

AGENDA
TOWN BOARD MEETING
TOWN OF GLENVILLE
18 GLENRIDGE ROAD
FEBRUARY 15, 2012
7:00 P.M.
www.townofglenville.org

Supervisor:
Christopher A. Koetzle
Council Members:
Deputy Supervisor
Alan Boulant
John C. Pytlovany
Sid Ramotar
Gina M. Wierzbowski

Presentation – 2012 Strategic Plan

1. Invocation
2. Pledge of Allegiance to the Flag.
3. Roll Call
4. Town Council Reports
5. Privilege of the Floor
6. Supervisor's Comments to the Board
7. Resolution adopting Local Law No. 1 of 2012, adding Chapter 53 "Receiver of Taxes" of the Code of the Town of Glenville.

Sponsored by: Alan Boulant, Town Councilman
Submitted by: Michael R. Cuevas, Attorney for the Town

RESOLUTION NO. 7

Moved by:
Seconded by:

WHEREAS, the Town of Glenville has been considering the enactment of a Local Law to amend the Code of the Town of Glenville to add a new Chapter 53 "Receiver of Taxes"; and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Glenville calling for a public hearing to be held by the Glenville Town Board at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on February 1, 2012 at 7:30 PM to hear all interested parties on a proposed Local Law entitled, "A Local Law to add a new Chapter 53 "Receiver of Taxes" to the Code of the Town of Glenville; and

WHEREAS, notice of said public hearing was duly advertised in the Daily Gazette, the official newspaper of the Town of Glenville, on January 21, 2012 and posted on the Town Clerk's sign board on January 19, 2012; and

WHEREAS, this Town Board has held a public hearing with respect to the adoption of said Local Law on February 1, 2012 at 7:30 PM, at which time all parties in interest were afforded an opportunity to be heard and to publicly comment on said Local Law, amending the Code of the Town of Glenville; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) ("SEQR"), the Town Board has determined that the adoption of the proposed Local Law does not constitute an action as defined and could be considered without regard to SEQR; and

WHEREAS, the Town Board of the Town of Glenville, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville does hereby establish a Local Law to amend the Code of the Town of Glenville to adopt Local Law #1 of 2012, adding Chapter 53, entitled "Receiver of Taxes", as set forth below:

Section 1. A new Chapter 53 of the Code of the Town of Glenville is hereby adopted to read as follows:

CHAPTER 53 – RECEIVER OF TAXES

§53-1 Elective office abolished.

The elective office of Town of Glenville Receiver of Taxes shall be abolished as of the effective date of this local law.

§53-2 Appointive office created.

The appointive office of Town of Glenville Receiver of Taxes is hereby created effective immediately upon the effective date of this local law.

§53-3 Legislative Authority; supersession of Town Law.

This local law is adopted pursuant to the authority granted by § 10(1)(ii)(a)(1) of the Municipal Home Rule Law and shall supersede any provision of Town Law §20 which is inconsistent herewith.

§ 53-4 Mandatory referendum.

Pursuant to §23 of the Municipal Home Rule Law, this chapter shall be subject to a mandatory referendum which shall be held at a Special Election no sooner than sixty (60) days after adoption by the Town Board.

Section 2. Effective Date

This Local Law shall take effect twenty (20) days after approval by the electors of the Town of Glenville.

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board Decision on February 15, 2012

8. Resolution approving the formation of the extension of Water District 11 to serve the premises at 103E Van Buren Lane to be known as Extension No. 38 to Water District 11.

Sponsored by: Gina Wierzbowski, Town Councilwoman

Submitted by: Michael R. Cuevas, Attorney for the Town

RESOLUTION NO. 8

Moved by:

Seconded by:

WHEREAS, the Town Board of the Town of Glenville (herein called the "Town Board" and "Town," respectively), in the County of Schenectady, New York, has received a written petition, dated January 12, 2012, pursuant to section 191 of the Town Law, for the extension of Water District No.11 (herein called "District") whose petition was signed by the owners of at least one-half (1/2) of the assessed valuation of all taxable real property situate in the proposed District and including the signatures

of resident owners of at least one-half (1/2) of the assessed valuation of such taxable real property situate in the proposed District owned by resident owners, all as shown upon the latest completed assessment roll of said Town, and a map, having previously been filed for the property known as 3 Van Buren Lane for the extension of Water District No.11 of the Town of Glenville and the present application being the construction of a water service lateral connecting thereto, consisting of a water service lateral of approximately one hundred (100') feet for an individual service connecting a private water line between 14 Van Buren Lane and 3 Van Buren Lane already with the said Water District and related site work (herein called the "Water Improvement"); and

WHEREAS, pursuant to the Order duly adopted on January 18, 2012, the Town Board has determined to proceed with the establishment of the proposed extension to the District and adopted an Order reciting a description of the boundaries of the extension of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the construction of the Water Improvement in the District, the proposed method of financing to be employed, the fact that a map, plan and report describing the previous extension to which this private lateral will be connected are on file in the Town Clerk's office for public inspection and specifying February 1, 2012, at 7:30 PM, as the time when, and the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, in the Town, as the place where, the Town Board would meet to consider the establishment of an extension of the District and to hear all persons interested on the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law ; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of the Town Law; and

WHEREAS, the Town Board has given due consideration to the impact that the proposed extension to the District may have on the environment and on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused by the extension of the District; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising article 8 of the Environmental Conservation Law and, in connection therewith, a duly processed Negative Declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

WHEREAS, a Public Hearing in the matter was duly held by the Town Board on said February 1, 2012, commencing at or about 7:30 PM, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed extension to the District.

NOW, THEREFORE, upon the evidence adduced at such public hearing be it

RESOLVED AND ORDERED by the Town Board of the Town of Glenville, in the County of Schenectady, New York as follows:

Section 1. It is hereby determined that:

- (a) The Notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient;
- (b) All the property and property owners benefited included within the proposed extension to the District hereinabove referred to in the recitals hereof are benefited thereby;
- (c) All the property and property owners benefited are included within the limits of the proposed extension to the District; and
- (d) It is in the public interest to establish the extension to the District.

Section 2. The establishment of the proposed extension to the District is hereby approved, as hereinafter described, and said District shall be designated and known as Extension No. 38 to Water District 11 in the Town and shall include the property commonly known as 103E Van Buren Lane.

Section 3. The Water Improvement is hereby authorized to be constructed in the District and the amount proposed to be expended therefore, including the expenses incurred in connection with the

establishment of the extension to the District, is to be fully borne by the developer; the plan of financing is to be fully and completely borne by the developer, at no cost to the Town or other users in the District.

Section 4. The permission of the State Comptroller is not required with respect to the extension of the District because the cost of the extension to the typical property is not above the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts as computed by the State Comptroller.

Section 5. The Town Clerk of the Town is hereby authorized and directed within ten days after the adoption of this Resolution and Order, to file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York, record same in the office of the Clerk of the County in which the Town is located.

Section 6. This Resolution and Order shall take effect immediately.

Ayes:

Noes:

Absent:

Abstention:

Motion Carried/Defeated

Town Board decision on February 15, 2012

9. Resolution appointing Sandra D. Daly, 6 Rosemary Drive, Glenville, as the Town of Glenville Deputy Town Clerk effective February 13, 2012, at a rate of pay of \$14.00 per hour, not to exceed \$14,000 in this calendar year, no benefits.

Sponsored by: Sid Ramotar, Town Councilman

Submitted by: Michael R. Cuevas, Attorney to the Town

RESOLUTION NO. 9

Moved by:

Seconded by:

WHEREAS, *with the retirement of Rose Mercurio from the position of Deputy Town Clerk that position has been vacant; and*

WHEREAS, *Section 30 of the Town Law provides that the Town Clerk may appoint a Deputy Town Clerk to assist with the duties of the office of the Town Clerk and to exercise the powers and duties of the Town Clerk during the absence or inability of the Town Clerk or in the event of a vacancy in said office; and*

WHEREAS, *Section 30 also provides that the compensation of the Deputy Town Clerk shall be fixed by the Town Board; and*

WHEREAS, *Town Clerk Linda Neals has advised the Town Board that she has appointed Sandra D. Daly of 6 Rosemary Drive, Glenville, as Deputy Town Clerk; and*

WHEREAS, *the Town Board of the Town of Glenville hereby establishes the compensation of the Deputy Town Clerk at the rate of \$14.00 per hour, not to exceed \$14,000.00 in this calendar year, with no Town health insurance or other benefits;*

NOW THEREFORE, BE IT RESOLVED *that the Town Board of the Town of Glenville hereby approves the appointment of Sandra D. Daly as the Town of Glenville Deputy Town Clerk, effective February 13, 2012, at a rate of pay of \$14.00 per hour, not to exceed \$14,000.00 in this calendar year, such position being ineligible for Town health insurance or other benefits.*

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 15, 2012

10. Resolution appointing Linda C. Neals as the Town of Glenville Registrar of Vital Statistics for a term commencing immediately and ending December 31, 2015.

Sponsored by: Sid Ramotar, Town Councilman
Submitted by: Michael R. Cuevas, Attorney to the Town

RESOLUTION NO. 10

Moved by:
Seconded by:

WHEREAS, after many years of service as the Deputy Town Clerk and Registrar of Vital Statistics for the Town of Glenville, Rose Mercurio retired, effective September 8, 2011; and

WHEREAS, Section 4121 of the New York State Public Health Law requires that that each Town Board appoint a Registrar of Vital Statistics and further states that the Town Clerk shall be eligible for appointment to said position; and

WHEREAS, Town Clerk Linda C. Neals has previously served as Deputy Registrar of Vital Statistics, is fully familiar with the duties and responsibilities of the office and has agreed to accept appointment to said office; and

WHEREAS, Section 4122 of the Public Health Law provides that the Registrar of Vital Statistics, immediately upon acceptance of her appointment shall appoint a deputy; and

WHEREAS, Section 4123 of the Public Health Law provides that the term of office of the Registrar of Vital Statistics shall be coterminous with the term of office of the Town Clerk;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby appoints Linda C. Neals as the Town of Glenville Registrar of Vital Statistics for a term commencing immediately and ending December 31, 2015.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 15, 2012

11. Resolution approving the Monthly Department reports for January 2012.

Sponsored by: Sid Ramotar, Town Councilman
Submitted by: Linda C. Neals, Town Clerk

RESOLUTION NO. 11

Moved by:
Seconded by:

BE IT RESOLVED that the **Monthly Departmental Reports** for January, 2012 as received from the following:

Assessor's Department
Dog Control
Economic Development & Planning Department
Highway Department
Justice Department
Receiver of Taxes
Town Clerk's Office

be, and they hereby are accepted, approved for payment and ordered placed on file.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on February 15, 2012

12. Resolution approving the Town Board minutes of the regular meeting held on December 21, special meeting held on December 28, 2011 and the organizational meeting held on January 4, 2012.

Sponsored by: Sid Ramotar, Town Councilman
Submitted by: Linda C. Neals, Town Clerk

RESOLUTION NO. 12

Moved by:
Seconded by:

BE IT RESOLVED, that the minutes of the regular meeting held on December 21, special meeting held on December 28, 2011 and the organizational meeting held on January 4, 2012 are hereby approved and accepted as entered.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on February 15, 2012

13. New Business