

**REGULAR MEETING OF THE TOWN BOARD**  
**TOWN OF GLENVILLE**  
**SEPTEMBER 17, 2014**  
**AT THE GLENVILLE MUNICIPAL CENTER**  
**18 GLENRIDGE ROAD, GLENVILLE, NEW YORK**

Supervisor Koetzle called the meeting to order at 7:00 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 Councilwoman Gina M. Wierzbowski

**Absent:** Councilman Sid Ramotar

Also present – Michael Cuevas, Attorney and James MacFarland, Deputy Supervisor

**Town Council Reports:**

Councilman Martin – “I attended the Local Development Corporation meeting on September 9. They now have an established balance of the repayment funds. The payments are coming in from the first loan they made. They have closed on a second loan for \$40,000.”

Councilman Pytlovany – “I met with the Traffic Safety Board this afternoon, there was discussion on the crosswalk in front of the high school. There is a handicap student there that does not have access due to the curbs. There was also some talk regarding the traffic speed in that area. They are going to make some recommendations for changes at a later time. There was also a discussion of stop signs in Corporation Park and that will also come before us at a later time.”

Supervisor Koetzle reminded everyone of the upcoming 5<sup>th</sup> Annual Oktoberfest on September, 27<sup>th</sup> to be held at Maalwyck Park this year.

Supervisor Koetzle – “Item No. 5 on the agenda is a public hearing to consider a proposed local law to repeal Chapter 132 (Environmental Quality Review) of the Code of the Town of Glenville. This is a local law that established the planning and zoning application review responsibility for the GECC, several decades ago. This is recommended by the GECC for repeal because it is out of date and there is no value function and it essentially mirrors the legislation of the State Environmental Quality Review Act.”

Supervisor Koetzle opened the public hearing at 7:10 pm.

No one wished to speak; Supervisor Koetzle closed the hearing at 7:11 pm.

Supervisor Koetzle – “Item No. 6 on the agenda is a public hearing to consider a proposed local law to amend Chapter 242 (Subdivision of Land). This one articulates the new roles and responsibilities of the GECC relative to the review of subdivision application.”

Supervisor Koetzle opened the public hearing at 7:12 pm.

No one wished to speak; Supervisor Koetzle closed the hearing at 7:13 pm.

Supervisor Koetzle – “Item No. 7 on the agenda is a public hearing to consider a proposed local law to amend Chapter 270 (Zoning) of the Code of the Town of Glenville as part of the Town’s efforts to redefine the role of the Glenville Environmental Conservation Commission.”

Supervisor Koetzle opened the public hearing at 7:14 pm.

No one wished to speak; Supervisor Koetzle closed the hearing at 7:14 pm.

The following people exercised the Privilege of the Floor:

Peter Looker, 1965 Amsterdam Road, reminded the Board that Old Dominion needs to aim their lights down and follow the law. Mr. Looker had spoken at several previous meetings regarding his concerns with the lighting issues.

No one else wished to speak; Supervisor Koetzle closed the Privilege of the Floor.

Supervisors Comments:

Supervisor Koetzle moved ahead with the agenda items.

### **RESOLUTION NO. 168-2014**

**Moved by:** Councilman Martin

**Seconded by:** Councilman Pytlovany

**WHEREAS**, a zoning map amendment application has been submitted by the Town of Glenville to wholly change the zoning designation of 18 parcels and portions of seven parcels along Freemans Bridge Road and Maple Avenue from “Research/Development/Technology” to “General Business;” and

**WHEREAS**, the tax map numbers for the parcels to be wholly rezoned are as follows: 30.-1-11; 30.-1-12; 30.-1-13; 30.-1-14; 30.-1-15; 30.-1-16.1; 30.19-1-39.31; 30.19-1-35.1; 30.19-1-36; 30.19-1-39.13; 30.19-1-37; 30.19-1-38; 30.19-1-28.1; 30.19-1-27.1; 30.19-1-25.1; 30.19-1-19; 30.19-1-20.1; 30.-1-34.1; and,

**WHEREAS**, the tax map numbers for the parcels to be partially rezoned are as follows: 30.19-1-39.12; 30.19-1-26.1; 30.19-1-34.1; 30.19-1-33.1; 30.19-1-32.1; 30.19-1-30.2; 30.19-1-21.1; and,

**WHEREAS**, New York State Town Law and the Code of the Town of Glenville require a public hearing by the Town Board before an amendment to a zoning map may be adopted;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby schedules a public hearing for Wednesday, October 1, 2014 at 7:00pm, or as soon thereafter as the matter can be reached, at the Town of Glenville Municipal Center, at which time and place it will hear all persons interested in amendments to the Town of Glenville Zoning Map, as noted above; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be, and she hereby is directed to prepare the proper notice of said hearing in accordance with law and to publicize same at least 10 days prior to the date of the public hearing.

**Ayes:** Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absents:** Councilman Ramotar

**Abstentions:** None

**Motion Carried**

### **RESOLUTION NO. 169-2014**

**Moved by:** Councilman Martin

**Seconded by:** Councilman Pytlovany

**WHEREAS**, Victor Sosnowski is requesting that the Town Board of the

Town of Glenville change the zoning of the vacant 0.86-acre parcel on the southwest corner of Route 50 and Oak Hill Drive (tax map # 22.15-2-43) from *Professional/Residential* to *Community Business* in order to allow for the construction of a two-story commercial building with retail on the first floor and professional offices on the second floor; and

**WHEREAS**, New York State Town Law and the Code of the Town of Glenville require a public hearing by the Town Board before an amendment to a zoning map may be considered;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby schedules a public hearing for Wednesday, October 1, 2014 at 7:00 p.m., or as soon thereafter as the matter can be reached, at the Town of Glenville Municipal Center, at which time and place it will hear all persons interested in a proposed amendment to the Town of Glenville Zoning Map for the property (tax map # 22.15-2-43) located at the southwest corner of Route 50 and Oak Hill Drive; and

**BE IT FURTHER RESOLVED** that the Town Clerk be, and she hereby is directed to prepare the proper notice of said hearing in accordance with law and to publish same at least ten days prior to the date of the public hearing.

**Ayes:** Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Ramotar

**Abstentions:** None

### **Motion Carried**

### **Discussion...**

Councilman Martin – “I have given this a lot of thought and a lot of individual research. The vote that I will be taking is really along four lines. First of all is public safety, I believe that is the number one concern in something like this. This was the primary reason that I reached out to a number of sources. The functionality of the road, in terms of its ability to handle the traffic, again safely and smoothly. I also considered the public input, we had a lot of it and finally it was cost. We had some detailed guidance from our highway superintendent in that regard. The method behind the vote that I will be making was really on the basis of two things; third party input, we had valuable input from our staff and I appreciate that. Secondly, I sought out a number of empirical data resources. The conclusion I reached is this is something that should be a town wide standard, get it into our subdivision regulations and change it for all projects. People may not agree with my vote but I hope they respect because I did put a lot of time and effort into reaching the conclusion that I did.”

Councilman Pytlovany – “I looked at this from the standpoint that I live on a 30’ wide street and later on down the road you wanted to expand a 26’ wide street it would not be possible. However after listening to many people speak and getting the word from the experts that a 26’ wide street is safer and in turn slows the traffic down, I am also looking at it from the point of view that this might solve some of the problems that have come up with concerns about this development being a cut-through from Spring Road over to Swaggertown Road. If the road is narrower and there are obstacles and the speeds are slower it may deter some people from going in that direction. After Superintendent Coppola spoke and talked about savings from salt and the ability to plow that road with one less pass I have to say I lean in that direction.”

Councilwoman Wierzbowski – “I always hesitate to vote on things just because one person wants them and I think what has happened from this proposal is something that is actually going to benefit the town over a long period of time. We are going to look at changing our road width standard for sub-divisions going forward. I think that the research that we looked at and all of the information that was presented to us... I am not a road expert, I am not a traffic expert, I have to take it on faith that all of

the studies that we have looked at, the reading that we have done, everything that has been shown to us by people who do this for a living, show that there are a lot of benefits to having a narrower road width. I think for the town personally it's going to bring a number of benefits to the town, savings in paving, savings in maintenance, savings in salt, sand and time and effort spent on these roads. I feel more comfortable knowing that we have looked at it as a whole and not just in relation to one project. I would ask as Councilman Martin asked that if you don't agree with my vote you would at least respect it because I spent quite a lot of time researching it."

Supervisor Koetzle – "I think in our research we have learned through our Highway Superintendent, Tom Coppola that with the storm water management, rules and regulations being handed down from EPA through the DEC, we expect future changes to the road width and it would be a narrow road is what's coming down from the federal government to the state government and it seems like that is where it is going. Looking at this project in light of the fact that these changes are probably, at some point, going to be mandated on the localities, I think it makes sense to look at it in light of this project and of course the next project, the Belmonte Project that is coming back to the town."

### **RESOLUTION NO. 170-2014**

**Moved by:** Councilman Martin

**Seconded by:** Councilman Pytlovany

**WHEREAS**, section 238-7 of the Code of the Town of Glenville provides that newly constructed streets in the Town shall be sixty (60) feet in width with a paved width of thirty (30) feet and section 238-16 E of the Code reiterates that the pavement width, with gutters, shall be thirty (30) feet; and

**WHEREAS**, section 238-21 of the Code of the Town of Glenville permits the Town Board to waive the Street Standards outlined in the Town Code for good cause considering any unusual circumstances of topography or other physical condition of the proposed location of the proposed streets; and

**WHEREAS**, Amedore Construction Company, Inc. has proposed to build a 140-unit single family home residential subdivision on a tract of land in the Town that is partially designated wetlands; and

**WHEREAS**, the Highway Superintendent has recommended and Amedore Construction Company joins in the request that the Town Board waive the street width standards of Town Code sections 239-7 and 238-16E so as to permit them to construct streets within the proposed development that are twenty-six (26) feet in width, with 11 ½ foot travel lanes and 18" gutters, but which would otherwise conform to the Town Code's Street Standards; and

**WHEREAS**, the Town Board conducted a public hearing on March 19, 2014, upon proper notice duly advertised and filed, to solicit public input as to whether the Town Board should grant the waiver request of Amedore Construction Co. Inc. and there being no persons speaking against the proposal at said public hearing; and

**WHEREAS**, the Highway Superintendent supports the waiver as the narrower road width will allow for more efficient snowplowing and reduced costs for repairs and/or repaving; and

**WHEREAS**, the Amedore project has been reviewed by the Glenville Environmental Conservation Committee and the Planning and Zoning Commission, with the Planning & Zoning Commission having issued a "Negative Declaration" for the project, pursuant to the State Environmental Quality Review Act; and

**WHEREAS**, studies over the last two decades cite the benefits of narrower road widths as reducing storm water and salt runoff – thereby reducing environmental impacts - and lower traffic speeds, resulting in fewer traffic accidents,

less severe accidents and lower noise levels;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby grants the request of Amedore Construction Co. Inc. for a waiver of the street width standards of Town Code sections 238-7 and 238-16 E pursuant to the authority granted the Town Board in Town Code section 238-21 with respect to Amedore Construction's proposed 140-unit single family residential development.

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

**Motion Carried**

**RESOLUTION NO. 171-2014**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Martin

**WHEREAS**, the Scotia Glenville Senior Citizens, Inc., wish to pursue constructing a 1,000 ± sq. ft. addition to the Glenville Senior Center to enhance the function of the facility for volunteers, committees and members, and

**WHEREAS**, the concept of an addition has been presented to the membership of the Scotia Glenville Senior Citizens, Inc., the Town Board of the Town of Glenville and the Scotia Glenville School Board, all of whom have expressed general support for an addition to the Center, and

**WHEREAS**, the Scotia Glenville Senior Citizens, Inc., have the financial resources in hand to underwrite the cost of architectural services, and by resolution of their Board of Directors have agreed to do so, and in addition have in large part the resources to also construct such addition subject to final costs as determined by a bid process, and

**WHEREAS**, the Town of Glenville issued an RFP for architectural services to design, cost engineer and prepare construction documents for said addition, resulting in receipt of four proposals, and

**WHEREAS**, upon review of the proposals, town staff and the Scotia Glenville Senior Citizens, Inc., are in agreement that the low bid as submitted by Synthesis architects be accepted,

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board of the Town of Glenville hereby accepts the proposal submitted by Synthesis architects, 162 Jay St., Schenectady, NY, in the amount of \$18,500 for architectural services outlined in a proposal dated July 18, 2014, and authorizes the Supervisor of the Town of Glenville to enter into agreement with Synthesis for services as described in said proposal.

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

**Motion Carried**

**RESOLUTION NO. 172-2014**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:**

**BE IT RESOLVED** that the **Monthly Departmental Reports** for August, 2014 as received from the following:

Building Department  
Dog Control  
Economic Development & Planning Department  
Highway Department  
Justice Department  
Police Department  
Section 8 Voucher Program  
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, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** Councilman Ramotar  
**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 173-2014**

**Moved by:** Councilman Martin  
**Seconded by:** Councilman Pytlovany

**WHEREAS**, the Town Board of the Town of Glenville has been considering a Local Law to amend Chapter 270, "Zoning", Section 270-19B "General Business" of the Code of the Town of Glenville with respect to uses permitted by site plan review; and

**WHEREAS**, after a public hearing held on July 16, 2014 the Town Board adopted the Local Law by resolution amending of the Code of the Town of Glenville as set forth above, but the text of the Local Law recited in the adoption Resolution No. 141-2014 contained a typographical error whereby Multi-family residences was still listed as a use permitted by site plan review; and

**WHEREAS**, the Town Board of the Town of Glenville wishes to amend Resolution No. 141-2014 to correct the text of the adopted Local law by deleting the reference to Multi-family residences;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville does hereby amend Resolution No.141-2014, a local law to amend the Code of the Town of Glenville to adopt Local Law No. 2 of 2014, an amendment to Chapter 270, "Zoning", Section 270-19B "General Business" to correct the typographical error and have the Local Law read as set forth below:

Uses permitted by site plan review:

(1)

Retail businesses.

(2) Uses permitted by site plan review:

[Amended 4-5-2006 by L.L. No. 3-2006]

(1)

Retail businesses.

(2)

Offices.

(3)

Personal and general services.

[\(4\)](#)

Public and private clubs, fraternities and lodges.

[\(5\)](#)

Museums.

[\(6\)](#)

Libraries.

[\(7\)](#)

Day-care centers.

[\(8\)](#)

Shopping centers.

[\(9\)](#)

Indoor and outdoor recreation facilities.

[\(10\)](#)

Human services/social services offices.

[Added 8-18-2010 by L.L. No. 5-2010]

[\(11\)](#)

Hotels, motels, bed-and-breakfast establishments, tourist homes and boardinghouses.

[\(12\)](#)

Residential dwelling units within the same building as any other use permitted within this district, provided the residence(s) is (are) not located on the ground floor.

[\(13\)](#)

Personal wireless service facilities.

[\(14\)](#)

Commercial recreation facilities, including health, tennis, racket, swimming, and similar clubs.

[\(15\)](#)

Laundromats.

[\(16\)](#)

Microbreweries and microwineries.

[Added 7-18-2012 by L.L. No. 3-2012]

**BE IT FURTHER RESOLVED**, that this resolution shall take effect when filed with the Secretary of State of the State of New York.

**Ayes:** Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Ramotar

**Abstentions:** None

**Motion Carried**

#### **RESOLUTION NO. 174-2014**

**Moved by:** Councilman Pytlovany

**Seconded by:** Councilman Martin

**WHEREAS**, the Town Dog Control Officer Richard T. Trzeciak has decided to retire from Town service effective September 25, 2014 after many years of good and loyal service to the Town; and

**WHEREAS**, Section 113 of the New York State Agriculture and Markets Law requires each town which issues dog licenses to appoint a Dog Control or contract for such services with another municipality, humane society of dog protective association; and

**WHEREAS**, the Town has advertised the position and has a procedure to receive and review resumes and interview candidates for the position, but no selection of a candidate has yet been made to present to the Town Board; and

**WHEREAS**, Richard Trzeciak has agreed to assist the Town, after his retirement, in training the person chosen to succeed him as DCO at an hourly rate equivalent to his current rate of pay for a total training period not to exceed 20 hours; and

**WHEREAS**, the Town Supervisor has had discussions with neighboring municipalities about providing DCO services to the Town on an interim basis if a new DCO cannot be hired before Mr. Trzeciak's retirement;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby: (1) authorizes the Supervisor to enter into an agreement with Richard Trzeciak to train the new Town DCO at his current hourly rate of pay for a training period not to exceed 20 hours; (2) authorizes the Supervisor to make an appointment of a new part-time DCO, after consultation with the Chief of Police and Town Board Liaison, for a flexible schedule, not to exceed 25 hours per week, at a rate of pay not to exceed \$18.00 per hour, with part-time benefits as provided by the Town's agreement with CSEA if a qualified candidate is found and can commence work prior to the next Town Board meeting; and (3) if no DCO can be hired and commence work before September 25, 2014, authorizes the Supervisor to enter into an agreement with a neighboring municipality or municipalities to provide interim DCO services on such terms as the Supervisor, after consultation with the Chief and Town Board Liaison, can negotiate.

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

#### **Motion Carried**

#### **Discussion...**

Councilman Pytlovany – "This will become a savings for the Town once this is all instituted as our agreement with the Town of Rotterdam to put our equipment on their tower is considerably cheaper than we currently have in rental agreements in the two towers in Glenville and Niskayuna."

#### **RESOLUTION NO. 175-2014**

**Moved by:** Councilman Pytlovany  
**Seconded by:** Councilman Martin

**WHEREAS**, the Town of Glenville Town Board has previously authorized necessary police radio and public safety center communications enhancements which required lease agreements with the owners of pre-existing communication towers;

**WHEREAS**, these communications towers sites were selected by the Towns' Communications Consultant who was hired to oversee this project to ensure optimum performance of the police radio communications upgrade;

**WHEREAS**, the Town has entered into lease agreements which are summarized as follows:

--Scott E. and Mary R. Ennis, 2646 Water Road, Amsterdam, NY 12010 for a 5-year renewable lease at \$1,000 per month for the first 12 months starting on the date of new equipment installation and \$1,100 per month thereafter until January 1, 2012 and \$1,200 per month for the remaining 5-year term. The lease shall renew automatically for a like term unless otherwise indicated per the agreement; and



--Hillside Venture LLC, (now owned by Niskayuna Central School District), Niskayuna, NY 12309 (Water Tank and Land) for a 5-year renewable lease at \$1,000 per month starting on the date of new equipment installation and adjusted on the first day of each yearly term to an amount equal to three percent (3%) of the monthly rent in effect prior to the adjustment date. This lease agreement can be extended for five successive 5-year periods.

--American Tower Asset Sub, LLC, 1243-55 Waters Road, Schenectady, NY 12302 (Patterson Ville, NY) for a modification of the commencement date to the existing lease agreement to take effect for a 5-year renewable term on March 13, 2009 for \$1,250 per month increased by the Annual escalator of 3% on the first anniversary of the Commencement Date of this Agreement and each anniversary of the Commencement Date thereafter during the Term. This lease agreement can be extended for four additional periods of 5 years each; and

**WHEREAS**, on August 13, 2014, the Town Board of the Town of Rotterdam has adopted a resolution that authorizes an agreement with the Town of Glenville to permit the Town to re-locate the communications equipment the Town of Glenville Police Department currently has on the American Tower site to the Town of Rotterdam's tower with no loss of coverage; and

**WHEREAS**, the agreement with Rotterdam would be a shared services agreement with an initial term of ten (10) years with two five (5) renewal terms and nominal rent in the form of utility costs for the communications equipment of both towns; and

**WHEREAS**, the cost of re-locating the Police Department's communication equipment from the American Tower site to the Rotterdam site would cost approximately \$30,000 and would be recouped in the savings associated with the reduced rental cost over a period of approximately two years,

**NOW, THEREFORE BE IT RESOLVED** that the Town Board hereby authorizes the Town Supervisor to enter into a lease agreement with the Town of Rotterdam on behalf of the Town with the terms and conditions as identified herein, after review and approval by the Attorney for the Town and the Chief of Police and to give notice of termination to American Tower of the town's current lease with that entity.

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

**Motion Carried**

**RESOLUTION NO. 176-2014**

**Moved by:** Councilman Pytlovany  
**Seconded by:** Councilman Martin

**BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby adjourns into Executive Session to discuss a personnel matter.

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

**Motion Carried**

Supervisor Koetzle adjourned this portion of the meeting at 8:27 PM and entered into Executive Session.

Time being 9:30 PM; Supervisor Koetzle reconvened the meeting and announced that no action was taken during the Executive Session.

Supervisor Koetzle asked for a motion to adjourn; Moved by Councilman Martin; Seconded by Councilman Pytlovany, everyone being in favor the meeting was adjourned at 9:31 PM.

ATTEST:

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Linda C. Neals  
Town Clerk