford moved to **Adjourn the September 15, 2026, Regular meeting at 7:52 pm.** Councilman McDonald seconded the motion, and it was carried unanimously.

Next Meeting: October 6, 2026.

Respectfully submitted,

Lynne M. Buchanan, RMC  
Town Clerk