

**AGENDA**  
**TOWN BOARD MEETING**  
TOWN OF GLENVILLE  
18 GLENRIDGE ROAD  
**FEBRUARY 20, 2013**  
7:30 P.M.  
[www.townofglenville.org](http://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 hear all persons interested in the proposed amendment to the "New York State Department of Transportation Local Roads Listing of the Town of Glenville, Schenectady County" to include South Van Buren Lane..
6. Privilege of the Floor
7. Supervisor's Comments to the Board
8. Resolution authorizing the refunding of 2005 callable bonds.

*Submitted by: Christopher A. Koetzle, Town Supervisor*  
*Sponsored by: Michael R. Cuevas, Attorney for the Town*

**RESOLUTION NO. 8**

**REFUNDING BOND RESOLUTION DATED FEBRUARY 20, 2013**

**A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.00 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE TOWN OF GLENVILLE, SCHENECTADY COUNTY, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY "TOWN OF GLENVILLE REFUNDING (SERIAL) BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.**

**WHEREAS**, the Town of Glenville, Schenectady County, New York (hereinafter, the "Town") heretofore issued an aggregate principal amount of \$6,385,000 Public Improvement (Serial) Bonds, 2005, pursuant to certain bond resolutions to pay the cost of acquisition of land, a water district extension and landfill closure, the periods of probable usefulness for which were forty (40) years and twenty (20) years, and a Certificate of Determination of the Supervisor of the Town (hereinafter referred to as the "2005 Refunded Bond Certificate"), such (Serial) Bonds, 2005, being dated December 1, 2005 and maturing or matured on December 1 annually, as more fully described in the 2005 Refunded Bond Certificate (the "Refunded Bonds"); and

**WHEREAS**, it would be in the public interest to refund all, or one or more, or a portion of one or more, of the outstanding principal balance of the Refunded Bonds by the issuance of refunding bonds pursuant to Section 90.00 of the Local Finance Law; and

**WHEREAS**, each of such refunding will individually result in present value savings in debt service if so required by Section 90.00 of the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Glenville, Schenectady County, New York, as follows:

Section 1. For the object or purpose of refunding the \$6,385,000 outstanding aggregate principal balance of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$6,900,000 refunding serial bonds of the Town pursuant to the provisions of Section 90.00 of the Local Finance Law (the "Refunding Bonds" or the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$6,200,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Town Refunding Bonds shall each be designated substantially "TOWN OF GLENVILLE REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-13 followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually from 2013 through 2026, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the Town Supervisor pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series and (b) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Town Supervisor shall prescribe, which terms shall be in

*compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the Town by lot in any customary manner of selection as determined by the Town Supervisor. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date and as otherwise provided in Securities and Exchange Commission Release No. 34-23856, as the same may be amended from time to time. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.*

*The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the Town shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to The Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the Town clerk as Fiscal Agent as hereinafter provided).*

*In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the Town maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the Town Supervisor providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the Town Supervisor as fiscal agent of the Town for the Refunding Bonds (the "Fiscal Agent").*

*Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.*

*Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.*

*The Town Supervisor, as chief fiscal officer of the Town, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said Town, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the Town, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the Town Supervisor is also hereby authorized to name the Town Clerk as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.*

*The Town Supervisor is hereby further delegated all powers of this Town Board with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.*

*The Refunding Bonds shall be executed in the name of the Town by the manual or facsimile signature of the Town Supervisor, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Town Supervisor shall determine. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.*

**Section 3.** *It is hereby determined that:*

*(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by Section 90.00 of the Local Finance Law;*

*(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the respective Refunded Bonds, for each of the objects or purposes for which such respective Refunded Bonds were issued is fifteen years;*

*(c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of each of the objects or purposes for which said respective Refunded Bonds were issued in accordance with the provisions of Section 90.00 of the Local Finance Law;*

*(d) the estimated present value of the total debt service savings anticipated*

as a result of the issuance of the Refunding Bonds, if any, computed in accordance with the provisions of Section 90.00 of the Local Finance Law, with regard to each of the series of Refunded Bonds, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (collectively, the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, is set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in a single series to refund all of the Refunded Bonds in the principal amount of \$6,385,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This Town Board recognizes that the Refunding Bonds may be issued in series, and for only one or more of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the Town will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The Town Supervisor is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the Town Supervisor; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.00 of the Local Finance Law. The Town Supervisor shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Town Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The Town Supervisor is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said Supervisor shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.00 of the Local Finance Law.

Section 6. The faith and credit of the Town of Glenville, Schenectady County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of

and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the Town to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with

Section 90.00 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Town irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the Town shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of Section 90.00 of the Local Finance Law, the Town hereby elects to call in and redeem each series of Refunded Bonds which the Town Supervisor shall determine to be refunded in accordance with the provisions of Section 4 hereof and with regard to which the right of early redemption exists. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the Town in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale to Roosevelt & Cross, Inc. (the "Underwriter") for purchase prices to be determined by the Town

*Supervisor, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds. The Town Supervisor is hereby authorized to execute and deliver a purchase contract or similar agreement for the Refunding Bonds in the name and on behalf of the Town providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the Town Supervisor to the Underwriter in accordance with said purchase contract in accordance with the terms of the agreement therewith upon the receipt by the Town of said purchase price, including accrued interest.*

*Section 11. The Town Supervisor and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.*

*Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Town Supervisor and all powers in connection thereof are hereby delegated to the Town Supervisor.*

*Section 13. The validity of the Refunding Bonds may be contested only if:*

- 1. Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or*
- 2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or*
- 3. Such obligations are authorized in violation of the provisions of the Constitution.*

*Section 14. This resolution, which takes effect immediately, or a summary thereof, shall be published in the official newspapers of said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.*

**Ayes:**

**Noes:**

**Absent:**

**Abstentions:**

***Motion Carried/Defeated***

*Town Board decision on February 20, 2013*

9. Resolution issuing a “Negative Declaration” pursuant to the State Environmental Quality Review Act (SEQRA) for amendments to Chapter 270 (Zoning of the Code of the Town of Glenville, relative to the regulation of signs.

*Sponsored by: Alan Boulant, Town Councilman*  
*Submitted by: Kevin Corcoran, Town Planner*

**RESOLUTION NO. 9**

**Moved by:**  
**Seconded by:**

**WHEREAS**, the Town of Glenville is proposing various amendments to Chapter 270 (Zoning) of the Code of the Town of Glenville, regarding the regulation of signs; and

**WHEREAS**, these zoning amendments constitute an “Unlisted Action” in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}); and

**WHEREAS**, the Glenville Town Board has assumed SEQRA Lead Agency in this instance; and

**WHEREAS**, the Glenville Environmental Conservation Commission recommended that the Town Board find no significant adverse environmental impacts associated with these proposed zoning text amendments, and that the Board issue a SEQRA “Negative Declaration;”

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby determines that the proposed amendments to Chapter 270 (Zoning) of Code of the Town of Glenville Zoning Ordinance, regarding the regulation of signs, will not result in a significant adverse environmental impact; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Glenville hereby issues a SEQRA “Negative Declaration” (attached) for this proposal, based on the following findings:

- *These revisions will not trigger any new development or physical alterations to land in the Town of Glenville. Rather, these amendments address current shortcomings in the Town’s zoning regulations relative to signs. In particular, the amendments are meant to address the evolution of new sign materials and lighting methods; to add provisions for sign types that weren’t contemplated (i.e. LED signs and sandwich board signs) when the Zoning Ordinance was first adopted in 2001; and to correct conflicting provisions regarding the regulation of signs.*
- *This action will not impact air quality, groundwater quality, surface water quality, traffic levels, noise levels, solid waste production, etc.*
- *This action will not result in the removal of vegetation or fauna, nor will it impact significant wildlife habitat areas.*



- *This action will not create a conflict with the Town's Comprehensive Plan or Zoning Ordinance, or any other land use policy document. This action, in fact, is consistent with the stated purpose of the Town's Zoning Ordinance regarding signs, which states, in part, that the Town's sign regulations were crafted to "create a more attractive business climate, protect property values, enhance and protect the physical appearance of the community, preserve the scenic beauty of designated areas and provide a more enjoyable and pleasing community."*

**Ayes:**

**Noes:**

**Absents:**

**Abstentions:**

### ***Motion Carried/Defeated***

*Town Board Decision on February 20, 2013*

10. Resolution adopting Local Law #2-2013 amending Chapter 270 (Zoning) of the Code of the Town of Glenville, relative to the regulation of signs.

*Sponsored by: Alan Boulant, Town Councilman*

*Submitted by: Kevin Corcoran, Town Planner*

### **RESOLUTION NO. 10**

***Moved by:***

***Seconded by:***

***WHEREAS***, an ordinance to add a series of related zoning text amendments within Chapter 270 (Zoning) of the Code of the Town of Glenville, regarding the regulation of signs, is being introduced at the recommendation of the Town of Glenville Economic Development and Planning and Building Departments; and

***WHEREAS***, the amendments are being offered to address the evolution of new sign materials and lighting methods; to add provisions for sign types that weren't contemplated (i.e. LED signs and sandwich board signs) when the Zoning Ordinance was first adopted in 2001; and to correct conflicting provisions regarding the regulation of signs.

***WHEREAS***, the Town Board of the Town of Glenville, pursuant to 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}), and as SEQRA Lead Agency, has issued a "Negative Declaration," concluding that there will be no significant adverse environmental impacts associated with these zoning text amendments; and

***WHEREAS***, pursuant to New York State Town Law and the Code of the Town of Glenville, a public hearing regarding the proposed zoning amendments was held by the Town Board on February 6, 2013; and

***WHEREAS***, the Town of Glenville Planning and Zoning Commission has recommended that the Town Board approve these zoning amendments; and

***WHEREAS***, the Schenectady County Department of Economic Development &

*Planning, pursuant to Sections 239-l, 239-m, and 239-n of General Municipal Law, has reviewed the proposed zoning amendments and “defers to local consideration;”*

***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 #2 of 2013, amendments to Chapter 270 (Zoning) regarding the regulation of signs, Attachment “A”; and

***BE IT FURTHER RESOLVED***, that the Town Board of the Town of Glenville bases its approval on the following findings:

- *These revisions are compatible with the Town of Glenville Comprehensive Plan, and in particular, with the stated purpose of the Town of Glenville Zoning Ordinance, regarding signs, which states, in part, that the Town’s sign regulations were adopted to “create a more attractive business climate, protect property values, enhance and protect the physical appearance of the community, preserve the scenic beauty of designated areas and provide a more enjoyable and pleasing community.”*
- *The addition of provisions to address new sign types, materials and lighting methods gives authority to the Town - primarily to the Town of Glenville Planning and Zoning Commission - to ensure neighborhood compatibility as new businesses and business signs emerge.*
- *The adoption of modern sign regulations gives authority to the Town to ensure that new development and the associated installation of new signs will not negatively affect nearby land values.*
- *The proposed zoning amendments are compatible with the stated objectives of the Town of Glenville Zoning Ordinance, as articulated in Section 270-1 of the Code of the Town of Glenville. Notably, the amendments address stated objectives for the Glenville Town Center, where the “standardization of sign design and construction” is desired.*

***BE IT FURTHER RESOLVED***, that this resolution shall take effect when filed with the Secretary of State of the State of New York.

***Ayes:***

***Noes:***

***Absents:***

***Abstentions:***

### ***Motion Carried/Defeated***

*Town Board Decision on February 20, 2013*

11. Resolution requesting that State Senator Hugh T. Farley and State Assemblyman James N. Tedisco introduce legislation to reopen membership in the RSSL 384-d plan to Sergeant Michael E. Petroski to correct the omission likely due to an inadvertent clerical error in not timely submitting his application to the Retirement System.

*Sponsored by: Christopher A. Koetzle, Town Supervisor*

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

## **RESOLUTION NO. 11**

**Moved by:**

**Seconded by:**

**WHEREAS**, Town of Glenville Police Sergeant Michael E. Petroski joined the Glenville Police Department several years ago; and

**WHEREAS**, within one year after joining the department, then Officer Petroski elected to participate in the retirement option available under Retirement and Social Security Law (RSSL) Section 384-d by submitting a fully executed application to the Town Comptroller's Office; and

**WHEREAS**, the Town Comptroller's Office recently learned from the N.Y.S. Police and Fire Retirement System that Sergeant Petroski is not enrolled in the RSSL 384-d retirement plan; and

**WHEREAS**, the failure to enroll Sergeant Petroski in the RSSL 384-d plan is through no fault of the Sergeant, but likely due to an inadvertent clerical error in not timely submitting his application to the Retirement System; and

**WHEREAS**, the Town Board of the Town of Glenville desires to correct the omission through special state legislation, having requested and received a fiscal note from the Retirement System of the cost to accomplishing same;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby requests that State Senator Hugh T. Farley and State Assemblyman James N. Tedisco introduce legislation to reopen membership in the RSSL 384-d plan to Sergeant Petroski.

**Ayes:**

**Noes:**

**Absent:**

**Abstention:**

### ***Motion Carried/Defeated***

*Town Board decision on February 20, 2013*

12. Resolution supporting Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of parties responsible for vacant structures and require good faith in proceeding to foreclosure on same.

*Sponsored by: Christopher A. Koetzle, Town Supervisor*

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

## **RESOLUTION NO. 12**

**Moved by:**

**Seconded by:**

**WHEREAS**, vacant, abandoned and foreclosed homes and structures have increased in number throughout New York State and in the Town of Glenville; and

**WHEREAS**, vacant, abandoned and foreclosed structures that are not maintained for months at a time degrade and depreciate the value of the vacant structures and also depreciate the value of surrounding properties by becoming a blight in our neighborhoods and business corridors; and

**WHEREAS**, lending and other financial institutions that hold mortgages on vacant structures do not always provide the contact information for the party responsible for maintaining such properties; and

**WHEREAS**, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of parties responsible for vacant structures and require good faith in proceeding to foreclosure on same; and

**WHEREAS**, the Town Board of the Town of Glenville supports passage of the aforementioned bills;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby supports passage of the aforementioned bills and respectfully requests that our state representatives support passage of said bills.

**Ayes:**

**Noes:**

**Absent:**

**Abstention:**

**Motion Carried/Defeated**

*Town Board decision on February 20, 2013*

13. Resolution authorizing the Chief of Police to purchase one marked police vehicle at a total cost not to exceed thirty two thousand dollars (\$32,000).

*Sponsored by: John Pytlovany, Town Councilman*

*Submitted by: Michael D. Ranalli, Police Chief*

**RESOLUTION NO. 13**

**Moved by:**

**Seconded by:**

**WHEREAS**, in order to maintain a safe and efficient fleet of vehicles to meet the public safety needs of the Town, the Police Chief wishes to purchase one marked replacement police vehicle to replace a marked police vehicle that has reached its end of useful life; and

**WHEREAS**, the purchase of said vehicle is provided for within the current approved 2013 police budget, which contains thirty-two thousand dollars (\$32,000) for

that purpose; and

**WHEREAS**, in the absence of a N.Y.S. contract for police vehicles, the County of Ontario solicited bids and accepted the lowest qualified bidders for several categories of police vehicles; and

**WHEREAS**, General Municipal Law §103 (3) permits a municipality to make a purchase through any county within the state pursuant to County Law §408 (2) provided that such purchases are determined to result in cost savings after considering all factors, including service and delivery charges and providing that the purchase can be made on the same terms, conditions and specifications as the county with the contract; and

**WHEREAS**, the Chief of Police has determined that the Town of Glenville will be able to obtain a Dodge Charger LDDE48 on the same terms, conditions and specifications as the County of Ontario, which will result in a savings to the Town after consideration of all applicable costs and factors,

**NOW, THEREFORE, BE IT RESOLVED**, that the Chief of Police is hereby authorized to purchase one marked police vehicle at a total cost not to exceed thirty two thousand dollars (\$32,000), including all necessary equipment, as per utilization of a Ontario County Board of Supervisors bid accepted on March 8, 2012, resolution # 134-2012, Item 6 – Dodge Charger LDDE48 as awarded to Main Motorcar, 224 W. Main Street, Johnstown, NY 12095; and that up to thirty two thousand dollars (\$32,000) for the vehicle be charged to account 02.00.3120.2000 (Equipment) as set forth in the approved 2013 budget.

**Ayes:**

**Noes:**

**Absent:**

**Abstentions:**

#### ***Motion Carried/Defeated***

*Town Board decision on February 20, 2013*

14. Resolution authorizing the Superintendent of Highways to enter into an agreement with County Waste & Recycling Service, Inc. for services to be rendered for the annual bulk item program, at a cost not to exceed \$18,645.

*Sponsored by: Gina M. Wierzbowski, Town Councilwoman*

*Submitted by: Thomas R. Coppola, Superintendent/Commissioner*

#### **RESOLUTION NO. 14**

**Moved by:**

**Seconded by:**

**WHEREAS,** Thomas R. Coppola, Commissioner of Public Works has requested an RFP from three vendors for the Annual Bulk Item Program to be conducted curbside; and

**WHEREAS,** vendors Allied Waste and Waste Management declined the opportunity to submit a proposal therefore one proposal was received ~ County Waste in the sum of \$18,645; and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby authorizes the Commissioner of Public Works to enter into an agreement not to exceed \$18,645 for services to be rendered by County Waste & Recycling Service, Inc. of Clifton Park, NY for the Annual Bulk Item Program in the Town of Glenville.

**BE IT FURTHER RESOLVED** that said program is a budgeted item and to be funded by the Recycling Line 02.00.8160.4192.

**Ayes:**

**Noes:**

**Absent:**

**Abstention:**

**Motion Carried/Defeated**

*Town Board decision on February 20, 2013*

15. Resolution amending the "New York State Department of Transportation Local Roads Listing of the Town of Glenville, Schenectady County" to include South Van Buren Lane.

*Sponsored by: John Pytlovany, Town Supervisor*

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

**RESOLUTION NO. 15**

**Moved by:**

**Seconded by:**

**WHEREAS,** the Town Board of the Town of Glenville has been considering a resolution to amend "New York State Department of Transportation Local Roads Listing of the Town of Glenville, Schenectady County" to include South Van Buren Lane; and

**WHEREAS,** this Town Board has held a public hearing on February 6, 2013 at 7:30 P.M., at which time all parties in interest were afforded an opportunity to be heard and to publicly comment on the amending of the Code of the Town of Glenville as set forth above;

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Glenville does hereby amend "New York State Department of Transportation Local Roads Listing of the Town of Glenville, Schenectady County" to include South

Van Buren Lane

**BE IT FURTHER RESOLVED**, that this resolution shall take effect when filed with the Secretary of State of the State of New York and the N.Y.S. Department of Transportation.

**Ayes:**

**Noes:**

**Absent:**

**Abstentions:**

**Motion Carried/Defeated**

*Town Board Decision on February 20, 2013*

16. Resolution approving the Monthly Departmental Reports for January, 2013.

*Sponsored by: Sid Ramotar, Town Councilman*

*Submitted by: Linda C. Neals, Town Clerk*

**RESOLUTION NO. 16**

**Moved by:**

**Seconded by:**

**BE IT RESOLVED** that the **Monthly Departmental Reports** for January, 2013 as received from the following:

*Dog Control*

*Economic Development & Planning Department*

*Justice Department*

*Section 8 Voucher Report*

*Town Clerk's Office*

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

**Ayes:**

**Noes:** *None*

**Absent:** *None*

**Abstentions:** *None*

**Motion Carried/Defeated**

*Town Board decision on February 20, 2013*

17. Resolution approving the Town Board minutes of the regular meeting held on February 6, 2013.

*Sponsored by: Sid Ramotar, Town Councilman*

*Submitted by: Linda C. Neals, Town Clerk*

**RESOLUTION NO. 17**

**Moved by:**  
**Seconded by:**

**BE IT RESOLVED**, that the minutes of the regular meeting held on February 6, 2013 are hereby approved and accepted as entered.

**Ayes:**  
**Noes:**  
**Absent:**  
**Abstentions:**

**Motion Carried/Defeated**

*Town Board decision on February 20, 2013*

18. New Business

19. Resolution authorizing the Town Board to enter into executive session to discuss contract negotiations.

*Sponsored by: Christopher A. Koetzle, Town Supervisor*  
*Submitted by: Michael Cuevas, Attorney*

**RESOLUTION NO. 19**

**Moved by:**  
**Seconded by:**

**BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby adjourns into Executive Session to discuss contract negotiations.

**Ayes:**  
**Noes:**  
**Absent:**  
**Abstention:**

**Motion Carried/Defeated**

*Town Board decision on February 20, 2013*