

REGULAR MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
OCTOBER 3, 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, Sid Ramotar and Councilwoman Gina M. Wierzbowski

Absent: Councilman John C. Pytlovany

Also present were Attorney Michael Cuevas, Director of Operations James MacFarland and Comptroller George Phillips.

Town Clerk, Linda C. Neals presented the 2013 Tentative Budget to the Board Members.

Town Council Reports:

Councilman Ramotar – “The archeological report is still going on at Maalywck Park and we will have a report in December. We are currently interviewing for a Senior Center Coordinator.”

Councilwoman Wierzbowski – “Just a reminder to not put your leaves in the road. Check the website to see where we are going to be.”

Councilman Boulant – “This past Saturday the Town along with the Glenville Business Professional Association held its third annual Oktoberfest. Mother Nature did not cooperate but it was a good turn out and better than the previous year. I’d like to acknowledge a few people but there were just so many people involved through the business community as well as the Town of Glenville to make it a success so I look forward to next year.”

No one exercised the privilege of the floor.

Supervisor’s Comments:

Supervisor Koetzle shared the following information:

I too just wanted to echo Councilman Boulant’s mention of the Oktoberfest and thank all of the volunteers. I think it was a tremendous success and I think it is becoming a signature event for the Town. I would estimate between 2,500 – 3,000 people that attended despite the weather. Thank you, Councilman Boulant, the committee, our staff and all of the volunteers, you all do so much work. It is a proud event for the Town.

There was a structural problem with the budget calendar this year. The statute says it has to be adopted by November 20th and unfortunately our board meeting isn’t until the 21st so we have to change the calendar to conform to the statute. The Tentative Budget will become the Preliminary on October 17th and a public hearing will be scheduled for November 7th; the Final Budget will be adopted on November 14th which is a work session so we will call for a special meeting just to meet the deadline of the 20th.

Target is scheduling a grand opening for October 14th; there will be a soft opening before hand. I have been told this will be between October 9th & 11th.

The Tentative Budget was filed with the Town Clerk on October 1st. I am

proud to say we are under the tax cap, as was always the goal of myself, the staff and the Board. The budget is below the tax cap by about \$70,000 or 1.2%. It's about 3.4% roughly is the levy increase this year and we got to that with all the exclusions and the complex formula, with carry over's from last year and things like this. Essentially the 3.4% is below the cap by quite a bit.

It is important to note that we started the process with about 11% - 12% increase in the levy. A lot of the cost drivers are really things that are out of control of everybody in this room, one of them being health insurance increase which is going up 10% which translates to a 3.5% levy increase. That health insurance line itself is a 3½% levy increase. The pension costs went up 15% which translates to 4.4% levy increase, so already you can see we're up to almost 8% levy increase to cover those costs. The County election expense went up tremendously but it translates to about ½% levy increase and then the fund balance allocation which is something I want to spend just a minute talking about because I think it is a distinguishing factor between us and our sister communities in the County would require a 2.55% levy increase, all of that adds us to about 12%. We had to mitigate that 12%, find cuts and rework the budget in ways to get down under the cap to that 3.4%. The fund balance allocation is important because I don't want to get too deep into this but the Town 3 or 4 years ago had a dependency of 1.4 million dollars on fund balance which is way too dangerous for us. Our sister communities don't have that same thing, their leadership either 4 years ago or whenever did not get them in that position so they did not have to reduce their fund balance allocation. So when you take the fact that we reduced it by 2½% that puts us right in line with Rotterdam and Niskayuna. They didn't have to take that action we do. This translates essentially into an increase of tax levy for town taxes on an average house to about \$21.00 per year and \$3.00 per average house per year in the Village.

We know what our challenges are, we have talked about them. We will continue talking about them in the coming weeks, we have an aging infrastructure, and we have new equipment purchases. We did eliminate a truck in the sewer department; there is still one in the water department to be purchased. We did eliminate two police cars to be purchased, there is still one that we will purchase in 2013 and the Chief is coming next week to talk to us about purchasing one in 2012 which we believe he has the money for in his budget. So they will have two police cars within two years. Retirement contributions, health insurance, we've talked about these. Election expense by the County is out of control, increased compensation to sell union contracts. It is important to note that there are no raises in this budget. Raises are set aside, there is no fluff set aside, there is no contingency, there is nothing, and no raises are included in this budget.

The revenue side, we are obviously seeing erosion of our income through the County negotiated grievance through the PILOTS and the TIFFS, we talked about those at the budget meeting and we can talk about them in more detail later but they are certainly hurting our revenue side as far as property taxes, off our commercial base and of course the deal that was struck between the County and the City on sales tax, didn't do us any favors holding our small share of the sales tax steady for twelve years now and our costs are going up so dramatically.

These are some of the things that we are going to try and manage again. The two things that I thought were a priority and I kept in my budget, were paving and the REDI Fund because I think that economic development is tremendously important, I think it has been a successful program, I think there is more we can do with it and that hasn't been changed either.

I want to remind where other communities in this county have had their bond rating decreased, we had ours upgraded which is against the grain. I just want to pull out a quote because it kind of goes to the heart of what we are trying to do to the fund balance. What Moody said one of the reasons why they upgraded our fund balance was "the Town has drawn modestly on reserves over the past three years and the three operating fund balances are relatively stable", that to me testaments in what we are trying to do to reduce this fund balance.

As we talk to residents, this could easily be a zero percent if we didn't break that dependency on the fund balance, which I think is tremendously important and I think it is a good, sound and stable budget and I think we will talk about it in the coming weeks."

Supervisor Koetzle moved ahead with the agenda.

RESOLUTION NO. 158-2012

Moved by: Councilman Boulant

Seconded by: Councilwoman Wierzbowski

WHEREAS, Saratoga Hospital is requesting that the Town Board of the Town of Glenville amend certain provisions of Article XV (Nonconforming Uses and Structures) of the Town of Glenville Zoning Ordinance (Chapter 270 of the Code of the Town of Glenville) so as to permit the one-time expansion of nonconforming buildings by up to 10%; 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 impact associated with these proposed zoning text amendments, and further recommended 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 the Town of Glenville Zoning Ordinance regarding nonconforming uses and structures 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 result in any development or physical alterations to the land. Rather, they establish that nonconforming structures can be expanded one time, up to 10%, in very limited circumstances. Any construction subsequent to these zoning amendments will be subject to individual SEQRA review, as well as a conditional use permit.
- 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.

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

Noes: None

Absent: Councilman Pytlovany

Abstentions: None

Motion Carried

RESOLUTION NO. 159-2012

Moved by: Councilman Boulant
Seconded by: Councilwoman Wierzbowski

WHEREAS, Saratoga Hospital is requesting that the Town Board of the Town of Glenville amend certain provisions of Article XV (Nonconforming Uses and Structures) of the Town of Glenville Zoning Ordinance (Chapter 270 of the Code of the Town of Glenville) so as to permit the one-time expansion of nonconforming buildings by up to 10%; and

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 September 19, 2012; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby approves the proposed amendments to Article XV (Nonconforming Uses and Structures) of the Town of Glenville Zoning Ordinance; and

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

- These revisions are reasonably compatible with the overall goal of the Town of Glenville Comprehensive Plan, which states ... *"Provide for appropriate growth and change in Glenville, in coordination with the provision of transportation and utility services, consistent with natural resource constraints and aesthetic concerns, meeting the housing, economic and social needs of the community."*

The allowance of a one-time expansion of a nonconforming structure, up to 10%, under a narrow set of circumstances, addresses the "appropriate growth and change" provision of the overall goal of the Town of Glenville Comprehensive Plan. Further, the requirement for a conditional use permit for any expansion of a nonconforming structure will ensure that natural resource constraints and aesthetic concerns will be given due consideration when the expansion is being considered.

- Any proposed expansion of a nonconforming use will require the issuance of a conditional use permit by the Town of Glenville Zoning Board of Appeals. As such, the issue of neighborhood compatibility will be evaluated with any and all expansion proposals.
- These zoning text amendments apply to a very narrow set of circumstances, and as such, these amendments should not have a detrimental effect on property values. And again, with a conditional use permit being a requirement for any expansion of a nonconforming use, impacts on neighboring properties will be considered in each and every case.
- The proposed zoning amendments under consideration are reasonably compatible with the purposes of the Town of Glenville Zoning Ordinance, as articulated in Section 270-1 of the Code of the Town of Glenville.

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

Motion Carried

Supervisor Koetzle asked for a motion to move resolution #'s 160 – 163 on consent.”

Moved: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

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

RESOLUTION NO. 160-2012

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

A RESOLUTION providing a hearing to consider any objections which may be made to the assessment roll for **Water District No. 11**, Town of Glenville, Schenectady County, New York and to **Extensions No. 1 thru 37** of said Water District.

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

SECTION 1. A hearing shall be held to hear and consider any objections which may be made to the assessment roll for Water District No. 11, Town of Glenville, Schenectady County, New York and to Extensions No. 1 thru 37 of said Water District, which was filed with the Town Clerk on June 01, 2012. Such hearing shall be held on the 17th day of October 2012 at 7:30 o'clock in the evening or as soon thereafter as they may be reached at the Glenville Municipal Center, 18 Glenridge Road, Glenville, NY.

SECTION 2. Notice of such hearing shall be published once in the official Town newspaper at least ten (10) days prior to the date of said hearing.

SECTION 3. This resolution takes effect immediately.

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

Motion Carried

RESOLUTION NO. 161-2012

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

A RESOLUTION providing a hearing to consider any objections which may be made to the assessment roll for **Sewer District No. 9** and

**Woodcrest Sewer Extension, Town of
Glenville, Schenectady County, New York.**

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

SECTION 1. A hearing shall be held to hear and consider any objections, which may be made to the assessment roll for Sewer District No. 9 and Woodcrest Sewer Extension, of the Town of Glenville, Schenectady County, New York, which was filed with the Town Clerk on June 1, 2012. Such hearing shall be held on the 17th of October 2012 at 7:30 o'clock in the evening or as soon thereafter as they may be reached at the Glenville Municipal Center, 18 Glenridge Road, Glenville, NY.

SECTION 2. Notice of such hearing shall be published once in the official Town newspaper at least ten (10) days prior to the date of said hearing.

SECTION 3. This resolution takes effect immediately.

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

Motion Carried

RESOLUTION NO. 162-2012

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

A RESOLUTION providing a hearing to consider any objections which may be made to the assessment roll for the joint **Acorn Drive Sewer District and Woodhaven Sewer District Waste Treatment Plant**, Town of Glenville, Schenectady County, New York.

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

SECTION 1. A hearing shall be held to hear and consider any objections, which may be made to the assessment roll for the joint Acorn Drive Sewer District, and Woodhaven Sewer District Waste Treatment Plant, Town of Glenville, Schenectady County, New York, which was filed with the Town Clerk on June 1, 2012. Such hearing shall be held on the 17th of October 2012 at 7:30 o'clock in the evening or as soon thereafter as they may be reached at the Glenville Municipal Center, 18 Glenridge Road, Glenville, NY.

SECTION 2. Notice of such hearing shall be published once in the official Town newspaper at least ten (10) days prior to the date of said hearing.

SECTION 3. This resolution takes effect immediately.

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

Motion Carried
RESOLUTION NO. 163-2012

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

A RESOLUTION providing a hearing to consider any objections which may be made to the assessment roll for **Alplaus Sewer District No. 1 and Extension No. 1** of the Town of Glenville, Schenectady County, New York.

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

SECTION 1. A hearing shall be held to hear and consider any objections, which may be made to the assessment roll for Alplaus Sewer District No. 1 and Extension No. 1, Town of Glenville, Schenectady County, New York, which was filed with the Town Clerk on June 1, 2012. Such hearing shall be held on the 17th of October 2012 at 7:30 o'clock in the evening or as soon thereafter as they may be reached at the Glenville Municipal Center, 18 Glenridge Road, Glenville, NY.

SECTION 2. Notice of such hearing shall be published once in the official Town newspaper at least ten (10) days prior to the date of said hearing.

SECTION 3. This resolution takes effect immediately.

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

Motion Carried

RESOLUTION NO. 164-2012

Moved by: Councilman Boulant
Seconded by: Councilwoman Wierzbowski

WHEREAS, it is the intent of this resolution to keep Halloween a safe day for the children trick or treating in Glenville,

NOW, THEREFORE, BE IT RESOLVED that the time Halloween is to be celebrated within the Town of Glenville is from 4:00 PM to 8:00 PM on Wednesday, October 31, 2012; and

BE IT FURTHER RESOLVED that the Chief of Police be and he hereby is authorized to print notices of "**Safe Wednesday Halloween**" and have them distributed to the Neighborhood Watch Groups, schools, churches, newspapers and at any other locations deemed appropriate.

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

Motion Carried

RESOLUTION NO. 165-2012

Moved by: Councilman Ramotar
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville retained Pat DiCesare for the purpose of developing bid specifications for the Town's general property & casualty insurance and to review and analyze the bids once received; and

WHEREAS, Mr. DiCesare prepared the bid specifications and the Town let the bid with the understanding that the winning bidder would also win the right to broker the Town's workers compensation insurance; and

WHEREAS, Marshall and Sterling was the low bidder for the General Property & Casualty insurance with a bid of \$139,885 compared to a bid of \$152,260 by Cool Insuring Agency and a bid by First Niagara in the amount of \$157,708; and

WHEREAS, the Town will appropriate sufficient funds in the 2013 Town Budget to adequately fund our insurances need; and

WHEREAS, the 2013 workers compensation insurance cost for the Town is presently funded in the Tentative Town budget in the amount of \$259,571 with the inclusion of Volunteer Fire Fighters workers compensation coverage flow through costs of approximately \$89,234, leaving the remaining town portion at approximately \$170,337,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby accepts the bid of Marshall and Sterling for the Town's general property and casualty insurance in the amount of \$139,885 and workers compensation insurance in the amount of \$259,571 for the policy year commencing 1/1/2013 and awards the contracts for same to Marshall & Sterling.

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

Discussion...

Councilwoman Wierzbowski – "This is for drainage work associated with the Target Store development. There is a drainage pipe that runs from Target through Brookwood Drive and back into the woods. The pipe has had to have emergency repairs, the most recent of which was in the amount of \$7,000. The rest of the pipe is extremely old, extremely deteriorated and is now at a point where it is causing an emergency situation in the neighborhood. We approached John McDonald Engineering; he prepared specifications for repairs to that line in order to prevent any additional sink holes and any further problems and danger to the public with regard to the drainage line.

Although I am not generally in favor of bonding I feel that it is a situation that just requires it. It is an amount that we may be able to absorb into our budget it is going to drain other reserves that we need later on in the year."

RESOLUTION NO. 166-2012

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

WHEREAS, drainage work associated with the Target store development project necessitated a camera inspection of the stormwater drain line commonly known as the Brookwood Drive drainage line, and

WHEREAS, said inspection revealed numerous areas of pipe joint displacement, cracks and intrusions into the line, resulting in sinkholes above the line and the potential for significant future blockage of the line, which the Commissioner of Public Works determined to present a clear and present danger to the life, health and safety of the adjoining property owners and the public at large; and

WHEREAS, on September 19, 2012, the Town Board of the Town of Glenville found and determined that a public emergency existed in said Town arising out of an unforeseen occurrence or condition whereby circumstances affecting the life, health, safety or property of said Town required immediate action which could not await competitive bidding in that the sinkholes developing endangered the life, health and safety of the public and also threatened to undermine state and town highways; and

WHEREAS, the Commissioner of Public Works Thomas Coppola engaged John McDonald Engineering to prepare specifications for repairs to the Brookwood Drive drainage line in order to prevent additional sinkholes and any further danger to the public, such specifications having been provided to numerous general contractors along with a request for proposals for the required repairs, and

WHEREAS, J.H. Maloy, Inc. provided the lowest priced quote for the work in the amount of \$154,000 (unit pricing),

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Glenville is hereby authorized to enter into agreement with J.H. Maloy, Inc., 421 Albany Shaker Road, Albany, NY 12211, to perform the necessary repairs to the Brookwood Drive drainage line in the amount of \$154,000, and

BE IT FURTHER RESOLVED that payment for said work shall be made through issuance of a Bond Anticipation Note in the amount of \$154,000 or the final job cost as determined by the unit pricing contained in the proposal.

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

Motion Carried

RESOLUTION NO. 167-2012

Moved by: Councilman Ramotar
Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED, that the minutes of the regular meetings held on August 15, and September 5, 2012 are hereby approved and accepted as entered.

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

Motion Carried

New Business:

Councilman Ramotar – “Thank you to Councilman Boulant and every one else that was involved with Oktoberfest. Again another successful event and I know a lot of hard work and time has been put into it.”

Councilwoman Wierzbowski – “I would like to give a very heartfelt thank

you to all of the volunteers that came together once again and put on an event for our town that was relatively free to attend and be a part of. We all got together on the Board and we wanted to do a community event when we all started out together three years ago. We envisioned something that would bring the community together and even though the weather was rainy I still think the last three years we have achieved it and Alan you have been one of the driving forces and thank you very much and all of the volunteers.”

Councilman Boulant – “I have to acknowledge some people; Jamie MacFarland was actually the driving force. Jamie does most of the behind scenes stuff, puts up with all of the personalities and the egos that go along with it. Jim Valachovic, a Glenville resident, Richmor Aviation, Heather Peterson, Amy Aldridge, Dave Hennel is the Chair and he keep us all in line, Mail’N’More, all of the sponsors. The food court vendors especially aside from the German American Club who did a very good job, the Bellamy family, the Ruggiero family, the Lansing family, Subway, it is not a money maker for them but someday it may be as it get bigger crowds. I appreciate the acknowledgment but I am just one piece.”

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn was Moved by Councilman Boulant; Seconded by Councilwoman Wierzbowski, everyone being in favor, the meeting was adjourned at 7:57 PM.

ATTEST:

Linda C. Neals
Town Clerk