

MEETING OF THE TOWN BOARD  
TOWN OF GLENVILLE  
JANUARY 18, 2017  
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 and John C. Pytlovany Alan Boulant and Councilwoman Gina M. Wierzbowski

**Absent:** Councilman Alan Boulant and Councilwoman Gina M. Wierzbowski

Also present were Jason Cuthbert, Comptroller and Kevin Corcoran, Planner.

**Town Council Reports:**

Councilman Martin – “I attended the meeting of the Glenville Local Development Corporation. The corporation has four (4) loans that are up currently and I’m pleased to report that all loan repayments are current.”

Supervisor Koetzle – Item No. 5 on the agenda is a public hearing to hear comments on a proposed zoning map amendment application by Capitaland Subaru that calls for the rezoning of a 0.6-acre parcel at 49 Saratoga Road from “Professional/Residential” to General Business”.

Supervisor Koetzle opened the public hearing at 7:07 PM.

Tom Andress, ABD Engineers representing Capitaland/Subaru property – “Right now they have approximately 7.5-acres of land. We are proposing to add another .6-acre to their property. Over the years the Town Board has approved the change from a Residential Office building to the General Business that allows this dealership that Capitaland Realty has continually purchased to the north of them to allow the expansion to create the Subaru Dealership as a separate building. This .6-acre is one of the two houses that are still there except for the house that actually fronts in the Return.

We are proposing to change that again from the Residential Office zoning to the General Business zoning. There are restrictions, there is a 40’ setback from the property line if there is residential use next door and there would be residential use next door so we wouldn’t get to use the whole property and it does provide a large buffer. The last project was approved with a large buffer. We would be just moving that forward to the new site so we could continue that same design to the north.”

Councilman Martin – “So you are physically moving the berm north and the trees are on it?”

Mr. Andress – “Actually the berm is down because the trees were dying so we decided that we wouldn’t rebuild the berm yet but hopefully we could rebuild the berm in the correct position if we get approved for this recommendation.”

Councilman Martin – “That would be in the spring?”

Mr. Andress – “If this Board approves the rezoning we would have to go back to the Planning Commission and hopefully the approval process would be by spring.”

Supervisor Koetzle – “You say for display, I assume a parking lot, correct?”

Mr. Andress – “Yes”

Supervisor Koetzle – “So, lighting? Have we looked at the lighting impact on the neighborhood?”

Mr. Andress – “When we did the last rezoning, which was 3 years ago, there was a large concern from some of the residents across the street. There was a lot of time spent including review from the town engineer on lighting and I think the result is what we have out there at Subaru is a very narrow spread, down on the lighting. We would be moving the lights north just that additional distance.”

Supervisor Koetzle – “How many additional spots in this request?”

Mr. Andress – “I believe 50.”

Supervisor Koetzle – “The resolution states 61 parcels.”

Mr. Andress – “That again, is subject to final approval.”

Supervisor Koetzle – “I think this Board is not satisfied that the neighbors were properly noticed on this public hearing. We will probably re-notice the public hearing again. In the interim, if no one shows up at the public hearing we can move forward. We want to make sure the neighborhood has been properly notified.”

Supervisor Koetzle closed the public hearing at 7:12 PM

Supervisor Koetzle – “Item No. 6 on the agenda is a public hearing for the purpose of hearing the appeal request from Christopher Hess, one of the owners and operator of Hess Wiffleball Field.”

Supervisor Koetzle opened the public hearing at 7:13 PM.

Jenna Bongermينو, 369 Lovers Lane – “While the Hess family absolutely has the right to request an exemption to the moratorium, that fact the town put the moratorium on new outdoor recreational facilities for a reason. Evidence that concerns raised when the zip-line facility was approved and we had the loss unattended consequences there really needs to be a definitive process and procedure in place when reviewing zoning requirements for these activities to insure every ones rights are being protected and that there are consistencies in the town. As the town has already determined that the planning for outdoor recreational facilities is something that falls under the town’s Comprehensive Plan I believe it would be premature to grant a waiver when there are so many factors to consider. Having a good, thoughtful inclusive process established prior to granting permission for planning and zoning to insure that all neighbors are afforded the right to have their concerns and questions addressed in a matter consistent with other projects in the town and done in a way to protect everyone’s interest. I believe that good governmental procedures allow for good neighbors. Every project has a level of impact on the community and while this project in it of its self may not have a wide spread impact but may have a serious impact on my property as well as neighbors around me.

We need to insure that specific issues such as increase traffic, noise and disruption of the quiet neighborhood are thoroughly discussed and imbedded. Without a formal process established by the town we are very likely to miss many of the important elements in mitigations of the concerns and this could bring animosity among neighbors as well as diminish our property values.

We built our house out in the country to enjoy peace and quiet fourteen (14) years ago and that rational shall be expected.

In closing I’d like to thank the Town Board for their thoughtfulness in this process and the recognition that this is not a simple issue. There are ramifications to build an outdoor recreational facilities especially ones that are in close proximity to other houses. The Board has already seen fit to implement a moratorium on these projects and I believe that it would be unfair and contrary to your state admission to grant this waiver. I

request that you allow your stated progress to continue so that all voices can be heard in a thoughtful manner.”

Chris Hess, 367 Lovers Lane – “The property is located on Lovers Lane and there is a shared driveway towards the end that goes off into the three (3) properties. There is an easement with the three (3) driveways.

I’d like to say that my goal, when I moved to Lovers Lane, was never to disrupt the area. I respect my neighbors. I still feel like I have a right to use my property as long as it’s not harming anyone. My main thing was for a hardship was that I invested a lot of money into the backyard, \$5,000 to level the slope. I still want to work something out to have the town’s approval as well as my neighbors’ approval to be able to use my backyard for backyard wiffleball. I understand that last year I didn’t get off on the right foot with my neighbors. My goal was to work something out this upcoming spring and summer. To only play four (4) days a month as opposed to three (3) days a week. I guess I was just trying to have the board’s approval that would allow me to do that and to then speak with my neighbors and try and work something out. I also feel that the board was a little jaded with the whole adventure park. It kind of felt like I got swept under that. I don’t really feel that we should be classified with that park.”

Supervisor Koetzle – “So the question I had on this was, you talked about playing 4 days a month or something like that and I know you did last season you had to go somewhere else to play, correct?”

Mr. Hess – “Correct”

Supervisor Koetzle – “Would it be a great burden if you were to find maybe a town park or somewhere else to play for the season until the moratorium expires mid-summer.? The Board will have at that point gone through the comprehensive plan re-write so we will know for certainty where the town is going to be with its approach to outdoor recreation, what’s commercial and what’s not commercial. How much of a burden would it be to run the season off premises right now?”

Mr. Hess – “It was very stressful to just go and set up the field. It takes time and people do this when they get out of work as a stress reliever. Also if we were to go to a town park would we be guaranteed that there is going to be light and a field available? I thought parks close at dusk.”

Councilman Pytlovany – “Do you have lights on you filed?”

Mr. Hess – “I have two (2) flood lights attached to the side of my house and I have two (2) flood lights attached on a shed. We are usually done around 9:00 PM. I was going to speak with my neighbor about playing every other weekend, so that would be four (4) days a month. In the past we played two (2) days during the week and then on the weekend. This would significantly reduce the amount of people that come to our property.”

Supervisor Koetzle – “This is a tough one for me, we have talked about it before. On one hand it’s a game of wiffleball and you do have a right, in your backyard, to play outdoor games and have people over and park in the street and enjoy yourselves as much as you want. I think for the Board, the question going to come into at what point is a commercial endeavor? So for me some important questions like, is it opened to the public, do you charge the public to come in, are there bleachers where people can watch those type of things, to me, make a strong definition between commercial and just backyard game of wiffleball.”

Mr. Hess – “We don’t charge admission fee, we don’t have any bleachers, people sit on a slope on the side of my house to watch. Actually anyone can come.”

Councilman Martin – “The questions I’m going to have are not so much for me personally or individually but the commercial nature of it. Impact is impact. This is zoned the way it is for a reason and I’ve got to tell you the early trending on our

comprehensive plan discussion are looking like in favor of respecting the integrity of single family land use. So it's not trending well right now with the early discussions on the comprehensive plan that we have had about outdoor recreation use. In my mind I see a pattern developing here. It is a very rural part of the town and assets are certain characteristics that need to be respected and in my mind preserved. So it's not so much the commercial nature is that gathering of large amounts of people with cars and all that comes from it. Many of the players that are in this league or competing on the teams are not from your property. My early feeling here this is an undue burden and it is not trending well where the new comprehensive plan is going. I'm as much for athletics as anybody, I played semi-pro football until I was almost 30 years old but I think the feedback we get from the residents in that area overwhelming has been they want respect for their single family land use. It's a tough call and I appreciate what you are trying to do. I think it is a wonderful thing but it just may not be the appropriate place."

Supervisor Koetzle – "Where I struggle, is, is it a commercial... so if it's not commercial, where I struggle, I'm not sure the interpretation is correct. Because where I struggle if anybody in this town can have a game of wiffleball in their backyard. There is not restriction on how many people can come, there is now restriction on where they come from. You can have it as many days as you want, you can have it seven (7) days a week. I am just struggling on how this relates at all, you brought up the zip line course (apples and oranges) and I'm not even they are both fruits in this case."

Councilman Martin – "I see the differences but I think important distinctions matter and is there a schedule?"

Mr. Hess – "Yes"

Councilman Martin – "Are there uniforms?"

Mr. Hess – "Not always"

Councilman Martin – "Is there a league?"

Mr. Hess – "Yes"

Councilman Martin – "This is not somebody saying "hey come on over and have a pickup game of wiffleball. Is there a printed schedule, how long does the schedule last?"

Mr. Hess – "It usually starts the end of April and runs until the end of July or early August."

Councilman Martin – "Those are important decisions. I understand it's not paid but it's organized, it's preplanned."

Supervisor Koetzle – "I think this should be discussed at a work session. I understand exactly what you are saying Councilman Martin but nothing that you just asked is precluded. I can print a schedule and have games in my yard if I want to and just say you guys come over at 3:00. The other guys are coming over at 4:00. Nothing precludes that from happening on private property. That's my issue. To me the distinction is if it's not opened to the public than it's not commercial. Maybe we need a different interpretation of that. I don't know, I'm not sure you fall under this moratorium. I'm struggling to find whether that's the case. I don't know, I think it requires more discussion and not tonight."

Councilman Martin – "I'm just speaking toward what I envision as a new comprehensive plan and ultimately a new zoning ordinance to follow with a revised land use for the district. Like I said, my observation of the discussion is it's trending towards locking this down to basically single family use."

Mr. Hess – "And again regardless I still would like to speak with my neighbors and hear their feedback. I've only gotten feedback from Jenna and her

husband. If there are others.”

Tim Goyette, 204 Sanders Avenue – “I’m going to address the question “is it a burden on the league”? It is, it’s 100% a burden on the league. I’ve been playing with Hess for twelve (12) years. Last year was by far the worst year we’ve ever had. Most players didn’t want to play, most players didn’t want anything to do it because it’s so much work to set field up before you got to play. The purpose of backyard wiffleball is to have a way to relief stress, to have fun and to enjoy peoples company and to have a good time. It has nothing to do with winning the championship or anything like that. This was a bunch of grown men getting together after work and throwing a piece of plastic around. It wasn’t a yearly softball league, it wasn’t anything that involved a payment, there’s no fee to get there, you come and sit down and you watch people play a game. The enjoyment that you get is so hard to define. This is one thing that I look forward to every single summer for the last twelve (12) years. It’s been something that has become part of my identity. I get up and I go to work and people at work ask me “how’s wiffleball” or “how was your game this week”? The first time you do it for fun people look at you like your crazy, you’re thirty-one (31) years old. Last year we were forced off the league where our strike zone is set up permanently, our backstop is set up permanently, we have the lines already drawn, and our bases are put in place. We had to go to a field that didn’t have bases, we had to measure it out every time, we had to bring the chalk machine to draw the lines, and we had to draw the infield line. It got to a point where I felt that the one person who had dedicated the last seven (7) years of his life making this league incredibly...nationwide, we went to nationals and finished third two (2) years ago. He wanted to just drop out because it was so much work for him. So we went from a game that brought people’s joy to a burden where people didn’t want to participate anymore. You heard people talk about the year before was one of the best year’s we ever had, how the league was growing, we were going to have more teams, more people involved in the sport and he ended up having more teams drop out because of the burden, the distance they had to travel to go to this alternate field.

I understand the town’s park may be a way around it but they are not set up for an 82 yard fence, they are not set up for three (3) different mounds that we pitch from. You have to have someone committed to bring a giant plywood strike zone and a chalk machine. It honestly adds three (3) hours onto the setting up where here you pick up a plastic ball and you throw it. We don’t make money off of this. We put all monies back into the league and that’s what makes the league fun because everything that went into it was put in by us. Hess’s field we worked for tow (2) to three (3) months to get that ready to go.”

Supervisor Koetzle – “How many years have you been on the league?”

Mr. Goyette – “Twelve (12) years.”

Supervisor Koetzle – “Eleven (11) of those were in East Glenville?”

Mr. Goyette – “They were in Glenville, right down the road.”

Supervisor Koetzle – “No complaints.”

Mr. Goyette – “Never anything that was... Cherry Lane. The complaints were don’t go past this tree.”

Supervisor Koetzle – “Did you have it to the extent like you have it now?”

Mr. Goyette – “Yes, right now the field is probably 75% of what the old field was. He bought a new house and that was one of his requirements for finding a house was a place where he could have enough space for a field.”

Councilman Martin – “You play one game per night?”

Mr. Goyette – “We play a double header every night, same teams so you don’t have twelve (12) cars coming in there are like six (6) cars coming in. There are 3 – 5

players on a team, 3 out fielders and a pitcher, no catcher with the back stop. When you were talking about being a corporation and having...say someone spent \$30,000 to have a pool put in his backyard and every weekend have twelve (12) guys over to swim in his pool and drinking beers, how is that any different than us throwing a piece of plastic?

Yes we have a schedule, yes some of the teams decided to go all out and get uniforms it doesn't make us corporate."

Councilman Martin – "What would be very helpful for me because I'm obviously not a wiffleball expert. I sat here thinking there are nine (9) guys on a team. What would be very helpful for me and again I agree with you maybe we don't even have any relatives here until our code enforcement officer or someone makes a determination about what this is. If you could develop some sort of a description of this whole situation that would be helpful. I'm hearing about organized wiffleball for the very first time and I'm learning a lot. A lot of what I had as a pre-conceived notion is incorrect. The schedule by the teams, how many spectators do you get?"

Mr. Goyette – "If my wife shows up at a game that means there is literally nothing else to do."

Councilman Martin – "That would be very helpful to assess the essential impact of what is occurring. This is all new to me."

Greg Stegman, 208 Fifth St. – "I've played on Chris's teams for ten (10) years. It's something that I look forward to every spring. It's our past time, it's what we do. I was fortunate enough to help Chris build this field. (Mr. Stegman showed the board pictures of the field on his phone). When we were building this field I knew we needed some kind of a permit but I had never heard about a site plan variance, had no clue, I had never heard about it. We overlooked it, if we had of known we would have gotten the proper permit and filled out the proper paperwork. So Chris got a cease and assist order one day and it just blew me away. It hurt, something was taken away from me that day and yes we did have other outlets, we could play at the Junction but it's just not convenient. We put a lot of work into the field and I would like to give my respect to the neighbors as well. We are not bad people, if we were ever bothering you I would come down and tell those that are being too loud or driving like idiots we would take care of it. I have been a part of this league forever. Some of the younger guys, sometimes they are not respectful but I would be willing to take care of that. I don't know where we sit with the site permit that is obviously something you guys have to figure out but I just know personally I hope it wouldn't come down to neighbor or neighbor because I've had that happen in my backyard with a fence. It's not about making money, it's so far from that. We are just normal people in the community, we just want to play wiffleball in his backyard."

Doug Sheperd, 342 Lovers Lane – "I have lived here for twenty seven (27) years. When I moved in there were two (2) houses on the road, mine and one down at the end. There are now eleven (11) on it, obviously the traffic has increased too. I can see nothing but more traffic from this. The reason people out there moved out there is for the peace and quiet, the wild life and whatever else you can find. This was a surprise and I am sort of disturbed by it. "

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

The Town Board honored the NYS Boys' Class B Cross country Championship Team" from Burnt Hills-Ballston Lake High School. Assemblywoman Mary Beth Walsh assisted Supervisor Koetzle with the presentation of the proclamations.

Bruce McConnelly, Rotary, gave an update on the progress on the restoration process being performed on the Greens Corners School.

The following people exercised the privilege of the floor:

George Wuttke, 116 Governor Drive – Mr. Wuttke stated that the streets in Woodhaven are in terrible repair. Woodhaven itself need a complete rebuild in my mind. He has dealt with parking lots before in business and there is no repairing them. He has lived in Woodhaven for seven (7) years and he has never seen a resurface or rebuild, a patch here and a patch there at some point in time you have to spend the money. He stated that there is money for dog parks, we have money for many things how about general maintenance. It is becoming more difficult to walk and ride a bike.

Supervisor Koetzle moved ahead with the agenda

**RESOLUTION NO. 49-2017**

**Moved by:** Councilman Martin

**Seconded by:** Councilman Pytlovany

**WHEREAS**, the Town of Glenville is proposing a local law to revise Section 270-44(A) of the Town of Glenville Code (Zoning) to eliminate an erroneous reference stating that multi-family dwellings are a permitted use within the “General Business” zoning district; and

**WHEREAS**, this local law/zoning text 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; and

**WHEREAS**, the Town of Glenville Planning and Zoning Commission, at their November 14, 2016 meeting, recommended that the Town Board find no significant adverse environmental impact associated with this proposed local law/zoning text amendment, 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 local law/zoning text amendment regarding Section 270-44(A) of the Glenville Town Code 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:

- Adoption of this local law will not result in any development or physical alterations to the land. Rather, this is a minor zoning text amendment that eliminates a reference/artifact which erroneously states that multi-family dwellings are permitted within the “General Business” zoning district. Multi-family dwellings have not been permitted within the “General Business” zoning district since July, 2014.
- 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 in any way impact threatened or endangered species of animal or plant.
- This action will not create a conflict with the Town’s Comprehensive Plan or Zoning Ordinance, or any other land use policy document. This action is

merely a “housekeeping” item meant to correct an oversight from a previous zoning text amendment adopted in July, 2014.

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

**Motion Carried**

**RESOLUTION NO 50-2017**

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

**WHEREAS**, the Town of Glenville is proposing a local law to revise Section 270-44(A) of the Town of Glenville Code (Zoning) to eliminate an erroneous reference stating that multi-family dwellings are a permitted use within the “General Business” zoning district; and

**WHEREAS**, the proposed local law addresses an oversight from July, 2014, at which time the Glenville Town Board adopted a local law eliminating multi-family dwellings from the “General Business” zoning district, however the reference made in Section 270-44(A) accidentally remained in the Zoning Code; 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 December 21, 2016; and

**WHEREAS**, the Town of Glenville Planning and Zoning Commission, at their November 14, 2016 meeting, recommended that the Town Board approve this zoning amendment;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby approves Local Law No. 1 of 2017, amending Section 270-44(A) of the Town Code of the Town of Glenville (Zoning); and

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

- The adoption of this local law is compatible with the Town of Glenville Comprehensive Plan and all other provisions of the current Town of Glenville Zoning Code, which was amended in July, 2014 to remove multi-family dwellings as a use permitted within the “General Business” zoning district.
- This action is essentially a “housekeeping” item and in no way will it result in neighborhood land use incompatibility.
- This amendment merely clarifies that multi-family dwellings are not permitted within the “General Business” zoning district. As such, the adoption of this local law will not negatively affect land values.
- Adoption of this local law ensures compatibility with the existing Town of Glenville Zoning Ordinance by removing a conflicting provision of the Code that should have been stricken in July, 2014.



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

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

**Motion Carried**

**RESOLUTION NO. 51-2017**

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

**WHEREAS**, draft Local Law of 2017 has been submitted by the Town of Glenville to amend Sections 270-3, 270-14C(3), 270-18B(12), 270-19B(16), 270-19.1C(13) and 270-20B(16) of the Town of Glenville Code; and

**WHEREAS**, the proposed local law would amend the Town of Glenville Zoning Ordinance so as to permit microdistilleries as a use allowed by site plan review within the *Rural Residential/Agricultural, Community Business, General Business, Highway Commercial, and Research/Development/Technology* zoning districts, in addition to adding definitions for “Farm Distillery” and “Microdistillery,” and

**WHEREAS**, New York State Town Law and the Code of the Town of Glenville require that a public hearing by the Town Board be held before a zoning map amendment may be acted upon;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby schedules a public hearing for Wednesday, February 1, 2017 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 the proposed local law; 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 10 days prior to the date of the public hearing.

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

**Motion Carried**

**RESOLUTION NO. 52-2017**

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

**WHEREAS**, the Town of Glenville is a member of the Association of Towns of the State of New York; and

**WHEREAS**, Town Supervisor Christopher A. Koetzle has represented the Town of Glenville at various Association meetings and conferences; and

**WHEREAS**, the Association requires that the Town Board adopt an official resolution by February 6, 2017 designating its’ voting delegate for the Association’s 2017 Annual Business meeting to be held Wednesday, February 22, 2017; and

**WHEREAS**, Supervisor Koetzle is willing to serve as the Town's voting delegate for the Association's Annual meeting,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby designates Christopher A. Koetzle as its' voting delegate for the Association of Towns' 2017 Annual Business meeting and authorizes and directs the Town Clerk to complete the Certificate of Designation and return same to the Association no later than February 6, 2017.

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

**Motion Carried**

**RESOLUTION NO. 53-2017**

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

**WHEREAS**, the since approximately 1976, the uniforms of members of Town of Glenville Police Department have displayed a Glenville Police patch with the NYS seal and said patch was worn with pride by the members of the police department for forty years; and

**WHEREAS**, Stephen V. Janik, Chief of Police, designed a new, simple patch design which incorporates the Town of Glenville seal which will demonstrate the honor and commitment the members of the Police Department have for the residents of the Town of Glenville; and

**WHEREAS**, Stephen V. Janik, Chief of Police, hereby recommends the approval of the new Glenville Police patch;

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board does hereby approve the replacement of the current patch with the newly designed patch as the official Glenville Police patch with an effective date of February 1, 2017.

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

**Motion Carried**

**RESOLUTION NO. 54-2017**

**DESIGNATION OF ENVIRONMENTAL REVIEW CERTIFYING OFFICER AND ENVIRONMENTAL DETERMINATION FOR THE TOWN OF GLENVILLE'S NYS CDBG PROJECT #461CP125-16: "GLENVILLE BUSINESS AND TECHNOLOGY PARK REDEVELOPMENT PLAN AND MARKET ANALYSIS"**

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

**WHEREAS**, the Town of Glenville (herein after "the Town" or "Town") applied for grant funds to the New York State Office of Community Renewal (OCR) through the FY2016 Community Development Block Grant (CDBG) program to undertake the "Glenville Business and Technology Park Redevelopment Plan and Market Analysis" (herein after "Planning Project"); and

**WHEREAS**, the Town received notice, dated December 12, 2016, from the New York State Office of Community Renewal that its application, NYS CDBG Project #461CP125-16 has been selected to receive up to \$47,500 for its Planning Project; and,

**WHEREAS**, prior to the release of CDBG funding, as grant recipient, the town is required to designate a Certifying Officer responsible for the conduct and completion of an environmental review process satisfying requirements of the NYS Environmental Quality Review Act (SEQRA) and the National Environmental Policy Act (NEPA) of 1969 and;

**WHEREAS**, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQRA) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law; and

**WHEREAS**, 24 CFR Section 58.34 (24 U.S. Code of Federal Regulations) under the National Environmental Policy Act (NEPA) of 1969 provides that certain activities identified in subdivision (a) of that section are not subject to environmental review under the National Environmental Policy Act of 1969;

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Glenville Town Board hereby designates Kevin Corcoran, Town Planner, as the Certifying Office responsible for all activities associated with the environmental review process to be completed in conjunction with NYS CDBG Project #461CP125-16 awarded to the Town of Glenville.
2. The Town of Glenville hereby determines that the proposed Glenville Business and Technology Park Redevelopment Plan and Market Analysis is a Type II action in accordance with 6 NYCRR Section 617.5(c)(21) which states that, "conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;" and is therefore not subject to review under 6 NYCRR Part 617.
3. The Town of Glenville hereby determines that the proposed Glenville Business and Technology Park Redevelopment Plan and Market Analysis is an Exempt activity in accordance with 24 CFR 58.34 (a), which states in part, "the recipient entity does not have to comply with the requirements of this part or undertake any environmental review, consultation or other action under NEPA and the other provisions of law or authorities cited in Section 58.5 for the activities exempt by this section or projects consisting solely of the following exempt activities: (1) Environmental and other studies, resource identification and the development of plans and strategies;" and is therefore not subject to review under NEPA.
4. This resolution shall take effect immediately.

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

**Motion Carried**

**RESOLUTION NO. 55-2017**

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

**WHEREAS**, a claim against the Town of Glenville was made in 2009 by Caroline Lupi resulting from an incident that occurred in the Indian Meadows Park playground; and

**WHEREAS**, the town's insurer for this claim, Glatfelter Claims Management, Inc., under the provisions of the insurance policy has the authority to settle any claim up to the amount of the policy deductible, in this case \$5,000; and

**WHEREAS**, Glatfelter Claims Management, Inc. has settled this claim in the amount of \$4,500 and seeks reimbursement from the Town of Glenville under the applicable contract provision,

**NOW, THEREFORE, BE IT RESOLVED** that the Comptroller for the Town of Glenville is hereby authorized to process a reimbursement payment for Glatfelter Claims Management, Inc., in the amount of \$4,500.

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

**Motion Carried**

**RESOLUTION NO. 56**

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

**BE IT RESOLVED** that the **Monthly Departmental Reports** for December, 2016 as received from the following:

Assessors Department  
Building Department  
Economic Development & Planning Department  
Highway/Public Works Department  
Justice Department  
Town Clerk's Office

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

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

**Motion Carried**

**RESOLUTION NO. 57-2017**

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

**BE IT RESOLVED**, that the minutes of the Organizational meeting held on January 4, 2017 are hereby approved and accepted as entered.

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

**Motion Carried**

**RESOLUTION NO. 58-2017**

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

**WHEREAS**, the Town of Glenville is proposing a zoning map amendment that would change the zoning of the 2.06 acre parcel at 133 Maple Avenue, owned by Federal National Mortgage Association and presently unoccupied, from “Multi-family Residential” to “Suburban Residential”; and

**WHEREAS**, the zoning map amendment for the land at 133 Maple Avenue is being rezoned to make it consistent with the adjoining parcels to the south, east and west; and

**WHEREAS**, the Maple Avenue property to be rezoned was historically a single family residence and is of significant historic value to the Town; and

**WHEREAS**, New York State Town Law and the Code of the Town of Glenville require a public hearing before 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, February 1, 2017 at 7:00 p.m., or as soon thereafter as the matter can be reached, at the Town of Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, at which time and place it will hear all persons interested in a proposed zoning map amendment involving the property at 133 Maple Avenue; and

**BE IT FURTHER RESOLVED** that the Town Clerk be, and she hereby is directed to refer this matter to the Planning and Zoning Commission for comment, 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 and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Boulant and Councilwoman Wierzbowski

**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 59-2017**

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

**WHEREAS**, a local law to extend a moratorium for a period of six months from the effective date of this local law, during which no application for building permits, special use permits, conditional use permits, business permits, site plan approval or subdivision approval shall be accepted or considered for projects in the Suburban Residential zoning districts that require conditional use permits, site plan review or building permits under Section 270-15. of the Town of Glenville Zoning Code for townhouses, duplexes, twin homes or two-family dwellings and during which the review of any pending applications for the forgoing shall be suspended for the duration of this moratorium, being proposed as Local Law No. – 2017, entitled “**A LOCAL LAW EXTENDING A TEMPORARY MORATORIUM ON PERMITS FOR PROJECTS IN SUBURBAN RESIDENTIAL (SR) ZONE DISTRICTS REQUIRING CONDITIONAL USE PERMITS, SITE PLAN REVIEW OR BUILDING PERMITS FOR USE AS TOWNHOUSES, DUPLEXES, TWIN HOMES OR TWO-FAMILY DWELLINGS**” a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board of the Town of Glenville; and

**WHEREAS**, the Town Board wishes to hold a public hearing with respect to the adoption of said Local Law;

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by the Town Board of the Town of Glenville with respect to the adoption of the aforesaid Local Law at 7:00 PM on February 1, 2017 at the Glenville Municipal Center, 18 Glenridge Road, Glenville New York, and it is further

**RESOLVED** that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law; and it is further

**RESOLVED** that the Town Clerk shall immediately send a referral notice to the County of Schenectady Department of Economic Development and Planning, pursuant to General Municipal Law section 239-m with a copy of the proposed Local Law and a request for comment; and it is further

**RESOLVED** that the Town Clerk immediately mail notice of the public hearing, together with a copy of the proposed Local Law to the City Clerk of the City of Schenectady, the Village Clerk of the Village of Scotia and the Town Clerk of the Town of Clifton Park; and it is further

**RESOLVED**, that the Town Clerk, on behalf of the Town Board, shall refer this matter, by transmitting a copy of this resolution, along with a copy of the proposed Local Law, to the Town of Glenville Planning and Zoning Commission for review, recommendation and report.

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

**Noes:** None

**Absent:** Councilman Boulant and Councilwoman Wierzbowski

**Abstentions:** None

#### **Motion Carried**

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Pytlovany; Seconded by Councilman Martin, everyone being in favor the meeting was adjourned at 8:15 PM.

ATTEST:

---

Linda C. Neals  
Town Clerk