

REGULAR MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
SEPTEMBER 19, 2012
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 Pytlovany, Sid Ramotar and Councilwoman Gina M. Wierzbowski

Absent: None

Also present were Attorney Michael Cuevas, Director of Operations James MacFarland, Planner Kevin Corcoran and Highway Superintendent Tom Coppola and Comptroller George Phillips.

Supervisor Koetzle announced that Item #'s 10 & 11 on the agenda are tabled because of technical amendments that were made to them therefor we can't act on them tonight because of those amendments.

He also stated that there will be one add-on resolution to adopt Lighting District No. 11.

Budget Forum – 2013 Town Board Budget

Supervisor Koetzle – “The 2013 Budget, we talked about it last year. We have to live under the tax cap, we talked about this before, we can't increase the levy by more than 2% or CPI. Glenville will have about \$100,000 in new spending allowed in the 2013 budget. The Board can override the cap with a local law. One of the big issues with the tax cap legislation is there is no significant mandate relief for the local municipalities; we still have bills handed to us that have to be paid. One of the big mandates this year is the County election expense which is going up 7%.

Tax Burden:

80% of the tax burden is on the residents in the Town of Glenville, which is because there is no commercial baseline like in Rotterdam and Clifton Park where the residents pay only 50% of the tax burden. This is why this board has been so focused on trying to build a commercial corridor, so we can start shifting that burden off of our residents and on to the commercial entities.

Out of every tax dollar paid 66% goes to school tax; 23% goes to the county; 8% goes to the town and 8.5% is for highway.

Budget Basics;

Town wide fund (01) – (Village & Town)

Dispatch, Senior Center, Assessor, Town clerk

Town outside (02) – Police (not Village police department), Building

Department, Engineering Department, Planning Department and Court Clerk

Highway – (does not include the Village)

Special Districts – 56 of them

Water, Sewer, Drainage, Fire Protection District No. 4

Total 2013 Budget - \$16.3 million (about \$8.3 million is the levy) including 3 funds, special districts and election expenses.

One thing this Board wants to do is to start trending out revenue and expenses to know where we are coming from and a sense of where we are going. We

really haven't had this historically. If you go back seven (7) years to 2005, 23% of revenue came from sales tax, 8% from mortgage tax and 43% from property tax, paid by Town residents. If you look at today, sales tax is flat, still 23% from revenue (flat), mortgage tax has dropped so that leaves property tax at 52%, so you can imagine if these trends hold it is not going to look good seven years from now where our sales tax will be flat, mortgage tax, we believe will rebound at some point in the next seven years, but the property tax burden will hold at 55% or so in the next seven years.

Sales Tax:

In 1998 the County collected \$25 million in sales tax and in 2012 they collected \$60 million in sales tax but as they benefited from the increase in sales tax the municipalities have been held flat. So what you are seeing is the County gets the biggest share of the sales tax giving us \$2 million out of the \$60 million leaving us trying to manage increasing costs with flat revenue. That is not going to work, worse this is a trend that goes back four years and now the County has just negotiated a deal with the City that will bring us out eight years. So if you can imagine an organization that has had their revenue frozen for twelve years while costs are escalating, there is only one way to go. This we feel illustrates an unfair situation with the County and how the municipalities are funded with sales tax. That line is shared by all municipalities in the County to offset property tax. This is true across the entire County including the City who did get a bump this year.

The property tax is an inverse of the sales tax. The County is confiscating the sales tax so the municipalities have no other choice but to raise the property tax.

Property tax vs. Pilots:

Target is coming so we are all set; we have a lot of cash coming in. Well there is something called a Pilot which I think you are all aware of, (payments in lieu of taxes). The current Pilots that have been handed out in this Town total \$83,000,000 million in assessed value. Pilots are given by the County IDA, the Town has no choice in them, and we have no say in them. We don't have a choice in them, we don't have a say in them, it is our money that they are negotiating away and we have no say. If you look at the property tax revenue, without the Pilots, would be about \$275,000 of our money, which is negotiated away with a Pilot agreement so our current Pilot revenue money is only \$114,000.

So the scenario is the sales tax is being confiscated, one thing about sales tax is the Town of Glenville, since the last agreement, four years ago, has put on Lowe's, Target, Wal-Mart and has brought Mohawk Honda from the city into the town and prevented them from going to Saratoga County, and they are one of the biggest collectors of sales tax. The Town has brought in a lot more sales tax than it did a few years ago. I think Niskayuna could make the same argument, I think Clifton Park could make the same argument; the towns have put out a lot more sales tax. So getting back to the Pilots, we are not getting the benefit of the sales tax and we are not getting the benefit of the property tax either because the Pilot has taken away the property tax, so we are actually in some cases are negative because services are more expensive. There is a new finance mechanism called a TPF (tax for potential financing) which is almost like a Pilot. So Target in this MFB which is the Panera piece of the Target project, with this new TPF agreement which was offered by the State Legislature, their Pilot is \$275,000 but with the new TPF they only have to pay \$203,000. The Town only gets 10% of that, the rest goes to the County and school. The \$67,000 difference (roughly) goes back to Target and Target can use that money to finance the debt of the project. What is happening is essentially, legally you are skimming what ought to be property taxes to go back to the business to pay off their finance charges. This deal is hurting us pretty bad. On top of that the portion that we call MFB, which is the Panera piece, isn't paying any property taxes, instead the County negotiated that the \$90,000 they should be paying in property taxes will go right to Metroplex and Metroplex is going to send it right on to finance their debt. The end result is that the Town is getting squeezed from both ends. We are not getting sales tax, we are not getting property tax but we are continuing to get the bills coming in.

We talk about the budget and what the biggest cost drivers are; personnel costs are obviously the biggest cost driver. It is important to note we are not picking on our employees; we are not picking on say the bad people who are doing something they are not supposed to be doing. They are not part of the problem but they can be part of the solution, there is no question about it. It's not that this is on the employees but we can't talk about our budget without talking about our employee costs which is 77% of the budget, so we have to talk about it. The big line is total wages, retirement and health costs. Retirement and health costs we have no control over, wages we have some control over, we can decide not to give raises. Our total wages are the biggest cost in the budget. The non-property tax revenue, because the sales tax agreement is flat for the next eight years because mortgage tax isn't going much higher, it's flat, so that leaves property tax the only way to meet the rising costs of personnel.

Health insurance is actually increasing quite dramatically as compared to wages and even retirement. Health insurance is going up by 10% (\$200,000); retirement is going up 15% (\$300,000). If these keep going up what happens to the wages. Something has got to give. We can't control health and retirement costs.

The fund balance is something that we've talked about for many years and certainly a priority of this Board when we came in, in 2010. There was an all time high of allocation of fund balance of \$1.4 million the year before we came in, that's to stabilize the tax base. That's a kitty to go into your savings account to pay your mortgage, if you don't have enough money to pay it. That's okay as long as you have money in your savings but we all know one day your savings account is going to run dry. It's happening in many places, it's happening in Schenectady, it happened in this town many years ago with a 49% tax increase. It's a very dangerous practice, you are living on borrowed time, you have got to break your dependency, and you are living on borrowed time. I am proud to say that in three years we have balanced the budget by reducing the fund balance allocation. This year my budget will bring it down to \$650,000. I won't be satisfied until we bring it down to nothing which will be in 2016. It takes a lot, it takes a lot of cuts, it takes a lot of squeezing wherever you can and unfortunately it took a lot of cuts in the Town in staff.

We look at our capital expenses, we had very little debt this year, and we had a bond rating increase to a strong position, very rare for a municipality to get an upgrade. That saves us a lot of money.

We never really invested much in the previous years, that is coming back to bite us right now. With this tax cap it makes it very difficult to invest. So a question you might have is where are you going to control the costs, the revenue is not going up and we have. We reduced staff by 7½ people, outsourced our attorney services. We have worked toward shared services with the County and the Village when we can and we hope there are more opportunities because these opportunities benefit all.

We have got some challenges, collective bargaining, all three contracts are up. The budget I will be writing has no pay raises in it; I just don't see how we can afford that. The two biggies that we should really focus on are the pension costs up 15% in 2013 and health insurance up 10%. We have a tax cap that's going to go up \$100,000 these two lines up \$500,000, we have got a problem. No new sales tax coming in, no new mortgage tax coming in. We have cut over the past three years where we could and now we are at a point of looking at service cuts.

The fund balance is pretty healthy; we have 2.3 million in fund balance, we believe we may have \$200,000 in retirements next year we may have to payout. We are going to apply about \$650,000 to stabilize the tax base.

We go into 2013 and we try and put a budget together that makes sense for everybody. Why 2% tax cap, nobody knows why, it just arbitrarily is 2%. So why stay under if it is arbitrary, I think in the spirit of what the tax cap is all about is to make sure taxes raised at a level that couldn't be afforded; we are going to try and stay under that. I can't stress enough the sales tax and how bad of a deal that was for the town, every town and village. Every town got shafted on that sales tax. We are stuck on \$2 million for the

next eight years and we see \$500,000 in new costs almost every year. We have to save our services, we can't change contracts, we have to provide services to the residents, that's as important as affordable taxes. Staffing is a challenge; we are understaffed in certain area that is for sure. Town Hall is understaffed at this point. We have asked the staff to share responsibilities which is definitely a challenge. There are no cuts in this budget regarding personnel. We all want our streets plowed and we all want the safety of an officer when we need one. Infrastructure investments, we have all sorts of road issues, we have equipment issues. We had a problem with construction of Target that cost us a significant amount of money, \$225,000 and another project cost \$154,000 which was all attributed to getting Target up and running. Remember we don't get sales tax, we don't get property tax but we had that cost, which is a huge problem.

Election expense – six years ago the Town ran the elections. We had a charge back to the County of \$45,000. The County came in and said we can consolidate the elections because it will be so much cheaper. Today our 2013 bill is \$386,000 from \$45,000 just six years ago. So, the State is handing us a retirement bill that has gone up 15%, health insurance is going up 10% and now the County, over six years, is giving us a 200% and some increase in election expenses.

These are the challenges we face.

My budget will be filed with the Clerk on October 1st. The Board will then have an opportunity to amend the budget through a series of processes. We will adopt the final budget in November. So there will be more opportunity for your involvement as we go through the process. The first budget will come out October 1st, that's the tentative, that's my proposed budget; the Board will then take it and make any amendments at that point, which will go through a series of processes and then enactment in November. We encourage involvement, this is an important issue."

Town Council Reports:

Councilman Ramotar – "Archeological investigation work has begun at Maalywck Park. Preliminary reports should be ready in about two months. Depending on the results of what they find we might have to alter some of the plans.

Twenty resumes have been received for the position of Senior Center Coordinator. We will be reviewing them within a week and hopefully the first week of October we will have a few candidates to go through an interview process and we obviously want the S-G Senior citizens assist in that process. I also want to thank Carl Quinlan for stepping up and doing a lot of the things that Cindy is no longer there to do.

School tax bill collection is going very smoothly. There are four ways of paying right now, in person at Town Hall and First National Bank of Scotia, by mail or electronic payment through the Town's website. The addition of the bar codes on the bills helped streamline the process."

Councilwoman Wierzbowski – "As we all know the weather is turning colder which means leaf season is upon us, which means our leaf program will be beginning sometime in the near future and just a reminder to check the Town's website to see where we are going to be and when we will start. When you are putting your leaves to the curb please do not put them in the road it creates a hazard by making them narrower, which can cause an accident."

Councilman Boulant – "Tomorrow at Richmor Aviation there is a Schenectady County Showcase. It's open to the public from 4:00 pm to 7:00 pm. I encourage everybody to show up and view it. There are many local businesses. There is upward of 70 vendors that are going to be there.

This past Sunday, myself, Highway Superintendent Coppola, local business owner Greg Bellamy and other businesses of SMAC (Schenectady Military Affairs Committee) we had family day at the 109th. We had a great weather day, the 109th Commander told us to prepare for feeding upwards of 1,500 people and I am

happy to say we fed 2,800 people. It was an unbelievable event and it was greatly appreciated.

Next Saturday the 29th from noon – 9:00 pm back at Richmor Aviation is Oktoberfest with a lot of effort from a lot of business owners. We have a great array of music, crafts, food and beverages from noon to 9:00 pm.

With the good of economic development there is a little bit of bad too. I know our police department is taxed and there are a lot of little things going on in the community that I think all of you folks can do to help yourselves, lock the doors on your vehicles no matter where you are. There are incidents happening that they call the “smash and grab” where they are just busting a window out, grabbing a GPS or a computer or whatever. Make sure the doors on your house are locked as well. I am not trying to alarm anybody but there are things that are happening and it can help you save yourself a lot of aggravation. Our police force is doing a great job but they can’t be everywhere all of the time.”

Supervisor Koetzle – “This is not just in Glenville...

Councilman Boulant – “No, it is happening in Rotterdam, Niskayuna, it’s everywhere. We have actually been pretty fortunate and I think it is because of our police department.”

Supervisor Koetzle – “I will put in a quick plug for the Oktoberfest. If anyone is mad about the presentation I just did I will be in the dunk booth at 3:00 pm to raise money for the girl’s softball team so if you want to come and take your shot at dunking me, 3:00 pm at Oktoberfest.”

Councilman Pytlovany – “I attended the Town Traffic Safety Committee meeting today. We addressed a few residents concerns. We had some discussions over some stop signs and some speed limit signs. There is going to be some recommendations made in a few areas that will come to the Board.”

Supervisor Koetzle – “Item No. 6 on the agenda is a public hearing to consider a zoning text amendment proposal by Saratoga Hospital.’

Supervisor opened the public hearing at 8:20 pm.

Matthew Jay Jones of the Jones Firm, attorneys for Saratoga Hospital – “If I have it correctly the text amendment came back from the County Planning Board with a recommendation for some modifications to that which you were considering last month. The new text amendment proposes an involvement by the Zoning Board of Appeals in addition to the Planning Board’s conditional use application that would be required to go through the process and that is something that we have taken a look at. We think that is a pretty good idea and we welcome the changes.

The Saratoga Hospital has an agreement to purchase the practice, not the real-estate and not the building but to purchase the practice, to lease the building from Dr. Buff and his partners and to operate the practice there under a long term arrangement with them. The residents of the Town of Glenville will not see any change in the practice. It will operate just the same as it has for a number of years.

The acquisition of the practice, it does trigger some health department regulations which are a little bit more stringent on hospitals then they are on private practices by physicians. They require that we add a little more space to the building which is currently 5,300 sq ft; we would need to add about 300 sq ft to accommodate some regulations requiring separate restroom facilities for patients and separate areas for break rooms for staff and things of that nature. We propose to add that following a site-plan amendment in front of your Planning Board to the rear of the building, taking two of the parking spaces which would still leave us adequate parking under the zoning code. That would be the only change under this particular application. Because it is a text amendment to the zoning code it would apply throughout the Town so any other

resident could take advantage of this provision and for that reason Council has very ably crafted it in a narrow way because of the interest of this Town and others to not allow the expansion of non-conforming uses. That craftsmanship has limited any application under this proposal that you are considering now to a maximum of 10% of the area and to a one time only expansion so the owner cannot come in repeatedly. A requirement that it needs to further compliance with either local or state law, in this particular case further compliance with the health department in the State of New York for our circumstance. In addition the conditional use permit would be required by the Zoning Board of Appeals, so there is a separate and independent six part test that we would have to meet there. So, it is onerous and burdensome but, justifiably onerous and burdensome in order to deal with a non-conforming use prohibition that you have in our ordinance.”

Supervisor Koetzle asked the Planner, Kevin if the neighbors had been notified.

Kevin replied that yes everyone was notified.

John Rieffel, 113 Charlton Road – “My only concern with this is how many other grandfathered properties are there in the Town that would fall under this same amendment?”

Kevin Corcoran – “There are thousands of grandfathered properties that the zoning has changed over the years.”

Supervisor Koetzle – “There haven’t been a lot of changes in residential; the changes have been in commercial. The key that was outlined here is how this is fairly limited. It would be a very unique case for this to come up again.”

Mr. Rieffel stated as a request as neighbors who live near that intersection. We have been living in the house for four years and we have seen four very awful car accidents there in that time. It is a horrible intersection. When that building was created there were different plans for that intersection. As it is now it is kind of a “Y” intersection and most of the traffic accidents occur just because of a misunderstanding about the fact that the stop sign is a stop sign. People do not come to a complete stop before making a left from Charlton onto VanVorst. I have seen plenty of people blow the stop sign at VanVorst. As a neighbor I would think this would be a fantastic opportunity for the property owners to consider giving a little bit back to the neighborhood by allowing the current intersection to move towards the property a little bit, right now it’s just grass, to make that closer to a 90° angle and reduce confusion and make it a much safer neighborhood.

Councilwoman Wierzbowski – “Van Buren and Charlton Roads are both County roads but we can help try to generate interest in that type of project.”

Supervisor Koetzle – “Our Highway Superintendent, Tom Coppola, would be a good contact into the County and we can explore it.

We will move it forth to our Traffic Safety Committee and Tom Coppola can talk with the County.”

No one else wished to speak; Supervisor Koetzle closed the public hearing at 8:32 pm.

Supervisor Koetzle – “Item No. 7 on the agenda is a public hearing to establish a new Lighting District No. 11 in front of 202 - 204 Saratoga Road (Target).”

Supervisor Koetzle opened the public at 8:33 pm

No one wished to speak; Supervisor Koetzle closed the public hearing at 8:34 pm.

No one exercised the privilege of the floor.

Supervisor's Comments:

Supervisor Koetzle shared the following information:

We received good news from NYS Office of Homes and Community Renewal, the existing Town of Glenville Small Cities Loan has been closed, thereby allowing \$582,000 to be repurposed to be used in the Town's new LDC (Local Development Corporation). The LDC has continued to perform the necessary background work that will allow it to function as a lending agency in 2013. The Town will be meeting with the official from the Schenectady County IDA and Metroplex in October to discuss coordination of lending and a possible service agreement between the LDC and a County agency to help us administer the LDC.

What this Board is doing is keeping almost \$600,000 in our community to be used for new jobs and investment in businesses.

The Town of Glenville will be participating in the Schenectady County Chamber Business Showcase tomorrow. We will be showcasing some recent economic development activity within the Town, Target, Baptist Health, Panera, etc. as well as the Town's efforts with the READI fund. The Small Business Economic Development Committee (SBED) has been very active and they will be at the event along with the Glenville Business and Professional Association and members of the Board from our new Local Development Corporation.

The next edition of the Town's newsletter is scheduled to be on the cover story in the November edition of Your Hometown monthly magazine.

We talked a lot about Target and the benefit, the good news is they are here. They are scheduled to open on October 14th.

Supervisor Koetzle moved ahead with the agenda items.

Supervisor Koetzle – "Items #10 & #11 are both tabled do to technical amendments that need to go through the process again."

RESOLUTION NO. 153-2012

Moved by: Councilman Pytlovany

Seconded by: Councilman Boulant

WHEREAS funding has been made available under a competitive grant process through the NYS Justice Departments Justice Court Assistance Program for funding of municipal court security projects,

WHEREAS it is in the best interest of the Town of Glenville to apply for available funding to assist with the financing of such projects for the Town Court,

WHEREAS the Town Board of the Town of Glenville approves the application for funding under the 2012 Justice Court Assistance Program with a request amount not to exceed \$30,000,

NOW THEREFORE BE IT RESOLVED that Christopher A. Koetzle, Supervisor of the Town of Glenville, is authorized to execute all necessary documentation for the 2012 application for court funding under the NYS Justice Departments Justice Court Assistance Program.

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

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 154-2012

Moved by: Councilman Ramotar

Seconded by: Councilwoman Wierzbowski

WHEREAS, a vacancy exists on the Town's Board of Assessment Review due to the expiration of a term of appointment,

NOW, THEREFORE, BE IT RESOLVED that Dorothy Hickok Skomp, 1537 Washout Rd., Glenville, NY is hereby re-appointed to the Town of Glenville's Board of Assessment Review for a term of five years according to Chapter 193 of the Real Property Tax Law of 1986, commencing October 1, 2012 and expiring September 30, 2017; and

BE IT FURTHER RESOLVED that the Board of Assessment Review member be compensated as follows: \$100.00 per person per day for Grievance Day and \$25.00 per person per hour for sessions following Grievance Day, with the Chairman of the Board receiving an additional \$50.00 for his/her services.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

RESOLUTION NO. 155-2012

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Ramotar

WHEREAS, Thomas R. Coppola, Commissioner of Public Works has informed the Town Board that they will be unable to properly conduct the annual loose leaf program in a timely and efficient manner without purchasing a new leaf collector; and

WHEREAS, a new federal law allows piggy-backing of state contracts;

WHEREAS, State of Connecticut contract number #[10PSX0307](#) has a leaf vacuum to fit the needs of the town;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Commissioner of Public Works to purchase one 2012 ODB Vacuum Leaf loader model LCT600 from Old Dominion Brush Co. (N.E. Office) 1634 Sunderland Hill Road, Arlington, VT 05250 in a sum not to exceed \$18,200; and

BE IT FURTHER RESOLVED, that the funding for such purchase shall be out of the 2012 Equipment budget line 04.00.5130.2000.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

RESOLUTION NO. 156-2012

Moved by: Councilman Ramotar

Seconded by: Councilwoman Wierzbowski

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

Assessor's Department
Dog Control
Economic Development & Planning Department
Highway Department
Justice Department
Section 8
Town Clerk's Office

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

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

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 157-2012

Moved by: Councilman Boulant

Seconded by: Councilman Pytlovany

WHEREAS, the Town Board of the Town of Glenville (herein called the "Town Board" and "Town," respectively), in the County of Schenectady, New York, has received a written petition, dated September 4, 2012, pursuant to section 191 of the Town Law, for the creation of Lighting District No.11 (herein called "District") whose petition was signed by the owners of at least one-half (1/2) of the assessed valuation of all taxable real property situate in the proposed District and including the signatures of resident owners of at least one-half (1/2) of the assessed valuation of such taxable real property situate in the proposed District owned by resident owners, all as shown upon the latest completed assessment roll of said Town, and a map, plan and report for the extension of Lighting District No.11 of the Town of Glenville and the construction of a lighting system therein, consisting of eight light poles and fixtures, contained within the New York State right-of-way, connections, fill, services, appurtenances and related site work (herein called the "Lighting Improvement") in front of the premises known as 202-204 Saratoga Road, a distance of approximately 550 feet was prepared and is now on file in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, pursuant to the Order duly adopted on September 5, 2012, the Town Board has determined to proceed with the establishment of the proposed District and adopted an Order reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the construction of the Lighting Improvement in the District, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying September 19, 2012, at 7:30 PM, as the time when, and the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, in the Town, as the place where, the Town Board would meet to consider the establishment of the District and to hear all person interested on the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law ; and

WHEREAS, certified copies of such Order were duly published and

posted pursuant to the provisions of the Town Law; and

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

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

WHEREAS, a Public Hearing in the matter was duly held by the Town Board on said September 19, 2012, commencing at or about 7:30 PM, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed extension to the District.

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

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

Section 1. It is hereby determined that:

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

Section 2. The establishment of the proposed District is hereby approved, as hereinafter described, and said District shall be designated and known as Lighting District No. 11 in the Town and shall include the property commonly known as 202 – 204 Saratoga Road.

Section 3. The Lighting Improvement is hereby authorized to be dedicated to the District and the amount expended therefor, including the expenses incurred in connection with the establishment of the District, is to be fully borne by the developer; the plan of financing is to be fully and completely borne by the developer, at no cost to the Town or other users in the District.

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

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

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

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

Motion Carried

New Business

Councilwoman Wierzbowski – “With regard to the budget presentation this evening, I’d like to thank you for doing that for us and the residents. I think that it is important that we have open and transparent government so everybody knows exactly where their money is going when it comes to us. I would say that although the picture looks somewhat dim as far as revenues and expenditures and new spending that we are being faced with I think that the Board as a whole has a vision to control spending, to get us on a better financial footing and Targets project and things like that that are coming to the Town will also assist us down the road. It may not be now but I have always felt that we have a commitment to building a better town for the future.

A lot of what we have accomplished over the last few years could not have been accomplished without the help of our employees who have taken on extra work loads and who have done and gone the extra mile for us to help us try and implement the things that we want to do. Thank you to everybody for coming and we are always available by email or phone call. I would encourage residents to contact us at any point and time.”

Councilman Boulant – “Obviously the sales tax increase for the County is not going to solve the problem because an article that appeared in the Times Union.com today that the County is considering going over it’s property tax cap for the 2013 budget.”

Supervisor Koetzle – “I have been serving on this Board for five years now, two as Councilman and three as Supervisor and I am continually humbled by the residents and the business owners we have in this Town. We have the best of the best and this past 9/11 we had an important anniversary in our Country and Pat Popolizio a business owner in our Town and John Wells another business owner always put together a very nice service for Glenville. I just want to say thank you and that you make Glenville proud on 9/11.”

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 8:45 PM.

ATTEST:

Linda C. Neals
Town Clerk