

REGULAR MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
JANUARY 22, 2014
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 James M. Martin, John C. Pytlovany and Sid Ramotar

Absent: Councilwoman Gina M. Wierzbowski

Also present were Attorney Michael Cuevas; Jason Cuthbert, Comptroller and Kevin Corcoran, Planner; Michael Ranalli, Police Chief and Tom Coppola, Highway Superintendent.

Supervisor Koetzle – “Item #15, authorizing the Police Chief to purchase two (2) vehicles will be pulled this evening.”

Town Council Reports:

Councilman Ramotar – “Jamie and I met earlier this week and we talked about a couple of things that are happening in the parks. The Master Plan, the pavilion, Indian Meadows and some things we are hoping to do with the YMCA. In addition the Efficiency in Government Committee (EIG) has some great plans for technology upgrades.”

Councilman Martin – “I would like to report on the results of a recently completed survey of the town residents in regards to the types of businesses that the residents would like to see in the community. I want to extend our thanks to the Local Development Corporation for sponsoring this survey, specifically the members of the business development committee of that corporation and the people specifically. They were instrumental in putting this survey together. They did an excellent job promoting the survey all through the spring and summer and into the fall. We got a lot of responses, over three-hundred (300) responses which is very good. I just want to share some of those results; clearly many of the people who responded to the survey were more than twenty (20) years in residency, most were over the age of 41 and there was a fair amount of female response, 61% were females. The businesses they most favored were in recreational areas and most specifically a family restaurant was the number one most desired add. There was high encouragement for single family home development, less so for apartments and multi-family. Other businesses that were looked for were sports and exercise, gifts, home decorations, were all very popular. Actually all of the things listed were over a 55% favorable response even for kitchen goods and children’s clothing. So there is a lot of interest in more merchandise being available in the community. It went on to ask how often people shop, how much they spent and so on and those last two questions are most important as now this is going to be a tool for going forward for this Business Development Committee and the Local Development Corporation and SBED as we go out and market the town. We have some real results to bring to potential developers and show them where the interest lies. Most importantly we don’t have to be reactive and wait for things to come to us we can go out proactively and seek out the things our residents want to see and that is what we intend to do.

I want to extend my whole heart thanks to the people who worked on this survey, the residents of our community volunteering their time and their talents. This is an excellent piece of work and it was nice to work with such fine people.”

Councilman Pytlovany – “Last week I attended the Wellfield Protection Committee meeting. I was very impressed with a group of individuals there on that committee. They are making sure that our water supply is safe today as well in the future.

I would also like to mention that three (3) of our employees assisted in the birth two (2) babies. The first one being dispatcher, Lori Fredricks who talked the father through the delivery until Lt. Rick Conley responded and got to the car located at our new round-a-bout on Glenridge Road and the other one was dispatcher Joanne McPhail who talked the father through the delivery. I would like to congratulate all three of them.”

Supervisor Koetzle – “Item #5 on the agenda is a public hearing regarding a proposed extension to Water District 11 to include property located at 11 7th Street, Glenville, NY, Old Dominion Freight Line.”

Supervisor Koetzle opened the public hearing at 7:40 p.m.

No one wished to speak; Supervisor Koetzle closed the public hearing at 7:41 p.m.

Supervisor Koetzle – “Item #6 on the agenda is a public hearing regarding a proposed extension to Water District 11 to include property located at 2160 – 2165 Amsterdam Road, Scotia Industrial Park.

Supervisor Koetzle opened the public hearing at 7:42 p.m.

No one wished to speak; Supervisor Koetzle closed the public hearing at 7:43 p.m.

Supervisor Koetzle – “Item #7 on the agenda is a public hearing to consider a proposed transfer of a permanent utility easement in a portion of 7th Street, Old Dominion Freight Line, Inc.

Supervisor Koetzle opened the public hearing at 7:44 p.m.

No one wished to speak; Supervisor Koetzle closed the public hearing at 7:45.

Local Development Corporation 2014 Action Plan:

Richard Usas – “We welcome the new and re-elected board members and we look forward to working with the you this year. We do appreciate the cooperation that we have gotten from you so far. I previously circulated a detailed agenda for 2014 but I will limit this to a few specific topics from that list.

The two major events to take place in the Town during the year are the “Let’s Talk Business Developer” reception which is being held this year on April 24th at the Riverstone Manor and the “Oktoberfest” which will be held in September. Although the Glenville Local Development Committee (GLDC) is not specifically the sponsor to the developer event in April, all of our members support the event for the Glenville Business Professional Association (GBPA). Last year’s participation was almost 200 attendees, assisting brokers, property owners, investing notables, many of who commented on the fact that Glenville is the only regional municipality to hold such event. Sponsor participation last year was over \$6,000 which was large enough to cover the cost of the event and leave a surplus for the GBPA. We look forward to an equally successful event this year. This is our best opportunity to show off our town’s development potential. The Oktoberfest, which is actually a GBPA sponsored event but we provide many of the volunteers. The GLDC had a booth last year and many of our hand outs were distributed and we feel it is a good method to make our presents felt in town and to get our message out to the citizens that we are now operational.

Obviously there is a fair amount of cross pollination that takes place between our volunteer organizations and the common goal to continue to make Glenville a great place to live and work in. The loan program is now fully established, guidelines and applications are on the website. Business development and loan review committees are fully staffed and ready to process applications. Some loans are under consideration at this time. We will be working closely with other town departments with Metroplex as well as

with the Village of Scotia to maintain an awareness of projects being planned or considered that could represent an opportunity for us to assist small business people with either start up or operating cash needs. Jim Martin has begun a dialogue with Scotia Mayor Kris Kastberg on ways for the Town and Village to work together to promote lending opportunities and he will continue to discuss them with the Mayor and his team. Jim's wisdom and enthusiasm are one of the reasons that this organization exists and we are extremely grateful for his guidance.

Our fund balance is currently \$550,000. Start up costs for legal fees during 2013 consumed about \$15,000, principally to assure compliance with NYS regulations set forth by the authorities budget office which has established very stringent rules applicable to LDC's and how the funds are administered. Town Council Mike Cuevas and John Hartzell from the Nolan Heller Law Firm, they have been invaluable in guiding us through the layers of regulations needed to launch the GLDC and we are confident that our sub-recipient agreement and related documents are all in order. We benefited also from excellent advice from Bob Murray who is President of Shelter Planning. He's worked with LDC's, IDA's and similar organizations through out the State and is an expert on the policies and procedures that are so critical.

Regarding the Scotia-Glenville Research and Technology Park, we believe this is an excellent facility for us to participate in growth of new and existing businesses. We look forward to working with the Town and the Village for moving those activities.

Our primary goal for this year is to generate loan activity leading to more job creations and advancement of our local businesses. We believe that Glenville is experiencing a good growth pattern, good leadership and smart policies. We will be marketing our capability to both individual businesses as well as those organizations that service them such as banks, vendors and real-estate community. So in the coming months we urge that as you go about your duties as community leaders and citizens that you keep an eye out for opportunities for us to pursue that goal."

Supervisor Koetzle – "I want to thank you for all of your work. I know Jim was an important part putting this together but you are as well and as the president I am looking forward to working with you this year.

The money that we used to start the Glenville Local Development Corporation was not Town money, not taxpayer money but money that came from a business within the community that repaid a loan made by the federal government. We are going to keep that money here instead of sending it back to the State, which was used to start the LDC and the purpose of these loans is for job creation so the loans have to be tied to creating some sort of job in the community."

So I just wanted to point out, that it is not Glenville money and the LDC is separate from the Town completely. They have their own governing body and by-laws. We are here to support you."

The following people exercised the privilege of the floor:

Pete Bardunias, President of the Chamber of Commerce, Southern Saratoga County – "It is great that we have had a lot of great opportunities to work together already things like Capital Region Maritime Center, etc. I just wanted to pledge our Chamber's support, working with our colleagues, Schenectady County Chamber. It's no secret that Schenectady County Chamber and Southern Saratoga Chamber work very closely together. Chuck Steiner, the President, his wife Marcy was the President of our Chamber when I was hired so we have a very close relationship. I'm sure that Chuck would agree that we would like to work together in any way we can to give Glenville the support it needs. I am looking forward to "Talking Business" on April 24th. You know where we are anytime we can help we are more than willing to do what we can to make things happen. We are really pleased to hear the status report and looking forward to some good things in the future."

Supervisor Koetzle moved ahead with the agenda items.

RESOLUTION NO. 57-2014

Moved by: Councilman Ramotar

Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville is proposing to amend the zoning of 233 Saratoga Road (tax map # 22.11-3-17.1) from “Professional/Residential” to “Community Business;” and

WHEREAS, the proposed rezoning is being requested by the landowner so that the owner can raze the three-unit apartment building on the property and pursue construction of a new 6,000 sq. ft. retail building; and

WHEREAS, this zoning map amendment constitutes 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;

NOW, THEREFORE, BE IT RESOLVED, that the Glenville Town Board hereby determines that the proposed zoning map amendment for 233 Saratoga Road will not result in a significant adverse environmental impact; and

BE IT FURTHER RESOLVED, that the Glenville Town Board hereby issues a SEQRA “Negative Declaration” (attached) for this application, based on the following findings:

- The 233 Saratoga Road property consists of 0.69 acres. The rezoning would allow the owner to demolish the apartment building and construct a similarly-sized retail building. Consequently, at most this action will trigger a minor commercial reconstruction project; one which is unlikely to result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, erosion, or flooding.
- Similarly, this action will not result in the removal or destruction of large quantities of vegetation or fauna, nor will it impact any significant habitat areas or natural resources.
- This action will not result in a conflict with any adopted Town plans or land use policies. On the contrary, the Town Center Master Plan targets this particular property for “mixed use/retail.”
- This rezoning will not impact any open space or recreational resources, nor will it impair any important historical, archeological, architectural, or aesthetic resources. The property is already developed with a three-unit apartment building.
- This action will not result in a major change in the quantity or type of energy being used, nor will it create a hazard to human health.

Ayes: Councilmen Martin, Pytlovany, Ramotar and Supervisor Koetzle

Noes: None

Absent: Councilwoman Wierzbowski

Abstentions: None

Motion Carried

Discussion...

Councilman Martin – “I just wanted to point out that there was some wider consideration given for this particular re-zoning action. After we heard from the neighbors in that area it was scaled back just to include this one parcel in response to their input.”

RESOLUTION NO. 58-2014

Moved by: Councilman Ramotar

Seconded by: Councilman Martin

WHEREAS, the Town of Glenville is proposing to amend the zoning of 233 Saratoga Road (tax map #22.11-3-17.1) from “Professional/Residential” to “Community Business;” and

WHEREAS, the proposed rezoning of this 0.69-acre parcel is being requested by the landowner so that the owner can demolish the three-unit apartment building on the property and pursue construction of a new 6,000 sq. ft. retail building; and

WHEREAS, pursuant to New York State Town Law and the Code of the Town of Glenville, a public hearing regarding a proposed zoning map amendment of a larger land area that encompassed 13 parcels, including 233 Saratoga Road, was held by the Town Board on December 18, 2013; and

WHEREAS, in consideration of the comments and concerns raised by the public during the December 18, 2013 hearing, and based on follow-up public input at a subsequent Town Board work session held on January 15, 2014, the Town Board has decided, for the time being, to scale back the proposed rezoning so that it includes 233 Saratoga Road only;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Glenville hereby approves the proposed zoning map amendment that would change the zoning of 233 Saratoga Road from “Professional/Residential” to “Community Business;” and

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

- The proposed zoning map amendment for 233 Saratoga Road conforms to the *Town Center Master Plan*, which targets this property for “Mixed Use/Retail.” The proposed rezoning is also consistent with the “Land Use Plan (Eastern Glenville)” of the *Town of Glenville Comprehensive Plan*, which calls for “Commercial/Retail/Office” development for this property.
- The proposed zoning map amendment is compatible with neighboring land uses, which include restaurant and retail immediately north and east of the property.
- Given the small size, and therefore limited development potential of this property, and the fact that the property is presently developed as a three-unit apartment building, and considering the intense commercial development pattern immediately north and east of this property, this zoning map amendment should not have a deleterious effect on nearby land values.
- Changing the zoning of a 0.69-acre parcel from one commercial grade of zoning to another so as to allow construction of a 6,000 sq. ft. retail building in an area that is already intensely developed with various commercial uses will not noticeably impact the character of the neighborhood.
- This rezoning is reasonably compatible with the “Purpose” section of the Town of Glenville Zoning Ordinance (Article I), which articulates, in part, that the

Ordinance has been "... crafted to encourage certain types of development in areas where the land is well suited for such development, and/or where such development has already occurred, and/or where infrastructure is available to support both the type and intensity of the proposed uses." The property to be rezoned is served by public water and sewer, and it fronts on a four-lane New York State urban arterial. A traffic signal that primarily serves the Target store opposite 233 Saratoga Road is also already in place at the property's driveway. Given these parameters, this property is well-positioned for an upgrade in its commercial designation from "Professional/Residential" to "Community Business."

Ayes: Councilmen Martin, Pytlovany, Ramotar and Supervisor Koetzle
Noes: None
Absents: Councilwoman Wierzbowski
Abstentions: None

Motion Carried

RESOLUTION NO. 59-2014

Moved by: Councilman Ramotar
Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville is proposing several amendments to Chapter 270 (Zoning) of the Code of the Town of Glenville; and

WHEREAS, there are three primary amendments being proposed: 1) Revise the list of allowed uses within the "Riverfront Recreation/Commercial" zoning district so as to allow agricultural activities/farms, roadside produce stands, and bike paths by-right within the district; 2) Amend the Town's provisions on cell towers to reflect recent Federal legislation that states that the height of cell towers is allowed to be increased by 10% without the need for site plan review; 3) Correct a conflict in the regulation of certain automotive-related uses within the "Research/Development/Technology" zoning district; 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, both the Glenville Environmental Conservation Commission and Planning & Zoning Commission recommended that the Town Board find no significant adverse environmental impacts associated with these proposed zoning text amendments, 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 amendments to Chapter 270 (Zoning) of the Code of the Town of Glenville 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 trigger and new development or physical alterations to the land. Rather, these zoning amendments either correct conflicts with the current zoning regulations, bring certain provisions up-to-date to match Federal legislation, or address unintended previous omissions.

- 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 or affect threatened or endangered species.
- This action will not create a conflict with the Town's Comprehensive Plan, Zoning Ordinance, or any other adopted land use policy. The adoption of these zoning amendments is consistent with the Town's past practice, which is to periodically update the zoning ordinance to keep the ordinance current and to address emerging issues.

Ayes: Councilmen Martin, Pytlovany, Ramotar and Supervisor Koetzle

Noes: None

Absents: Councilwoman Wierzbowski

Abstentions: None

Motion Carried

RESOLUTION NO. 60-2014

Moved by: Councilman Ramotar

Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville is proposing revisions to Chapter 270 (Zoning) of the Code of the Town of Glenville; and

WHEREAS, there are three primary amendments being proposed: 1) Revise the list of allowed uses within the “Riverfront Recreation/Commercial” zoning district so as to allow agricultural activities/farms, roadside produce stands, and bike paths by-right within the district; 2) Amend the Town’s provisions on cell towers to reflect recent Federal legislation that states that the height of cell towers is allowed to be increased by 10% without the need for site plan review; 3) Correct a conflict in the regulation of certain automotive-related uses within the “Research/Development/Technology” zoning district; and

WHEREAS, the Glenville Town Board, as SEQRA Lead Agency, has issued a SEQRA “Negative Declaration” for this action; and

WHEREAS, pursuant to New York State Town Law and the Town of Glenville Zoning Ordinance, the Glenville Town Board held a public hearing on these proposed amendments on December 18, 2013;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby adopts Local Law No. 1-2014 amending Chapter 270 (Zoning) of the Code of the Town of Glenville; and

BE IT FURTHER RESOLVED, that approval of these zoning amendments is based on the following findings:

- The zoning amendments being proposed are essentially “housekeeping” in nature. It is good practice for the Town to keep its zoning regulations current and to eliminate conflicts, errors, and omissions, as well as address emerging issues.
- The proposed amendments do not conflict with the Town of Glenville Comprehensive Plan, Town Center Plan, Freemans Bridge Road Master Plan or any other adopted land use plan or policies.
- Given the relatively minor nature of the zoning amendments, the adoption of these amendments will not negatively impact land values, nor will they result in incompatible neighboring land uses.

- The proposed amendments will not adversely impact any particular neighborhood's character.

BE IT FURTHER RESOLVED that this local law shall take effect upon filing with the Secretary of State.

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

Motion Carried

RESOLUTION NO. 61-2014

Moved by: Councilman Ramotar
Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville Building and Code Enforcement staff regularly inspect sites located throughout the Town and require reliable transportation to perform Town duties; and

WHEREAS, staff currently utilize two vehicles to perform work duties, one being a 2000 Chevrolet Cavalier which has reached the end of its useful life; and

WHEREAS, funding for a replacement vehicle in an amount not to exceed eighteen thousand dollars (\$18,000) was approved under Resolution 211-2013; and

WHEREAS, the Commissioner of Public Works and the Building Inspector developed and advertised a Request for Proposals intended to yield suitable replacement options for the 2000 Chevrolet Cavalier but received no responses; and

WHEREAS, the 2013 funds allocated for the purchase authorized in Resolution 211-2013 instead returned to fund balance on January 1, 2014; and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Public Works is hereby authorized to purchase one fleet vehicle to be used primarily by the Building and Code Enforcement department, provided that said replacement vehicle meets the requirements stated in the Request for Proposals, and also provided that the total cost does not exceed eighteen thousand dollars (\$18,000), with the expense for said vehicle charged to account 02.00.3620.2000 Safety & Building Inspection-Equipment in the 2014 budget; and

BE IT FURTHER RESOLVED, that upon purchase of the replacement vehicle for use by Building and Code Enforcement staff, the 2000 Chevrolet Cavalier being replaced is deemed surplus property and is eligible for disposal in the most cost-effective manner as determined by the Commissioner of Public Works; and

BE IT FURTHER RESOLVED, that the 2014 Adopted Budget is hereby amended as follows:

Increase Appropriation Code

02.00.3620.2000 – Safety & Building Inspection-Equipment, by \$18,000

Increase Appropriated Fund Balance

B-599 – Appropriated Fund Balance, by \$18,000

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

Motion Carried

Discussion...

Supervisor Koetzle – “I was some what hesitant and I know that we have an agreement that his is a non-president setting but I do, under consideration that she has really held down the assessor’s office single handily for six (6) months so that restricted her ability to take time off and so under those circumstances I can support the resolution.”

RESOLUTION NO. 62-2014

Moved by: Councilman Ramotar

Seconded by: Councilman Pytlovany

WHEREAS, a resignation by the Assessor of the Town of Glenville on August 30, 2013 left the department with only one employee; and

WHEREAS, the remaining employee, Carol Corbett, was thus charged with completing all work of the Assessor’s Office, including daily interactions with the public; and

WHEREAS, this unanticipated situation precluded Ms. Corbett from utilizing seven days of her earned 2013 vacation time prior to January 1, 2014; and

WHEREAS, the Town’s contract with the Civil Service Employees Association (CSEA), of which Ms. Corbett is a member, allows for a maximum of five days of unused vacation time to be carried forward to the following year with Supervisor’s approval; and

WHEREAS, in this instance adhering to the CSEA contract would effectively penalize Ms. Corbett for maintaining the functionality of the Assessor’s Office while serving as its sole employee for more than four months; and

WHEREAS, the Assessor’s Office now once again has two full-time employees;

NOW, THEREFORE, BE IT RESOLVED, that due to the unique circumstances faced by the Assessor’s Office in 2013, the Town Board of the Town of Glenville hereby authorizes Carol Corbett to carry forward seven days of her unused 2013 vacation time for use in calendar year 2014 with the stipulation that these days must be used by April 30, 2014; and

BE IT FURTHER RESOLVED, that this authorization shall not be deemed a precedent for similar requests.

Ayes: Councilmen Martin, Pytlovany, Ramotar and Supervisor Koetzle

Noes: None

Absent: Councilwoman Wierzbowski

Abstentions: None

Motion Carried

RESOLUTION NO. 63-2014

Moved by: Councilman Pytlovany

Seconded by: Councilman Martin

WHEREAS, the City of Albany Police Department is the lead agency for an Office of Community Oriented Policing Services (COPS) grant for the benefit of the 22 law enforcement agencies within Albany, Schenectady and Rensselaer Counties with the Town of Glenville Police Department as a co-grant recipient; and as part of the implementation of the grant, the Town of Glenville Police Department became a New York State Data Exchange (NY-DEX) participant; and

WHEREAS, on April 7, 2010, the Town Board of the Town of Glenville passed resolution No. 86-2010 which authorized the Chief of Police to accept the implementation of the COPS grant and the accompanying work order to install the necessary software (including Computer Aided Dispatch (CAD)) as well as the corresponding licenses and maintenance; and

WHEREAS, pursuant to the terms of the COPS grant and the accompanying work order, the cost of software licensing and maintenance was to continue to be covered by the COPS grant funding through the end of 2012 and the Town of Glenville would then have had the option to continue to maintain the software at its own cost thereafter; and

WHEREAS, the Town of Glenville Police Department has enjoyed the benefit of the software, licenses and system maintenance at no cost through all of 2013, past the original expiration date of the end of 2012; and

WHEREAS, since the Town of Glenville Police Department's Spectrum Justice System (SJS) Records Management System (RMS) will no longer be supported by New York State, and because of the implementation of the county wide central dispatch center, it is the opinion of the Chief of Police that remaining a participant of the COPS grant will allow the police department to continue to receive enhanced real-time public safety information and records management capability which will benefit all the residents of the Town; and

WHEREAS, pursuant to the proposed Memorandum of Understanding (MOU) between the City of Albany and the Town of Glenville, beginning January 1, 2014, participation in the COPS grant will continue with the grant paying 50% of the associated costs and the Town of Glenville paying the city of Albany the remaining 50% in system maintenance fees, which for 2014 will be \$3,848.50 to be paid from budget account 02-3120-4500; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby authorizes the Town Supervisor to execute the attached Memorandum of Understanding with the City of Albany for computer aided public safety information and records management system services, which commences January 1, 2014 and expires on December 31, 2016 under the terms and conditions set forth therein, with the cost thereof charged to the Police Department budget as set forth above.

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

Motion Carried

Discussion...

Councilman Pytlovany – “This is something we had to be looking at with our dispatchers leaving and going to the UCC with nobody there at the window to give out accident reports.”

RESOLUTION NO. 64-2014

Moved by: Councilman Pytlovany
Seconded by: Councilman Martin

WHEREAS, the Town of Glenville Police Department currently must respond to frequent requests for copies of motor vehicle accident reports; and

WHEREAS, these requests result in Police Department personnel expending considerable time and effort in retrieving, copying and causing the reports to be delivered to the requestor; and

WHEREAS, the company Police Reports US, LLC provides an online, fee based accident report retrieval service which would eliminate the need for any intervention of police department personnel, with the fee collected by Police Reports U.S., LLC being shared with the Town of Glenville, creating revenue previously unavailable;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby authorizes the Supervisor to sign a Memorandum of Agreement with Police Reports US, LLC (a copy of which is attached hereto) which would authorize it to charge a fee of \$10.00 per accident report delivered, with \$5.00 of each fee collected being returned to the Town of Glenville.

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

Motion Carried

RESOLUTION NO. 65-2014

Moved by: Councilman Ramotar
Seconded by: Councilman Martin

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

Dog Control
Economic Development & Planning Department
Justice Department
Receiver of Taxes
Town Clerk's Office

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

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

Motion Carried

Supervisor Koetzle – “We have three add-ons; they are regarding the three public hearings that we dealt with tonight. We don’t normally move on items the same night as the public hearings but since we had nobody here tonight to comment on them it’s safe to move ahead with these resolutions.”

RESOLUTION NO. 66-2014

Moved by: Councilman Ramotar
Seconded by: Councilman Martin

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 January 8, 2014, pursuant to section 191 of the Town Law, for the extension of Water 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 Water District No.11 of the Town of Glenville and the construction of a water system therein, consisting of a service lateral connection including land or rights in land, connections, fill, services, appurtenances and related site work (herein called the "Water Improvement") from the existing the water main near the southerly lot line of 2160/2165 Amsterdam Road to the lands of the petitioner known as 11 7th Street, 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 January 8, 2014, the Town Board has determined to proceed with the establishment of the proposed extension to the District and adopted an Order reciting a description of the boundaries of the extension 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 Water 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 January 22, 2014, 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 an extension 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 January 22, 2014, 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 extension to the District is hereby approved, as hereinafter described, and said District shall be designated and known as Extension No. 40 to Water District 11 in the Town and shall include the property commonly known as 11 7th Street (S/B/L # 29.00-3-16.114).

Section 3. The Water Improvement is hereby authorized to be constructed in the District and the amount proposed to be expended therefor, including the expenses incurred in connection with the establishment of the extension to 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 Martin, Pytlovany, Ramotar and Supervisor Koetzle
Noes: None
Absent: Councilwoman Wierzbowski
Abstention: None

Motion Carried

RESOLUTION NO. 67-2014

Moved by: Councilman Ramotar
Seconded by: Councilman Martin

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 January 8, 2014, pursuant to section 191 of the Town Law, for the extension of Water 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 Water District No.11 of the Town of Glenville and the construction of a water system therein, consisting of a service lateral connection including land or rights in land, connections, fill, services, appurtenances and related site work (herein called the "Water Improvement") from the existing the water main near the southerly lot line of 2160/2165 Amsterdam Road to the lands of the petitioner known as 2160/2165 Amsterdam Road , 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 January 8, 2014, the Town Board has determined to proceed with the establishment of the proposed extension to the District and adopted an Order reciting a description of the boundaries of the extension 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 Water 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 January 22, 2014, 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 an extension 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 January 22, 2014, 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:

- (e) The Notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient;
- (f) 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;
- (g) All the property and property owners benefited are included within the limits of the proposed extension to the District; and
- (h) It is in the public interest to establish the extension to the District.

Section 2. The establishment of the proposed extension to the District is hereby approved, as hereinafter described, and said District shall be designated and known as Extension No. 41 to Water District 11 in the Town and shall include the property commonly known as 2160/2165 Amsterdam Road (S/B/L # 29.00-3-16.41).

Section 3. The Water Improvement is hereby authorized to be constructed in the District and the amount proposed to be expended therefor, including the expenses incurred in connection with the establishment of the extension to 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 Martin, Pytlovany, Ramotar and Supervisor Koetzle
Noes: None
Absent: Councilwoman Wierzbowski
Abstention: None

Motion Carried

RESOLUTION NO. 68-2014

Moved by: Councilman Ramotar
Seconded by: Councilman Martin

**A RESOLUTION AUTHORIZING THE TRANSFER OF A PERMANENT UTILITY
EASEMENT TO OLD DOMINION FREIGHT LINE, INC. IN A PORTION OF 7TH
STREET, SUBJECT TO PERMISSIVE REFERENDUM**

WHEREAS, The Old Dominion Freight Line has requested that the Town Board ("Town Board") of the Town of Glenville ("Town"), convey a permanent easement, approximately twenty (20) feet in width more particularly described as follows:

BEGINNING at a point on the northeasterly bounds 7th Street as described in Book 1181 of Deeds at Page 58, at its intersection with the division line between Tax Parcel 29.00-3-16.41 the lands now or formerly of Schenectady County Industrial Development Agency as described in Book 1084 of Deeds at Page 42 to the south and Tax Parcel 29.00-3-16.114 the lands now or formerly of Scotia Industrial Park Inc. as described in Book 1880 of Deeds at Page 748 to the north; THENCE from said point of beginning, South 26°25'30" West along the northeasterly bounds 7th Street for a distance of 139.94 feet to an angle point; THENCE South 33°06'00" East, continuing along the northeasterly bounds 7th Street for a distance of 199.54 feet to a point; THENCE through the lands of 7th Street as described in Book 1181 of Deeds at Page 58 the following twelve (12) courses and distances:

- (1) South 28°04'30" West, a distance of 5.60 feet to a point;
- (2) South 31°40'15" East, a distance of 293.58 feet to a point;
- (3) South 29°06'18" East, a distance of 366.97 feet to a point;
- (4) South 37°50'29" East, a distance of 225.17 feet to a point;
- (5) South 11°10'07" West, a distance of 64.00 feet to a point;
- (6) North 78°49'53" West, a distance of 20.00 feet to a point;
- (7) North 11°10'07" East, a distance of 54.88 feet to a point;
- (8) North 37°50'29" West, a distance of 217.58 feet to a point;
- (9) North 29°06'18" West, a distance of 368.22 feet to a point;
- (10) North 31°40'15" West, a distance of 509.75 feet to a point;
- (11) North 23°22'38" West, a distance of 147.34 feet to a point;
- (12) North 47°00'20" East, a distance of 13.83 feet

to a point on the northeasterly bounds 7th Street
as described in Book 1181 of Deeds at Page 58;

THENCE South 26°25'30" East along the northeasterly bounds 7th Street as
described in Book 1181 of Deeds at Page 58 for a distance of 23.75 feet to the
POINT AND PLACE OF BEGINNING; and

WHEREAS, Old Dominion Freight Line intends to construct on such permanent
easement area a sanitary sewer main to service the property commonly known as 11 7th
Street, Glenville, New York; and

WHEREAS, the type of sanitary sewer main needed to be constructed is of a
type that the Town Commissioner of Public Works feels can best be constructed and
maintained by a private entity and that the conveyance of the easement will have no
adverse impact on the town's water, sewer or highway operations and therefore,
recommends the conveyance of the permanent easement; and

WHEREAS, the County Department of Economic Development and Planning has
advised the town of the economic benefits that will be derived from the development of
the parcels that will be serviced by the proposed sanitary sewer main;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of
Glenville, in regular session duly convened, does hereby by find that the conveyance of
the permanent easement above described, for the purpose of construction of a privately
maintained sanitary sewer main, is in the best interests of the town inasmuch as it will
facilitate development of the adjoining parcel with substantial economic benefit to the
town without the town or the sewer district incurring the cost of maintaining the sanitary
sewer main; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville
hereby authorizes and directs the Supervisor to execute and deliver to Old Dominion
Freight Line a permanent easement as described above for the purpose of constructing
a sanitary sewer main, subject to permissive referendum as permitted by law.

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

Motion Carried

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn;
Moved by Councilman Martin; Seconded by Councilman Pytlovany, everyone being in
favor the meeting was adjourned at 8:10 PM.

ATTEST:

Linda C. Neals
Town Clerk