

REGULAR MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
SEPTEMBER 18, 2013
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, Sid Ramotar and Councilwoman Gina M. Wierzbowski

Absent: None

Also present were Attorney Michael Cuevas; Jamie MacFarland, Director of Operations; Jason Cuthbert, Comptroller and Kevin Corcoran, Planner, Tom Coppola, Highway Superintendent.

Town Council Reports:

Councilman Ramotar – “The Efficiency in Government Committee met last night and they are continuing to discuss software that can be shared for a more efficient town government.”

Councilwoman Wierzbowski – “Our Wellfield Protection Committee, part of their mission was to educate the community in connection with our water source in the Town of Glenville and how we protect it and access it. This is something they put together (Councilwoman Wierzbowski held up a collection of visual aids all incased in a beautiful frame). This will be on display around the Town in Town Hall, at the Senior Center and hopefully in the schools.”

Councilman Boulant – “Next Saturday from noon to 9:00 pm is our 4th Annual Oktoberfest. Please pray for sunshine.”

Councilman Pytlovany – “I attended the Traffic Safety Committee meeting the afternoon. We addressed three residents concerns on speeding on their streets. We will have a recommendation coming to this Board for a stop sign in the Industrial Park on B and 7th Street and we will also have a recommendation coming on limiting the size of vehicles or the weight of vehicles to 4 tons on Wolf Hollow Road and Touareuna Road.”

Supervisor Koetzle – “Item #5 on the agenda is a public hearing regarding a proposed zoning map amendment that would change the zoning of a parcel at 437 Saratoga Road and the easternmost portion of 441 Saratoga Road from “Community Business” to “General Business. This is a second hearing due to a technical error regarding the acreage.”

Supervisor Koetzle opened the public hearing at 7:35 pm.

No one wished to speak; Supervisor closed the public hearing at 7:36 pm.

Supervisor Koetzle presented proclamations to the Burnt Hills-Ballston Lake 11-12 year old All Star Team capturing the New York State Little League Championship by winning over South Shore 5-1.

The Team presented a signed baseball to the Town of Glenville.

No one wished to speak during Privilege of the Floor

Supervisor’s Comments:

The Town hosted two budget forums over the past two weeks. Although

lightly attended, these forums were an opportunity for the public to understand the town's budget drivers, trends, challenges and the budget process. The question and answer period at the end of the budget presentation is probably the most important part of the forums and affords the public a chance to speak to concerns they have and to understand in detail certain aspects of the budget.

As I have stated before my plan, which I know this Town Board supports, is to deliver a budget on September 30th that will again for the 3rd year in a row stay under the tax cap.

The Town continued its negotiations with Time Warner Cable on a new contract that was not yet satisfied with the town's subscribers to get a better deal from the new contract then from the existing contract.

As such we are continuing our negotiations. One question we are often asked is why FIOS isn't available to Town residents? The answer is FIOS will be available when Verizon builds the fiber optic network and comes to the Town for a franchise agreement just like Time Warner has to do. We welcome an open market competition and will not delay signing the Verizon franchise agreement when they finally approach the Town, but the ball is in Verizon's court. Some people think we are holding it up or we don't allow them in, that's not the case, they just haven't built their network here.

The round-a-bout has opened fully and working well. The rocks that use to hold the bridges up, they have a pretty strong history here in the Town. They are rocks that were used to build the Erie Canal and they were used by the State then for projects like this so they have been there, I don't know how long. So these rocks have a long history in our Town and now we have a rock pile, they were kind enough to give us the rocks. We have talked some of us individually, and what I would like to do is try to find something we can do with those rocks that we can incorporate into the community. Some of the ideas that have been floated around are some sort of a community wall that might be cut out of the rocks or maybe a veterans memorial wall, some people said use it for public space like for seating in a park, benches, beautification of Town Center. So what we would like to do is start thinking and getting people to come up with ideas because we really would like to use them around the community.

The County has been kind enough to leave them at the County Farm but they are not going to want them there forever.

I will be in the "Dunk Tank" again at the Oktoberfest. I invite any other Board member as a challenge if you want to join me. An hour is a long time to sit up there so we could split the time if you want. (Councilman Boulant volunteered)."

Councilwoman Wierzbowski – "Would the rock project be something you might want to open up to like put it out on a social media or people who live in Glenville. If you have any ideas please submit them."

Supervisor Koetzle – "I've talked to Rotary and the Chamber but I think that hearing feedback from the residents or social media would be great. Jamie has pictures we could put out there."

Our fall newsletter needs to get into the Hometown pretty quickly. So if anybody has any topics get them to me or Jamie."

Supervisor Koetzle moved ahead with the agenda items.

RESOLUTION NO. 160-2013

Moved by: Councilman Boulant

Seconded by: Councilman Pytlovany

WHEREAS, a zoning map amendment application has been submitted by the Town of Glenville Economic Development & Planning Department to change the

zoning designation of the 0.48-acre parcel at 437 Saratoga Road, owned by Power Test Realty Limited Partnership and occupied by the Getty gas station, as well as a one and one-half-acre (more or less) portion of the existing 13-acre property at 441 Saratoga Road, owned by Lorraine Hewitt, from "Community Business" to "General Business;" and

WHEREAS, the purpose of the zoning map amendment is to bring the Getty gas station at 437 Saratoga Road into zoning conformance, and to allow for wider marketability of the vacant commercial building at 441 Saratoga Road; and

WHEREAS, the Town Board of the Town of Glenville, pursuant to 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}), has assumed SEQRA Lead Agency for this proposal; and

WHEREAS, both the Glenville Environmental Conservation Commission and the Town of Glenville Planning & Zoning Commission recommended that the Town Board find no significant adverse environmental impact associated with this zoning map amendment, and that the Board issue a SEQRA "Negative Declaration;"

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby determines that the proposed zoning map amendment for 437 Saratoga Road and a portion of 441 Saratoga Road 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:

- This action is consistent with the Land Use Plan portion of the Town of Glenville Comprehensive Plan, which calls for "Commercial / Retail / Office" land uses for this area.
- This action involves a zoning amendment from one grade of commercial zoning to another, for two properties that are already occupied by commercial buildings; one being the Getty Gas Station and the other being the vacant commercial building to the rear of Getty. Consequently, there will be no physical alteration to the landscape as a direct result of this zoning amendment. Potential physical/environmental impacts associated with any future tenants on these properties will be evaluated individually through both the SEQRA process and site plan review process.
- This action will not result in a substantial change in the use or intensity of use, of the properties in question. The rezoning will bring the Getty Gas Station into zoning conformance, while the rezoning of the Hewitt's property will merely allow the vacant building on the property to be marketed for a wider variety of commercial uses; uses that would be consistent with the existing development pattern in the area.
- Given the fact that these two properties are already built upon for commercial use and that the zoning change simply involves an upgrade in the commercial zoning designation of the two properties, this action will not significantly impact air quality, ground water or surface water quality, archeological resources, recreational facilities, etc. Further, this proposal will not create a hazard to human health, and it will not result in a major change in either the quantity or type of energy to be used.

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

Noes: None

Absents: None

Abstentions: None

Motion Carried

RESOLUTION NO. 161-2013

Moved by: Councilman Boulant

Seconded by: Councilman Pytlovany

WHEREAS, a zoning map amendment application has been submitted by the Town of Glenville Economic Development & Planning Department to change the zoning designation of the 0.48-acre parcel at 437 Saratoga Road, owned by Power Test Realty Limited Partnership and occupied by the Getty gas station, as well as a one and one-half-acre (more or less) portion of the existing 13-acre property at 441 Saratoga Road, owned by Lorraine Hewitt, from “Community Business” to “General Business;” and

WHEREAS, the purpose of the zoning map amendment is to bring the Getty gas station at 437 Saratoga Road into zoning conformance, and to allow for wider marketability of the vacant commercial building at 441 Saratoga Road; 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 this zoning map amendment; and

WHEREAS, pursuant to New York State Town Law and the Code of the Town of Glenville, a public hearing regarding the proposed zoning map amendment was held by the Town Board on both September 4, 2013 and September 18, 2013; and

WHEREAS, the Town of Glenville Planning and Zoning Commission has recommended that the Town Board approve this zoning map amendment; and

WHEREAS, the Schenectady County Department of Economic Development & Planning, pursuant to Sections 239-l, 239-m, and 239-n of General Municipal Law, has reviewed the proposed zoning map amendment and they “defer to local consideration;”

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby approves the proposed zoning map amendment for the 0.48-acre parcel at 437 Saratoga Road and a one and one-half-acre (more or less) portion of 441 Saratoga Road, to change the zoning from “Community Business” to “General Business;” and

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

- These revisions are compatible with the Town of Glenville Comprehensive Plan, and in particular, the Land Use Plan component of the Comprehensive Plan, which targets these properties for “Commercial / Retail / Office” use.
- This zoning map amendment constitutes a change from one commercial zoning designation to another. As such, any future development or redevelopment of these two properties under the “General Business” designation will be reasonably similar to what can be developed on these properties now, under the “Community Business” zoning designation. Further, any future development or redevelopment of these two properties will require both SEQRA review and site plan review and/or a conditional use permit. Accordingly, sufficient safeguards are in place to assure compatibility with neighboring land uses.
- Given the already commercial nature of the two properties to be rezoned, as well as the commercial character of other properties in the neighborhood, this zoning map amendment will not compromise nearby land values.

- The predominant land uses in the immediate vicinity of, and including, 437 and 441 Saratoga Road are commercial, characterized by a mix of automotive, retail, and service-type uses. Given the nearby development pattern and existing zoning designations, the proposed zoning map amendment will not jeopardize the character of the neighborhood.
- The proposed zoning map amendment is compatible with various other sections of the Town's Zoning Ordinance; most notably Section 270-2I (Objectives), which reads "*Decrease the property tax burden upon residents by increasing the nonresidential tax base through well-conceived and appropriately scaled and located commercial and industrial development.*"

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

Noes: None

Absents: None

Abstentions: None

Motion Carried

RESOLUTION NO. 162-2013

Moved by: Councilman Boulant

Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville and the Civil Service Employees Association (CSEA), Town Hall Unit are parties to a collective bargaining agreement for a term expiring December 31, 2012; and

WHEREAS, the Town and the CSEA have conferred over the temporary appointment of bargaining unit member Carol Corbett to the position of Acting Assessor, her leave of absence from the position of Real Property Technician and the temporary assistance provided to the Assessor's office by a non-bargaining unit member during the next few months; and

WHEREAS, both parties acknowledge that the position of Real Property Technician is a bargaining unit position and that the duties of that position have been performed by bargaining unit members; and

WHEREAS, the parties desire to come to an agreement which protects the unit exclusivity over bargaining unit work while permitting the Assessor's office to function until a new civil service test can be had and new employees appointed;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Supervisor to enter into the attached memorandum of agreement with the CSEA that would provide a leave of absence to Carol Corbett from the position of Real Property Technician, allow a non-bargaining unit member to temporarily perform certain functions in the Assessor's office and protect the exclusivity of bargaining unit work.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

RESOLUTION NO. 163-2013

Moved by: Councilman Ramotar

Seconded by: Councilwoman Wierzbowski

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

Assessor
Dog Control
Economic Development & Planning Department
Justice Department
Receiver of Taxes
Section 8 Voucher Program
Town Clerk's Office
Water Department

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. 164-2013

Moved by: Councilman Ramotar

Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED, that the minutes of the regular meetings held on July 17th and August 21st and the special meeting held on August 14, 2013 are hereby approved and accepted as entered.

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

Noes: None

Absent: None

Abstentions: Councilman Pytlovany

Motion Carried

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Boulant; Seconded by Councilman Pytlovany, everyone being in favor the meeting was adjourned at 8:02 PM.

ATTEST:

Linda C. Neals
Town Clerk