

AGENDA
TOWN BOARD MEETING
TOWN OF GLENVILLE
18 GLENRIDGE ROAD
DECEMBER 5, 2012
7:30 P.M.
www.townofglenville.org

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

1. Invocation
2. Pledge of Allegiance to the Flag.
3. Roll Call
4. Town Council Reports
5. Public Hearing at 7:30 pm or as soon thereafter as can be reached to consider a proposed extension to Water District No. 11 for property located at 149 Hetcheltown Road.
6. Privilege of the Floor
7. Supervisor's Comments to the Board
8. Resolution to schedule a public hearing for Wednesday December 19, 2012, at 7:30 pm to hear all persons interested in a proposed local law to amend Chapter 255, "Vehicle and Traffic" of the Code of the Town of Glenville.

Sponsored by: John C. Pytlovany, Town Councilman
Submitted by: Michael R. Cuevas, Attorney for the Town

RESOLUTION NO. 8

Moved by:
Seconded by:

WHEREAS, I am introducing a Local Law to amend Chapter 255, "Vehicle and Traffic" of the Code of the Town of Glenville regarding changes to Stop Intersections, One-Way Streets, Parking, Standing & Stopping and Speed Limits recommended by the Traffic Safety Committee; and

WHEREAS, a duly scheduled public hearing must be held in order to amend the existing code by Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville will meet at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on Wednesday, December 19, 2012 at 7:30 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed local law to amend Chapter 255, "Vehicle and Traffic" chapter of the Code of the Town of Glenville; and

BE IT FURTHER RESOLVED that the Town Clerk be and she is hereby

authorized and directed to prepare the proper public notice of said hearing in accordance with law, as follows:

§ 255-2. Stop intersections.

ADD:

The following intersections are hereby designated as stop intersections and stop signs shall be erected on entrances thereto as indicated:

Intersection	Stop Sign On	Entrance(s)
Access Boulevard	Prestige Parkway	West
Broad Street	Schermerhorn Street	North

9. Resolution authorizing the Supervisor to execute the Business Associate Contract dated November 16, 2012 with Jaeger & Flynn Associates, Inc., 30 Corporate Drive, Clifton Park, NY 12065.

*Sponsored by: Sid Ramotar, Town Councilman
Submitted by: James MacFarland, Director of Operations*

RESOLUTION NO. 9

Moved by:
Seconded by:

WHEREAS, the Town of Glenville utilizes Jaeger & Flynn Associates, Inc. to perform health insurance brokerage and other services related to employee benefits, and

WHEREAS, such services performed by Jaeger & Flynn involve Protected Health Information (PHI), thereby requiring compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and

WHEREAS, in order to perform such services in accordance with HIPPA it is necessary to enter into an agreement that sets forth the obligations of the town and Jaeger and Flynn regarding use of employees' protected health information, and

WHEREAS, the attorney for the town has reviewed the "Business Associate Contract" and finds that it is in the best interest of the town to enter into an agreement with Jaeger & Flynn in order to set forth the understanding between the parties on HIPAA/PHI-related issues,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Glenville is hereby authorized to execute the Business Associate Contract dated November 16, 2012, with Jaeger & Flynn Associates, Inc., 30 Corporate Drive, Clifton Park, NY, 12065.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on December 5, 2012

10. Resolution approving the formation of the extension of Water District 11 to serve the premises at 149 Hetcheltown Road to be known as Extension No. 39 to Water District 11.

Sponsored by: Gina Wierzbowski, Town Councilwoman
Submitted by: Michael R. Cuevas, Attorney for the Town

RESOLUTION NO. 10

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 September 19, 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, plan and report for the extension of Water District No.11 of the Town of Glenville and the construction of a water system therein, consisting of approximately 266 feet of 12 inch ductile iron pipe water main and a one-inch service lateral including land or rights in land, connections, fill, services, appurtenances and related site work (herein called the "Water Improvement") from the existing terminus of the water main near the southerly lot line of 147 Hetcheltown Road to 149 Hetcheltown Road, a distance of approximately 266 feet was prepared and is now on file in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, pursuant to the Order duly adopted on November 21, 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 same are on file in the Town Clerk's office for public inspection and specifying December 5, 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 person 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 December 5, 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. 39 to Water District 11 in the Town and shall include the property commonly known as 149 Hetcheltown Road.

Section 3. The Water Improvement is hereby authorized to be constructed in the District and the amount proposed to be expended therefor, 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 December 5, 2012

11. Resolution formally accepting the Town of Glenville's independent audit by UHY LLP, Certified Public Accountants financial statement for the fiscal year ending 12/31/2012.

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: George J. Phillips, Town Comptroller

RESOLUTION NO. 11

Moved by:

Seconded by:

WHEREAS, The Town Board of the Town of Glenville, NY, retained UHY LLP, Certified Public Accountants to complete an independent audit of the Town's financial statements for the fiscal year ending 12/31/2011, and

WHEREAS, the audit of the Town's financial statements for the fiscal year ending 12/31/2011, was completed on July 10, 2012 by UHY LLP, Certified Public Accountants, and was presented to the Town Board by email and hard copy on July 24, 2012,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby approves and formally accepts the Town of Glenville independently audited financial statement for the fiscal year ending 12/31/2011, prepared by UHY LLP, Certified Public Accountants.

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board decision on: December 5, 2012

12. Resolution acknowledging that the town's independent auditors, UHY LLP, examined the Glenville Town Court's 2011 financial records and presented findings from that examination to the Glenville Town board for their review as part of the 2011 Town of Glenville audit.

*Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: George J. Phillips, Town Comptroller*

RESOLUTION NO. 12

Moved by:
Seconded by:

WHEREAS, *The Uniform Justice Court Act, Section 2019-a requires that a Town Justice Court submit its records and docket to the certified public accountants auditing said town, and*

WHEREAS, *Section 2019-a of the Uniform Justice Court Act also requires that the Town Board of the Town of Glenville acknowledge that such examination of records was conducted,*

NOW, THEREFORE, BE IT RESOLVED, *that the Town Board of the Town of Glenville hereby acknowledges that the town's independent auditors, UHY LLP, Certified Public Accountants, examined the Glenville Town Court's 2011 financial records and presented findings from that examination to the Glenville Town Board for their review as part of the 2011 Town of Glenville audit.*

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on: December 5, 2012

13. New Business