

REGULAR MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
NOVEMBER 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 and Councilwoman Gina M. Wierzbowski

Absent: Councilman Sid Ramotar

Also present were Attorney Michael Cuevas, Highway Superintendent Tom Coppola, Director of Operations Jamie MacFarland and Comptroller George Phillips

Town Council Reports:

Councilwoman Wierzbowski – “Leaves are in the process of being picked up. We are sending crews out on a daily basis. We should have full crews out sometime next week.”

Councilman Pytlovany – “I attended the Glenville Public Safety meeting on October 19th, most of the discussion centered on the new 911 AI service that is available to all Town of Glenville residents. The AI stands for additional information. The 911AI.com is a private company that offers the service that will add additional information to the 911 information that appears on the screen in dispatch when you call 911. You can add information which includes but is not limited to a person with health issues, pets, number and location of family members in the house, more detailed information about your house. You can go to the company website at www.911ai.com for further details on how to enroll. The information is also available on our Town website at www.townofglenville.org .

I also have a report on our prescription drop off program that was held last Saturday. We had a total of 61 people drop off 135.60 lbs of prescription drugs. That was enough to fill 6½ boxes. This is a great program; it’s a way to get rid of prescription drugs, keeps them from entering our water system and it’s a great thing for the Town to participate. This will be done again in April or May of next year.”

Supervisor Koetzle – “Item #5 on the agenda is a public hearing to hear all comments on the 2012 Preliminary Budget.”

Supervisor Koetzle opened the public hearing at 7:38 pm.

Frank Quinn, 1886 Ridge Road – “In the Preliminary Budget there is about 72% every year that is tied up in pay and benefits and this year is no different. I am going to focus tonight just on benefits. My goal in doing this is to get us down to a zero tax increase for 2012.

Town budgets and Town fiscal reports are the basis of what these comments are on. Employee benefits in 2010 came out to be 2.6 million and the 2012 Preliminary is \$3,476,000, so that is an increase in 2 years of \$838,000 or a 31.8% increase. This for me, when I do the numbers and I will read them in a minute, we’ve over estimated what the employee benefits in the current year. If we take September’s financial statement, how are we doing on 2011 so far, the benefits for the current year we have over estimated by \$448,900 or 13.6%. So if the numbers hold for the rest of the year we’re about 13.6% over, the budget is over what the actuals are showing. For the 2012 budget the Board is proposing at this point \$168,000 plus or 5% increase in benefits for 2012 over 2011, so given the 2011 number, which is a big surplus the 2012 Preliminary Budget, has about \$175,000 in new taxes and about \$55,000 equals 1%

increase in the tax levy. Then using the Town Budget and other reports, reducing appropriations for employee benefits by about \$175,000 this gets us to zero. Let's see how we get there, employee benefits the audited number for 2010 - \$2,637,000 the Preliminary \$3,476,000 so that is the \$838,000 increase in the 2 years. When you take 2008, 2009, 2010, 2011 and 2012 what the actuals for 2008 were \$369,000, the following year a little higher \$392,000, the 2010 went down a little by about \$95,000, and 2011 is down \$448,000. What is going on, obviously for a series of years, the budget including benefits has significantly, at least 13% a year except for the one year declined it's actually been 13% more budgeted than actuals. The year end projected for 2011 in benefits \$2,859,000 and we are putting in the Preliminary \$3,476,000. That's a \$617,000 increase in employee benefits from 2011 to 2012. What I am saying in effect is we've got a budget line here that is way over what the actuals are telling us for a lot of years.

I didn't focus on pay that is a discussion for another night. So I am suggesting to you obviously we can go to the employee's benefits line and just subtract out the \$175,000 increase that we got this year from this enormous difference between budgeted and actuals and you will still have a surplus of \$400,000 in 2011 beside the additional \$175,000. So that is my suggestion on where we can get to zero real quick."

Supervisor Koetzle – "Mr. Quinn, just a question I want to understand what you are saying here; when you say employee benefits define those for us."

Mr. Quinn – "When you and I take up a budget, you have a line there at the end of the appropriations, at the bottom it says employees benefits and then it lists social security, retirement, health insurance and so forth and so on."

Supervisor Koetzle – "But for the good of the public can you please define what the employee benefits are."

Mr. Quinn – "The employee benefits for the public as well as any of us here tonight, employees benefits – state retirement, social security, workers compensation, unemployment insurance, disability insurance, medical."

Supervisor Koetzle – "So of those what percentage would you say, in your estimation and you have done this job so you kind of have it on top of your head, what percentage would you say the Board has direct control over?"

Mr. Quinn – "Since the Board has directly negotiated retirement benefits and health care benefits both of those are negotiated by the Board..."

Supervisor Koetzle – "Your premise is flawed; that's what I wanted to point out. We did not negotiate retirement benefits with the unions. We negotiate health insurance benefits and we actually lower our exposure there we saved money. I think you know, because you read the budget, so what you are trying to do here is set up a straw-man and I have to call you on it because what you are doing...in your administration, Mr. Quinn, when we pointed out that you over budgeted the health insurance line \$300,000 consistently and you said at that time it would be irresponsible not to protect the Town from putting more away then you might actually think. You've changed your philosophy now, which is fine, it's fair game but I just want to point that out that your answer was different when you were sitting in this seat then it is out there now."

Mr. Quinn – "No sir, I just read you what my numbers were and owe up to what my numbers were in '08, '09, '10, '11 and '12, so I read all of the numbers, mine as well as others.

Here are some things I would recommend in the spirit for the good of all. On the revenue side it has clearly been stated privately, publicly and in the newspapers revenues are down and/or decreasing. Then we present the 2012 budget that shows the revenues are increasing, this creates a problem. You and I have town data that shows we have surplus revenue this year's actual versus budgeted so I would suggest

not to use those terms with the data to say the revenues are down. It's not quite accurate what the data shows, it's actually up and you are proposing an increase in revenue in '12 over '11. Another suggestion I would make for appropriations; saying we are saving money on health insurance in the 2012 budget and then showing an increase in health insurance expenses in 2012, the data doesn't support the comment and as you can tell it can be upsetting to some people. We know there are fewer positions in the 2012 budget, so one would think that pay and benefits went down but actually if you take all of the 1000 lines in the budget you show a payroll increase for 2012 and that is not only in pay but in benefits as well.

We can clearly get to a zero tax increase by saving \$175,000 which is really over estimated from the actual expenses over the years to the current year and for 2012."

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:50 pm.

Glen Sauter, 10 Stephens Road – Mr. Sauter praised the Supervisor for putting on a nice display regarding the 2012 budget. He stated that all of the department heads were in attendance and everybody was trying to answer questions. He stated that his only complaint was that there were only 5 residents in attendance. This Board and department heads put all of their time in the meetings were advertised as usual and only 5 people showed up."

Roger Harrison, 9 Harlau Drive, Town employee and President of the CSEA Union in the Town of Glenville – Mr. Harrison asked the Supervisor to read item #13 on the agenda, resolution to amend the personnel policy to allow for leave donation to sick or injured employees in its entirety when the Board is ready to vote on it.

No one else wished to speak during privilege of the floor.

Supervisor's Comments:

Supervisor Koetzle shared the following information:

The Town's newsletter is being mailed tomorrow to all residents in the Town through the "Your Hometown" monthly magazine.

The Target demolition has started and a ceremony will be held on Friday at 11:00 am, followed by light refreshments here at Town Hall.

In the past couple of weeks we have been asked to write some letters of support for some of the projects going on. I have four here that I had to sign; NYSEERDA, we signed a letter of support for the City of Albany's application for regional sustainability a planning grant, we signed on behalf Schenectady County for consolidated funding application for the Regional Economic Development Council to improve water and sewer infrastructure at the Schenectady County Airport, we have recently been asked to sign a letter of support for a senior campus community that's been proposed for an age restricted residential community and for a company called DHA Holdings, which is applying for a regional economic development council grant to support the expansion of a Glenville base business park in the vacant space in the business park. That company is a fairly large company that revenues about 8 million dollars. They are all good projects that will benefit the Town through a growth of tax base, growth of jobs and efficiency and improvements.

The Board can tour the GSA property, which is finally starting to move forward as you all know it's scheduled for Thursday, November 10th at 11:00 am, and you are all welcomed to walk with Metroplex through these buildings.

The Town of Glenville will host a community forum called "Opportunity Knocks" on Tuesday, November 15th at 7:00 pm at the Scotia-Glenville High School. The forum will cover the impact of Global Foundries Chip Plant and other high-tech

development in the region and what impact that might have on Glenville.

We had the hearing on the budget tonight, thank you Mr. Sauter for your comments because there is a frustration I think among the Board that some of the people that have come out, they are free to express their opinion when ever and how ever they want but it is very frustrating when they don't even engage in the process, they only come out afterwards and try to pick a part a fairly large budget. I take the former Supervisor's comments to heart, I respect a lot of what he has to say, I worked with him for two years. We had our disagreements on the Board when you were there. One of them was exactly this, this over estimation of what the expense might be in the coming year but when a person gets up here and says that we are over estimating revenue or over estimating expenses, it's only an opinion. We don't know what those expenses are going to be at the end of the year so to be prudent you have to look at it and make the best estimates on what the budget is going to be. People are free to have their opinions as to what they think it is going to be but they are not free to state things as facts that aren't facts and that is not a fact, a budget is an expression of what you think it is going to be in the future and it would not be prudent to do that.

Health insurance savings are supported by data. We all know you could have a 10% increase and still have a savings in there. Health insurance is skyrocketing, we were able to mitigate some of those increases that have a savings dollar for dollar when you match up the benefits there is a savings there. To say there isn't, is disingenuous, misleading and doesn't advance the argument any better.

It was brought up earlier tonight that former Supervisor Quinn had a zero percent budget, I was on the Board and I remember that budget. It was a grossly irresponsible budget because it used FEMA money, money handed to us from the federal government. What we have done in this budget is reduced our dependency on the fund balance. That is the part of the story that you don't hear from the other side, the fact that the other side in those years ran up such a dependency on its fund balance that it created a dangerous situation for the town. We saw in Niskayuna what that leads to a down grade of their bond rating which is not good news. This town board is trying to back away, trying to deconstruct the damage of the previous years before we got here and trying to make a more responsible fund balance allocation. What that means is that there is going to be tax increases; those were pre-built by the previous administration that we have to deconstruct when you try to come off that fund balance. Once you get dependent on it then that fund balance has to replenish. What I would ask is if you are going to talk about how can we get to a zero, I said it before, I said it at these forums that Mr. Quinn wasn't at, but I said we can do zero easy just allocate more fund balance there's no problem with that. We backed off \$350,000 in fund balance allocation to try to protect the Town from future liability when that may not be there. What we did to protect our residents is what Niskayuna failed to do to protect theirs and then to come here and say, well you are just spending more, just spending more, it's a relocation of the fund balance. This 2012 budget spent \$150,000 less than we did last year after we absorbed all of these benefit increases that we couldn't control. Social Security, I don't control that, he knows that; NYS Pension Plan, we don't control that, he knows that; this is what we are talking about when it comes to truth in budgeting. That's why I got that passed by the previous Board to have a "Truth and Budgeting Bill" back when Mr. Quinn was still Supervisor.

This budget is a solid budget, a strong budget and most importantly it's a budget that puts this Town back on the track of fiscal responsibility. It will make sure that this Town is fiscally sound long after we are gone, which unfortunately was not a priority of previous years. It is going to take us some time to deconstruct that damage and to build a budget that is solid again."

Supervisor Koetzle moved ahead with the agenda.

RESOLUTION NO. 158-2011

Moved by: Councilman Boulant
Seconded by: Councilman Pytlovany

A RESOLUTION approving preliminary capital expense budgets of **Water District No. 11** of the Town of Glenville and **Extensions No. 1 thru 37** for the year of 2012.

BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. The Town Board of the Town of Glenville as Commissioners of Water District No. 11 hereby adopts the following preliminary capital expense budget of Water District No. 11 and it's extensions of the Town of Glenville for the calendar fiscal year 2012:

Appropriations:

Charges of Paying Agents and miscellaneous expenses in connection with payment of principal and interest.....	\$ 8,000.00
Increase of Facilities for Water District No. 11 and Extensions (Redemption of Bonded Debt)	
Principal Due 6/15, & 12/01/11.....	\$ 432,150.00
Interest Due 6/1, 6/15, 12/1 & 12/15/11.....	\$ 400,767.00
 Bond Anticipation Note/Principal.	
(Increase in facility for Water Distr. 11)	\$ 38,625.00
Bond Anticipation Note/Interest.	
(Increase in facility for Water Distr. 11)	\$ <u>13,018.00</u>
Total Appropriations	\$ 892,560.00

Estimated Revenue:

1) Income from temporary investment of assessment for benefit for debt service.....	\$ 2,500.00
2) Income from contracts with users outside Water District No. 11 and Extensions, exclusive of water rents paid by such users and exclusive of Charlton and Ballston.	- 0 -
3) Reserve for bonded debt.....	- 0 -

Less Equivalency Charges:

4) Charlton Water District.....	\$ 46,391.00
5) Ballston Water District.	170,150.00
 Total Equivalency Charges	\$ 216,541.00

Net amount to be raised by assessment for benefit (based on assessed value and on front footage) for capital expense budget for Water District No. 11 and Extensions.....	\$ <u>673,519.00</u>
Total Revenue	\$ 892,560.00

SECTION 2. (a) A proposed assessment roll has been prepared for raising funds for the above preliminary capital expense budget of Water District No. 11 of the Town of Glenville and Extensions Nos. 1 thru 37 thereof, including the apportionment to said Extensions Nos. 1 thru 37 of their respective share of the water supply and transmission and distribution lines;

(b) Computation of assessments based on assessed value of real property:

Portion of debt service to be paid by assessments based on assessed value on real property:

Transmission lines, water supply and treatment:
 Gross expense (Section 1 of Resolution
 facilities (Section 1 of Resolution)..... \$ 2,500.00
 Total debt service for transmission lines,
 water supply and treatment.....\$ 890,060.00

Rate for Water District No. 11, Extensions,
 1 thru 34 and Charlton Water District, Ballston
 Water District
 based on aggregate full value of\$ 2,332,614,973.00

SECTION 3. The assessment roll for Water District No. 11 and Extensions Nos. 1 thru 35 thereof, as mentioned above, shall be filed with the Clerk of the Town Board.

SECTION 4. This resolution takes effect immediately.

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

Motion Carried

RESOLUTION NO. 159-2011

Moved by: Councilman Boulant
Seconded by: Councilman Pytlovany

A RESOLUTION approving a preliminary capital expense budget of **Sewer District No. 9** and **Woodcrest Sewer Extension** for the year 2012.

BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. The Town Board of the Town of Glenville as Commissioners of Sewer District #9 and the Woodcrest Sewer Extension hereby adopts the following preliminary capital expense budget of Sewer District #9 and Woodcrest Sewer Extension of the Town of Glenville for the calendar fiscal year 2012.

Appropriations:
 Redemption of Bonded Debt.....\$ 155,000.00
 Interest due & administration fee on renewal of Bond Note in the amount
 On 04/01/2012 and 10/01/2012.....\$ 58,667.00
 Amount to be raised on benefit plan.....\$ 213,667.00

Woodcrest Extension Bond Anticipation Note (BAN) on 03/26/2012
 Redemption of principal.....\$ 9,990.00
 BAN interest due on 03/26/2012.....\$ 3,236.00
 \$13,226.00

SECTION 2. A proposed assessment roll shall be prepared for raising funds for the above preliminary capital expense budget of Sewer No. 9 pursuant to the benefit unit basis set forth in the engineering plan for said sewer district.

SECTION 3. Said benefit unit plan provides for the assignment of one (1) benefit units to each individual parcel of land per the engineering plan.

Amount to be raised on benefit plan \$213,667.00 = \$25.66/Benefit Unit

Amount to be raised on benefit plan\$ 51,672.00

SECTION 2. A proposed assessment roll shall be prepared for raising funds for the above preliminary capital expense budget of the joint Acorn Drive Sewer District and Woodhaven Sewer District Waste Treatment Plant pursuant to the benefit unit basis set forth in the engineering plan for said sewer districts.

SECTION 3. Said benefit unit plan provides for the assignment of two (2) benefit units to each individual parcel of land and the assignment of three (3) benefit units to a single family house for a total of five (5) benefit units for a single family house and lot.

<u>Amount to be raised by benefit plan</u>	<u>\$51,672.00</u> = \$42.01/Benefit Unit
Number of Benefit Units	1230

Annual Charge Per Single Family Residence	\$ 42.01 x 5 = \$210.05
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SECTION 4. The proposed assessment roll for the joint Acorn Drive Sewer District and Woodhaven Sewer District Waste Treatment Plant shall be prepared and the appropriate extensions made thereon pursuant to this resolution and such proposed assessment roll and estimate of income and expenditures shall be filed with the Clerk of the Town Board.

SECTION 5. This resolution takes effect immediately.

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

Motion Carried

RESOLUTION NO. 161-2011

Moved by: Councilman Boulant
Seconded by: Councilman Pytlovany

A RESOLUTION approving preliminary Capital expense budget of the **Alplaus Sewer District No. 1 and Extension No. 1** for the year 2012.

BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. The Town Board of the Town of Glenville as Commissioners of the Alplaus Sewer District No. 1 and Extension No. 1 hereby adopts the following capital expense budget of the Alplaus Sewer District No. 1 and Extension No.1 of the Town of Glenville for the calendar fiscal year 2012:

Appropriations:

Redemption of Bonded Debt	
on 06/01/12 of \$2,133,100	\$82,042.00
0% interest on 09/03/12 on \$2,133,100	-0-
	<u>\$82,042.00</u>
Total amount to be raised on benefit plan	\$82,042.00

Estimated Revenue:

Interest Earned	\$.....225.00
Clifton Park equivalency charge	49,680.00
Appropriated Fund Balance	<u>0.00</u>
	\$49,905.00
 Amount to be raised on benefit plan	 \$31,137.00

SECTION 2. A proposed assessment roll shall be prepared for raising funds for the above preliminary capital expense budget of the Alplaus Sewer District No. 1 and Extension No.1 pursuant to the benefit unit basis set forth in the engineering plan for said sewer districts.

SECTION 3. Said benefit unit plan provides for the assignment of benefit units to each individual parcel of land based on engineering planning report.

<u>Amount to be raised by benefit plan</u>	<u>\$ 31,137.00</u>	= \$94.64/Benefit Unit
Number of Benefit Units	329	

Annual Charge Per Single Family Residence	\$94.64 x 1 = \$94.64
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SECTION 4. The proposed assessment roll for Alplaus Sewer District No.1 and Extension No. 1 shall be prepared and the appropriate extensions made thereon pursuant to this resolution and such proposed assessment roll and estimate of income and expenditures shall be filed with the Clerk of the Town Board.

SECTION 5. This resolution takes effect immediately.

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

Motion Carried

RESOLUTION NO. 162-2011

- Moved by:** Councilwoman Wierzbowski
Seconded by: Councilman Boulant

WHEREAS, the Town of Glenville Highway Department must replace an obsolete pressure washer in order to safely clean and maintain town vehicles and equipment, and

WHEREAS, specifications have been prepared and quotes solicited from three vendors for this pressure washer, and

WHEREAS, upon receipt of the quotes the Town of Glenville will award the purchase contract to the low bidder,

NOW, THEREFORE, BE IT RESOLVED, that the Superintendent of Highways is hereby authorized to purchase one (1) 2011 Mi-T-M Pressure Washer (model # HHS3004-1E26, 3000 PSI) at a cost not to exceed \$4,300, such budgeted expenditure to be charged to account number 04 00 5130 2000.

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

Motion Carried

RESOLUTION NO. 163-2011

Moved by: Councilman Boulant
Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville has never formally adopted a leave donation policy to allow fellow employees to donate leave time to a co-worker who by reason of illness or disability has exhausted leave accruals; and

WHEREAS, a member of the Glenville Highway Department Employees Association has exhausted all leave accruals due to a non-job related injury; and

WHEREAS, the Glenville Highway Department Employees Association has requested that the Town consider negotiating such a policy as the collective bargaining agreement currently allows for leave with or without pay at the discretion of management; and

WHEREAS, the Town Board desires to clarify Town Policy and to negotiate with such bargaining units as are interested in a leave donation policy, but recognizes the present urgent need of the affected member of the GHDEA and is willing to enter into a non-precedent setting agreement to resolve the current situation;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Supervisor to enter into a non-precedent setting agreement with the Glenville Highway Department Employees Association that would permit unit employees to donate sick time to an injured co-worker who has exhausted all leave accruals, from the date of the agreement through the end of this calendar year or until the employee's return to work, whichever occurs sooner.

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

Motion Carried

RESOLUTION NO. 164-20111

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Boulant

WHEREAS, a written petition has been presented to and filed with the Town Clerk of the Town of Glenville requesting an extension to Sewer District No.3 of the Town of Glenville be established to include real property described by section, block and lot number in the petition and consisting of eight (currently vacant parcels) located on Mohawk Avenue in the Town of Glenville (the subdivision of which for eight townhouse units was given approval by the Town Planning and Zoning Commission); and

WHEREAS, a map, plan and report prepared by Lansing Engineering, Professional Engineers with a date of August 2011, was been filed in the office of the Town Clerk of the Town of Glenville; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby adopts the following order:

ORDER

1. A petition to add an Extension to Sewer District No. 3 from an existing manhole in right of way on the north side of Route 5 to the premises on Mohawk Avenue,

- a proposed eight townhouse subdivision known as Brennan Subdivision has been filed with the Town Clerk on or about October 14, 2011.
2. The real property to be included in the extension is described by section, block and lot number as identified on the Schenectady County Real Property Tax Service Agency Tax Map as: 38.07-1-1.1, 1.2, 35 and 36.
 3. The improvements proposed are the installation of an eight inch sewer main connection to the twelve inch main on the north side of Route 5 of approximately 500 feet for service connections along the route described in "1" as indicated above.
 4. The amount proposed to be expended for the extension is approximately \$15,000.00 to be borne entirely by the developer.
 5. No portion of the cost this extension will be attributable to Sewer District No.3.
 6. The estimated annual cost to the typical property is:
 - a. District debt service: \$ 0.00
 - b. O & M: \$192.80
 7. The map, plan and report describing this extension to Sewer District 3 regarding this potential extension is on file in the Town Clerk's Office and may be inspected by members of the public.
 8. The proposed financing method to be employed in the construction of this connection in this sewer district extension is private financing by the developer.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Glenville will hold a public hearing on the petition to establish this extension to Sewer District No. 3 on November 16, 2011 at 7:30 PM or as soon thereafter as the matter can be reached, at the Glenville Municipal Center at 18 Glenridge Road, Glenville, New York to hear all persons interested in the establishment of this extension to the sewer district; and

BE IT FURTHER RESOLVED that a copy of this order certified by the Town Clerk shall be published at least once in the official newspaper of the Town and that said publication be not less than ten nor more than twenty days before the November 16, 2011 public hearing date.

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

Motion Carried

RESOLUTION NO. 165-2011

Moved by: Councilman Boulant
Seconded by: Councilwoman Wierzbowski

WHEREAS, in 2009 the owner of property located at 23 Van Buren Lane commenced a proceeding against the Town and the Town Superintendent of Highways seeking to compel the Town to maintain approximately 640 feet of roadway leading to his residence; and

WHEREAS, the matter went to trial in Schenectady County Supreme Court in July 2010; and

WHEREAS, the Town received a copy of the Decision and Order of the Court with notice of entry on October 21, 2011; and

WHEREAS, finds that the roadway in dispute is a town highway and direct the Town to maintain it; and

WHEREAS, the Attorney for the Town believes that there is a legal and factual basis to appeal the Decision and Order of the Supreme Court to the Appellate Division,

Third Department; and

WHEREAS, there will be certain expenses associated with perfecting the appeal, including, the cost of a transcript of the trial, reproduction of exhibits and briefs, cost of service of documents and court filing fees; in a total approximate amount of \$3,500.00;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Attorney for the Town to appeal the Decision and Order of the Supreme Court to the Appellate Division, Third Department and in connection with such appeal, the attorney shall be reimbursed for any costs and disbursements he incurs on behalf of the Town in connection with said appeal.

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

Noes: None

Absent: Councilman Ramotar

Abstention: None

Motion Carried

RESOLUTION NO. 166-2011

Moved by: Councilman Boulant

Seconded by: Councilman Pytlovany

WHEREAS, for the past three years, the owner of multi-family apartment building properties located at 431 Ballston Road, 103 Glen Avenue, 7 Glen Avenue and 37 Glen Avenue commenced proceedings against the Town and the Town Assessor seeking to reduce the assessments on said properties; and

WHEREAS, the Assessor believes that the assessed values of said properties are fair and accurate; and

WHEREAS, the Supreme Court, Schenectady County has ordered that the petitioner-owner and the Town exchange appraisals by December 15, 2011; and

WHEREAS, the Assessor has sought bids from three different appraisal companies with the lowest bid being submitted by the appraisal firm of Emminger, Newton, Pigeon & Magyar, Inc. in the amount of \$4,200 for a summary appraisal and \$7,800 for a complete Self-Contained Appraisal; and

WHEREAS, the Attorney for the Town believes that there is a legal and factual basis to defend the assessed valuations on the aforementioned properties; and

WHEREAS, the properties are located in the Village of Scotia and the Scotia Glenville School District, both of which have an interest in assisting the Town with the defense of the assessments and may be willing to share in the expense of the appraisal;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Town Assessor to enter into an agreement with Emminger, Newton, Pigeon & Magyar, Inc. for the appraisal of the properties listed above at a cost not to exceed \$7,800, said expense to be charged to budget line 01.00.1355.4500.

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

Noes: None

Absent: Councilman Ramotar
Abstention: None

Motion Carried
RESOLUTION NO. 167-2011

Moved by: Councilman Boulant
Seconded by: Councilman Pytlovany

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

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

Motion Carried

Supervisor Koetzle adjourned this portion of the meeting at 8:15 p.m. and entered into Executive Session.

Time being 9:35 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 Councilman Boulant; Seconded by Councilman Pytlovany, everyone being in favor the meeting was adjourned at 9:36 PM.

ATTEST:

Linda C. Neals
Town Clerk