

REGULAR MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
MARCH 2, 2011
AT THE GLENVILLE MUNICIPAL CENTER
18 GLENRIDGE ROAD, GLENVILLE, NEW YORK

Supervisor Koetzle called the meeting to order at 7:30 PM;

Supervisor Koetzle asked the Town Clerk, Linda C. Neals, to call the roll.

Present: Supervisor Christopher A. Koetzle, Councilmen Alan Boulant, John C. Pytlovany (following his appointment), Sid Ramotar and Councilwoman Gina M. Wierzbowski

Absent: None

Also present were Attorney Michael Cuevas, Director of Operations James MacFarland, Comptroller George Phillips, Highway Superintendent Tom Coppola and Deputy Highway Superintendent Jeff Gemmette.

Supervisor Koetzle announced that the Board would be entering into an executive session at the end of the meeting to discuss a labor contract and litigation. The Board would not be taking any action when they reconvene.

RESOLUTION NO. 55-2011

Moved by: Councilman Boulant

Seconded by: Councilwoman Wierzbowski

WHEREAS, Councilman Mark A. Quinn resigned from his position on the Town Board effective March 1, 2011, thereby creating a Town Councilmember vacancy on the Glenville Town Board; and

WHEREAS, pursuant to Article 4, Section 64(5) of New York State Town Law the Town Board is authorized to appoint a qualified person to the Town Councilmember vacancy; and

WHEREAS, the Town Board of the Town of Glenville conducted an open search for a Town resident knowledgeable in the issues facing Town government and willing and able to commit the time and energy required by the position; and

WHEREAS, after interviewing several interested candidates, the Town Board determined that Town resident John Pytlovany met and exceeded all of its search criteria and would bring great knowledge of public safety and inter-governmental relations matters and other unique talents and skills to the Town Board;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby appoints John C. Pytlovany, 207 Bruce Street, Scotia to the position of Councilmember commencing March 2, 2011 and terminating December 31, 2011.

Ayes: Councilmen Boulant, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Supervisor Koetzle administered the "Oath of Office" to John C. Pytlovany and invited him to join the Board.

Councilman Pytlovany – "I am very excited about starting this new chapter in

my life. I just want to thank the appointing committee for having the confidence that put me in this position and I look forward to serving the residents of the Town of Glenville, including the Village of Scotia.”

Town Council Report:

Councilman Boulant – “As you all know we had quite the snowstorm this past Friday and I am very frustrated, it was a very difficult weekend for my emotions. I would like to first of all commend Commissioner Coppola and Deputy Commissioner Gemmette for the circumstances that a few of the employees put you folks in. I think you guys did an outstanding job under the circumstances that you guys were put under.

At 12:15 pm I decided to go plow out my in-laws driveway in Harlau Gardens and I could barely get into the road, it had not been plowed. After cleaning out a few driveways I called Commissioner Coppola and asked him what the heck was going on and he told me that a few of the employees decided to not show up and go snowmobiling. I find that totally unacceptable, I am extremely upset about it, I made myself very clear to just about everybody on the Board that I think these people should be fired. Unfortunately they have union protection; I’m not sure if anybody is paying attention to the news these days but they ought to look at Wisconsin and they ought to look at New Jersey. It’s unacceptable what happened, it could have been a very nasty situation if anybody in those neighborhoods were injured, police officers had to get there or an ambulance and God forbid fire trucks they would not have been able to get in there, it was a mess. This is Councilwoman Wierzbowski’s position with the Highway Department and I asked her if I could vent my frustration and she said by all means.

I find it very ironic that some of these people are ruining and giving the Highway Department a bad name because as a whole they are a bunch of good guys, I know just about every single one of them on a personal level and their heart is there, they do a good job and for instance there are some that were out on compensation that day and they came in and plowed snow. They put aside their personal agenda to take care of what was their duty. I think a lot of the citizens can kind of feel the same way that I do, that if they don’t plow snow what do we need the majority of them for.

I don’t know where we are going to go with this but if I have my way they will be terminated and I am going to do everything in my power to do that because it is unacceptable, it was a dereliction of duties and it never should have happened. They took their personal pleasure when they came back to “flaunt” the union in front of everybody else and that is unacceptable.

I apologize having to do this tonight on such a good occasion for Councilman Pytlovany but I felt this had to be said because it really put the people who do put their life and take their job seriously in a bad situation because of a few bad apples and we need to get rid of those bad apples.”

No one exercised the Privilege of the Floor.

Supervisor Koetzle shared the following information:

I’d like to welcome John to the Board, we look forward to working with you and we know you bring a lot of experience. We have a lot in store for you.

Attorney Mike Cuevas and Director of Operations Jamie MacFarland met with Time Warner to discuss a number of matters and as we discuss more with them, more matters seem to be uncovered. The issue of Time Warner having that pass through to the subscribers of 5% of the franchise fee when the contract only called for 2% was discussed at great length as it was reported to me. The short story is that unfortunately Time Warner at this point does not believe that they are financially obligated to either the subscriber or the Town. Attorney Cuevas is reviewing their position as expressed in the meeting so we don’t have a response formulated yet but at this point I also say that because there is some interest in maybe some litigation moving forward I really can’t discuss this matter any further at least the particulars until we get into executive session.

We want the public to know that we stand ready to defend the residents and subscribers to the extent that the law allows us in this matter.

Regarding the public and educational government access channels with Open Stage Media, we saw that today Niskayuna signed on for \$5,000, interestingly they had really bad time slots before they gave the \$5,000 and now Open Stage Media is telling Niskayuna that they will get really good time slots now that they gave \$5,000.

We are going to continue where we have been in the past, although they say that Open Stage Media will no longer except content from us and show it we will use the Saratoga Channel 17. We really got some good time slots from them and we have a schedule that we will publish. Essentially all of our Town meetings will be shown for our residents on **Channel 17 at 7:00 pm**. The meeting held on the first Wednesday of the month will be shown on Thursday of the following week and the meeting held on the third Wednesday of the month will be shown on Friday of the following week. We will post this schedule on our website and at Town Hall.

We are beginning to collect content for our next newsletter. We have a few options for distribution that we are exploring but if you have anything for the newsletter please get it to me, my secretary Emalie or Jamie. I talked to Commissioner Coppola about the bulk pick up this spring; we are starting to schedule a date for that. The bulk pick up is in the budget. Mr. Coppola thinks it may occur in the beginning of May.

The Alplaus Neighborhood Association will hold their meeting on March 24th at 7:00 pm at the firehouse; we are all invited to be there as we were last year. They expect us to come and give them a brief update as to what we are doing.

Jamie, Chief Ranalli and I met with Mayor Kastberg and Police Chief Rush from the Village to talk about the possible consolidation of police departments. I think it was a very good meeting; each of us was very opened and frank with what we are trying to achieve here. The goals we set forth from the Town's point of view and I think the Village would share this, is that we are really trying to find a model that is going to achieve two things and we have talked about this, that consolidation has to save money and it has to enhance services. We are looking at models right now and where we can achieve that with both the Village and the Town. Councilman Pytlovany is going to be a pivotal player in that negotiation as we go forward. We are very excited about the opportunity and we have another meeting scheduled for Wednesday at 7:30 pm here at Town Hall. I was asked about a time frame, I don't think we really have a time frame but I am hopeful by mid-summer we will have some proposal that residents can embrace.

Right before I got here this evening I learned that the Report to the Governor on mandate relief was delivered and I will say that my initial reading of it is somewhat underwhelming by the creativity or the lack thereof of this Commission. I still continue to believe that the Governor is not truly focused on mandate relief. When you look at some of the suggestions coming out of the Committee I think it shows. Some of the things they suggest is prohibiting any new unfunded mandates from being passed on to the municipalities; well that is great except for what we are dealing with today, right now, under that suggestion we still carry the burden of current mandates. They also want to look at and require independent cost analysis of such mandates so they will add another commission to look at what the cost might be on an unfunded mandate on the municipality. I don't see a lot of relief there. Enforcing limits on unfunded mandates; they would create an Office of Mandate Reform to act as a clearing house that would work with local governments to address unfunded mandates. I don't know about you but I think we just went around in a circle. They also want to talk about creating a pension Tier 6, which I agree is badly needed but again that deals with future cost that doesn't deal with costs today and how to avoid them. They want some sort of reform to the Wicks Law, which may or may not impact the Town as much as a school district and they want to give local governments greater flexibility to administer existing mandates so it would just give us more flexibility, I don't know exactly what that means on how to deal with the mandates that they are passing out to us. We continue to argue that the Taylor Law needs to be reformed which governs the labor law that we have to negotiate under, particularly the Triborough Amendment, which states the terms of the contract stay enforce even after the

contract expires. We believe we need relief there, we believe we need pension relief. I remind everyone that I talk to and I think you all should too; in 2001 we had zero cost for pension, in eleven years we have over one million dollars in costs that is directly billed from the State. The State wants to put a tax cap on us at 2% yet they want to continue to send us these million dollar bills. This is something that can't continue and until this commission or committee addresses those issues we are not going to have any real relief here at the local level."

Supervisor Koetzle moved ahead with the agenda items.

Discussion...

Councilman Ramotar – "This resolution is to approve a quote from Audio-Visual Sales for installation of a sound system for our Town Board work sessions. We currently don't have any sound system in place and it is very hard for residents to hear what is going on. Mr. & Mrs. Loeber were kind enough to offer to pay for a sound system which will go through our current system and make it much easier for people to hear."

Supervisor Koetzle – "I personally want to thank Mr. & Mrs. Loeber, I know they are not here tonight but this is a very generous gift to the Town. I think it will help us facilitate the transparency that we are all dedicated to in making sure all of our residents can hear us."

RESOLUTION NO. 56-2011

Moved by: Councilman Ramotar

Seconded by: Councilwoman Wierzbowski

WHEREAS, Town Board Work Sessions are public meetings covered by the Open Meetings Law; and

WHEREAS, the Town Board of the Town of Glenville is committed to an open and transparent government that encourages Town residents to attend its public meetings, to be informed on Town issues, and to engage elected officials on those issues; and

WHEREAS, the current sound amplification system available for Town Board Work Sessions can be improved so that all Town residents in attendance, wherever seated in the room, can hear even the most soft-spoken of Work Session participants; and

WHEREAS, Town resident Charles Loeber has voluntarily donated a sum of money to the Town sufficient to pay for the entire cost of the improvements to the sound amplification system in the Town's meeting room; and

WHEREAS, in accord with the Town's Procurement Policy, quotes have been obtained for installation of a sound system in the meeting room of the Municipal Center which will enable Town Board work sessions to be amplified through the existing speaker system, and

WHEREAS, Audio-Visual Sales and Service, Inc., the town's audio-visual consultant on the existing system, has prepared a custom quote (attached) that provides for the most compatible use of the existing system and the highest quality components, some of which are on NYS Contract,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville does hereby accept the quote from Audio-Visual Sales and Service for installation of a sound system that will be functional for town board work sessions in the amount of \$3,072.88, and

BE IT FURTHER RESOLVED, that payment for said system is to be charged to account number 01 00 1620 2000, and full reimbursement for said expense

to be provided by Mr. Charles Loeber be deposited into town revenue account 01 00 2770 0000 for subsequent transfer to 01 00 1620 2000, thereby resulting in no town expense for this purchase, and

BE IT STILL FURTHER RESOLVED, that the Town Board of the Town of Glenville expresses its deep gratitude to Mr. Charles Loeber for his generous donation to the Town and for his unwavering commitment to open government.

Ayes: Councilmen Boulant, Pytlovany, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: None
Abstention: None

Motion Carried

RESOLUTION NO. 57-2011

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

WHEREAS, Riverside Place in the Town of Glenville, which runs from Pleasantview Avenue to South Holmes Street, is a town highway and has been maintained by the Town Highway Department for at least seventy (70) years; and

WHEREAS, Mayfair Drive in the Town of Glenville, which runs from Van Buren Road to Ridgewood Lane, is a town highway and has been maintained by the Town Highway Department for at least fifty (50) years; and

WHEREAS, Farley Place in the Town of Glenville, which runs in a generally northerly direction from Dalton Road a distance of approximately 436 feet to a dead end, is a town highway which was deeded to the Town from Schenectady County in May 2005 and has been maintained by the town highway department since that time ; and

WHEREAS, the records of deeds to the Town and/or records of Town Board acceptance of dedication of the above-references town highways is incomplete; and

WHEREAS, the three above-referenced town highways do not appear on the inventory of town highways maintained by the Highway Superintendent; and

WHEREAS, the Highway Superintendent is desirous of having a complete record of all town highways and recommends that the Town Board officially recognize Riverside Place, Mayfair Drive and Farley Place as town highways;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby acknowledges that Riverside Place, Mayfair Drive and Farley Place are owned and maintained by the Town of Glenville and have been for many years, such that they have become town highways by use.

Ayes: Councilmen Boulant, Pytlovany, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: None
Abstentions: None

Motion Carried

RESOLUTION NO. 58-2011

Moved by: Councilman Ramotar
Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED, that the minutes of the regular meeting held on February 16, 2011, are hereby approved and accepted as entered.

Ayes: Councilmen Boulant, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: None
Abstentions: Councilman Pytlovany

Motion Carried

New Business:

Councilman Boulant – “The REDI Program (sign program) has had some activity and it is positive. There has been some frustration with some Village people and we are talking with them about it but it looks like we are doing okay with it at this point. It is a positive economic tool that is going to work well for us.”

Councilwoman Wierzbowski – “I would just like to take a moment to welcome John to the Board. I think he will be a fantastic addition and will bring a lot of unique talents to us.”

Councilman Ramotar – “I would like to welcome John. Also, sometime in August the 10 year old NYS Championship Little League Games will be held at Indian Meadows. We are going to try to partner in with economic development, with residents and with businesses to really promote what is happening in Glenville.”

Supervisor Koetzle – “I would like to congratulate Councilman Pytlovany; your first order of business was excepting \$3,000 in new revenue so “Congratulations”.

RESOLUTION NO. 59-2011

Moved by: Councilman Ramotar
Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED, that the Town Board of the Town of Glenville hereby adjourns into Executive Session to discuss labor contract and litigations.

Ayes: Councilmen Boulant, Pytlovany, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: None
Abstention: None

Motion Carried

Supervisor Koetzle adjourned this portion of the meeting at 7:55 p.m. and entered into Executive Session.

Time being 9:15 p.m.; Supervisor Koetzle reconvened the meeting and announced that no action was taken during the Executive Session.

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn was moved by Councilwoman Wierzbowski; Seconded by Councilman Ramotar, everyone being in favor the meeting was adjourned at 9:15 PM.

ATTEST:

Linda C. Neals
Town Clerk