

MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
MAY 17, 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, Councilman James M. Martin, Councilman John C. Pytlovany, Councilman David Hennel and Councilwoman Gina M. Wierzbowski

Absent: None

Also present – Michael Cuevas, Attorney for the Town, Jason Cuthbert, Comptroller and Tom Coppola, Highway Superintendent

Town Council Reports:

Councilman Hennel – “Homewood Suites, by Hilton opened this week in Glenville. On May 29th at 11:00 AM Glenville Rotary will have a Memorial Service at the Veteran’s Park.”

Councilwoman Wierzbowski – “I attended a ribbon cutting at the Glass Tavern.”

Councilman Pytlovany – “The Scotia Memorial Day Parade will take place on Wednesday, May 24 at 6:15 PM. The 19th Annual “Cruisin On The Avenue” car show will be on June 18th from 1:00 PM to 5:00 PM.”

Supervisor Koetzle – “Item No. 5 on the agenda is a public hearing to hear all of those interested in the proposed zoning map amendment involving the property at 207-213 Sacandaga Road changing the zoning from “General Business” to “Mixed Use Planned Development” and creating a Mixed Use Planned Development District on such parcels.”

Luigi Palleschi, ABD Engineers – “I am here tonight for the project located at 207-213 Sacandaga Road. The property is located just north of the Scotia-Glenville High School, east of the Industrial Park and to the north on the opposite side of Burch Parkway are two eight unit apartment buildings that currently exist. The parcel is 7.27 acres, it is currently zoned general business. We are here tonight to ask for a Planned Development District. We have been before this Board several times, we have been before the Planning Board several times and we have taken many considerations in this plan. Along Sacandaga Road, we are keeping that commercial and retail. We are proposing a 4,800 sq. ft. retail building on the first floor, located on Lot 1 and on the second floor are four apartment units. Lot #2 would come off of Burch Parkway, there are nine, eight unit apartment buildings, two stories in height which would total 72-units in the back. There are 36 detached garages that would encompass the project for the apartment buildings. There are roughly 168 parking spaces on the surfaces. There are open space areas and amenities where we would have a barbeque pits and a gazebo for the residents at that complex. Lot #3 is set up for a future development. We don’t have any tenants at this time but we certainly are setting that up for future development. That future development will have access off of Burch Parkway as well as the one off Sacandaga Road to serve Lots #1 & #3. There are water and sewer available on site. The water district is the Town of Glenville, the sewer is the Village of Scotia which our project will have gravity sewers going to a private pump station which will then pump to the Village sewer system.”

Supervisor Koetzle – “I would just like to mention what a Planned Unit Development (PUD) is. Basically right now you have some different zoning, potentially “General Business”, “Commercial” and maybe “Residential”. A PUD is kind of an overlay

that allows us to work with a mixed use. That's is just the simplest or easiest way to explain what a PUD is. So it's actually a piece of legislation that we are writing into the zoning code. I want to mention a few things that are in the legislation regarding what are the uses for some of these buildings – a 4800 sq. ft. building area and additional commercial space essentially would be in consistent with commercial development uses that are permitted in general building except no automobile dealership, automobile repair shops, car washes, massage parlors, vapor shops, tattoo parlors, or liquor stores should be permitted nor shall any retail establishments sell tobacco, tobacco related or tobacco substitute products be permitted unless the tobacco is a substitute product comprising less than 5% of the total retail floor space or less than 5% of the total retail shelf space whichever is less. So there are some of those restrictions in place and that was negotiated between the school district, the developer and the Town Board. Also regarding parcel #3, gasoline dispensing pumps, any overhead canopy construction parallel to Burch Parkway, automobile repair shops are prohibited and shall not be construed to prohibit any automobile parts retail to provide any services such as retail of tires, batteries but not to preform general repair. Further sidewalk improvement is required along parcel #1 and parcel #3 on Sacandaga Road.”

Councilman Martin – “I also recall that the gas canopy cannot be located in the front yard”

Mr. Palleschi – “Yes that is correct. We agreed to put it on the side facing Burch Parkway.”

Judy Rightmyer, Director of the Capital District Tobacco Coalition (CDC) and also a Town of Glenville resident – “So the grant that I direct is put out by NYS Department of Health Bureau of Tobacco Control and what we do is try to do best practice for municipalities, for policy change, for community change that would decrease tobacco use. We know that 90% of people start smoking before they are eighteen so if we are going to address tobacco use and try to decrease we need to stop them before they start. CDC did some research and found that the more often young people walk by tobacco, the more often they see the ads the higher their rate is for using tobacco.

I am here tonight to ask that there be no tobacco sales in this development, not even limited to that 5%. This is going to be right near the high school and so I'd like to see it to be included that there are no vape shops, no liquor stores and tobacco also not be allowed.

I also want to share that the Town of Glenville already has twenty-one tobacco retailers and two vape shops. When you look at what positive resources the Town of Glenville has we have five parks, one library and one youth center. So there are twenty-one places to buy cigarettes but only five where you could lose a little wait.

I want to leave you with a little map that shows where the tobacco retailers are currently, how they are near schools and also what the Town of Niskayuna has done to institute a zoning change that says no tobacco sales within 1000 feet of schools and within 1000 feet of daycares.”

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:18 PM.

Supervisor Koetzle – “Item No. 6 on the agenda is a public hearing to hear all of those interested in the proposed construction of a recreational path for the area of the Town of Glenville along Glenridge Road.”

Jenny Lippman, Engineer with MJ Engineering – presentation – “I am here to give you an introduction and background to the proposed project for sidewalks on Glenridge Road.

The project is about one-half mile of new sidewalk that would be five feet in width, constructed in asphalt and that would begin at the Woodhaven development entrance and terminate here at the Town Municipal Center. The project scope is to

essentially provide a safe pedestrian connection between the Woodhaven Neighborhood and Town Center which is a great need in the Town of Glenville.

I would like to briefly discuss the project challenges that lead us to the final decision and the final design of this project. We have a limited right-a-way, the right-a-way which is basically public owned property along the roadway. It's sixty feet in width, which means we have about thirty feet from the center of the road outward which leaves us only about fifteen feet from the edge of the pavement and into the lawn space for the construction of the project. We have a lot of utility conflicts specifically light poles and stormwater infrastructure.

We analysis a couple different design perimeters. Originally when we started the project the ideal was to have eight foot wide asphalt multi-use trail which would be used by bicyclists, pedestrians, and great for strollers and things of that nature again to bring residents from the area near Woodhaven to Town Center. Again, because of site constraints we did also analysis using the typical five foot wide concrete path. We looked at different materials, stone dust, asphalt, and concrete are the typical types of material used in sidewalk construction. Looking at logistics and the requirements by DOT and the County we need to be four foot off of the shoulder or the edge of pavement otherwise we would need a barrier like a curb or a guiderail.

The pros and cons of that are obviously – a wider path would be great but it would require more easements and more land agreements. The materials, stone dust even though it is least expensive, is a lot less durable and requires a lot more maintenance, not as user friendly for bicyclists and strollers. Asphalt is more durable and more expensive and in concrete while most town centers gravitate toward concrete, they look nicer, they are much more expensive but they are more durable.

The final selection ultimately due to the easement constraints and the road location was to go with five foot width but we did choose asphalt for that material. Looking at the cost benefit balance that we were trying to achieve to give you the hard surface that was desired by users while also maintaining the restrictions or limiting the restrictions and challenges of the project. We will be using concrete at road intersections. We will maintain the four foot strip between the roadway and the sidewalk and that would be grass.

So right now where the project stands is DOT has given approval for this project. They reviewed the plans and they are in concurrent that they meet with all of their regulations and requirements. The Town is currently going through the SEQRA or the Environmental Review process for the project and they have been in contact with property owners and are attempting to secure easements for the project. Moving forward we are continuing to move utilities because there are several lights or power poles in the way that will need to be moved to minimize the amount of easements that are needed or some other type of benefit to that. The town is looking to do this project themselves to save on costs and preparing to complete the project.”

Nancy Pennel, 102 Governor Drive – “I have been living in Woodhaven for almost fifty years. I think what the Town is proposing is not just an ascetic or fun change to Glenridge Road, it's an improvement that will go a long way to making Glenridge Road a safer road to travel on. As Glenridge Road is now it is an accident or death waiting to happen. The Town has improved the area from Route 50 to the Town Hall, it is attractive and a vast improvement on that part of the road and the lights have made that portion safer. The area of Glenridge Road from Woodhaven to crest of the hill by the cemetery is problematic. There is a large population there who enjoy walking a lot more than they did in the past. Many people enjoy walking to the shopping centers on Route 50. They are not only from Woodhaven but from further up the road. There are young people coming from Conifer Park who walk on the road as well. There are some bicyclists that travel along the road. The area from the entrance of Woodhaven to the hill by the cemetery is a dangerous area to travel on for walkers, for bicyclists and for motor vehicles. It is very dark at night and the road markers along the road don't show up very well. One cannot see approaching vehicles coming over the crest of the hill from Route 50 because the topography of the land obscures the view until they have reached the crest of the hill. In

addition the shoulder of the road narrows by about half on the cemetery side where the crest of the hill is. There are bushes and trees at that point in the road this forces anyone walking along side of the road to walk closer to traffic. Should a pedestrian or bicyclist be traveling at this point in the road and two cars were to come over the crest of the hill at the same time in opposite directions the condition for a head on collision is high and the potential for bodily harm is high as well. In such an instant both cars would have to move over to avoid a collision jeopardizing anyone walking or cycling. The situation is even worse in the winter when the road edges are obscured even more and snow on the side of the road encroaches into the traveling lane. The walkway would be a vast safety improvement and the addition of lighting around the road would be an enormous help. I really hope this project can go forward. I don't want to see anybody get hurt because of a safety issue."

Shawn Bushway, 14 Mountainwood Drive – "My wife is from the area and prior to that we lived in Silverspring, Maryland in a suburb between 16th Street, which is where the President lives, and George Avenue, two of the busiest streets in Maryland. I lived in a little neighborhood where we all kind of new each other, a little bit like Woodhaven. I lived about a mile from a grocery store, a mile from the library and when my kids were little we used to go there about once a week. We had the great experience of being able to go out and about. My wife decided that it would be nice to live near family and we decided to move here. We picked a community close to where she lived and she had had a great experience as a kid, walking to the K-mart, walking to Friendly's and having an experience of something that we had valued and something we had in Silverspring. We walked to places, we could give the kids some independence so that they could learn to do things on their own. I have lived in Woodhaven for eleven years. I have been on Glenridge Road once on my bike, I've never walked there. It's about the same distance to the grocery store and the library was where I lived in Silverspring. Again where a 150,000 cars go by every day and the only difference is the lack of a sidewalk. I think it has a huge effect on the quality of life, we live in a fairly large development with three separate developments. There is no open space in there, there is no park in the entire subdivision, we used to have a swimming pool, that is now gone and we have no place to central visit but the good news is we live about one mile from the library and from the Town Center and we could go there if we could get there. It's not safe to go there, you can't let a fifteen year old child ride a bike there, you just can't. I think this is a simple solution to a big problem that will greatly enhance the quality of life for a lot of people. Why should the first time my kid goes to a grocery store by herself be when she can drive when she is sixteen. That's crazy, right. She is able to ride her bike there if there was a safe way for her that to happen. I am a little disappointed in the newspaper article that was written about this before there was an eight to ten foot path, I think that is better. I am a little concerned about, I think people are going to ride bikes on the sidewalk and I think that is a little dangerous. Having no separation between the strollers, the bikes and the walkers I think it will be a big problem. I understand that you try to maximize, I think you should really reconsider choice if possible but I think a five foot sidewalk is a step in a right direction. It will dramatically enhance the quality of life for lots of people and frankly if it existed it would have definitely changed the way my kids grew up. They literally have never been able to go to a store by themselves. I go to CVS, I sit in the parking lot and I send them in to CVS by themselves. It's a beautiful library, why do I have to drive them every time. I am very glad to see this is being done. I think this is a step in the right direction and I want to strongly encourage you to take the step."

Emily Quinlan, 5 Pinewood Drive – "I am in support of the sidewalks. I agree that eight to ten foot path would have been preferable but given where we are I understand where we are going with a five foot path. I have two very small children. I grew up in a community where we could walk everywhere. I think that it is an important part and aspect of growing up to be able to walk to places and not just to get in a car. Speaking as a young mother the ability to put my kids in a stroller and walk somewhere is much more convenient than having to buckle two small children simply to unbuckle them and to then walk somewhere. Why I understand the accepts of this that could be difficult especially concerning receiving easements and the concerns that are there I feel the overall public benefit is widely enhanced by inputting sidewalks that can be used for the entire community not just those that live in Woodhaven but those along the rest of Glenridge Road as well as people who want to participate in maybe a longer walk where

you can join the communities on either side of Saratoga Road.”

Sonja Tompkins, 44 Glenridge Road – “My property probably has the most frontage for this project. We have about 415 feet that will be effected by this. My husband and I have spoken to our attorney. We crafted a letter with her and I would like to read to you at this time.

I have been retained by Sonja and Robert Tompkins with regard to a proposed easement on their property in connection with construction and maintenance of a recreational path that has been submitted by the Town of Glenville. I am in receipt of the proposed Easement Agreement, the maps showing the easement as it affects neighboring properties, Resolution No. 116-2017 concerning the easement, and the SEQR Notice of Establishment of Lead Agency, all of which I have reviewed with my clients Sonja and Robert Tompkins.

My clients acknowledge the value of the project to the community and believe it is well intentioned, however, we have concerns regarding the safety and logistics of the proposed recreational path and easement.

The easement that is proposed is located in the corner of my client's property and does not include any portion of the path, however, it proposes to rebuild the drainage pipe and culvert located at the corner of my clients' property. At this point, we do not have enough information for me to recommend that my clients sign the easement. I have the following concerns, which we would request that the Town address:

1. Safety: Of utmost concern is the safety of the path as it will be located parallel to my clients' property line. We would request that a topographical survey or grading plan be presented. The path will be at the side of the road, currently, my clients' property slopes steeply downward from the road. This drop off could be extremely hazardous if a person were to leave the path to make room for an oncoming or passing pedestrian/bicyclist/skateboarder/rollerblader, which is not unlikely given the recreational nature of the path and the anticipated traffic between Glenville's Town Center and Woodhaven.

While the proposed easement is located in the corner of my clients' property, it appears that the grading lines are on my clients' property and outside of the scope of the easement. We would like to have a better understanding of what grading is proposed how this will be handled, and whether the Town will maintain the area once the grading is complete.

In addition, we believe that lighting along the path is necessary to guide travelers and keep them on the path which will meander along the road.

2. Location of the Recreational Path: We have received conflicting information with regard to the location of the recreational path. My clients have been informed that the location of the path may change and that it might be located on their property. It is my recommendation that the easement not be finalized until the plans are finalized.
3. Indemnification and Insurance: Given the foregoing concerns regarding safety and the expected use of the path, we would ask that the Town indemnify my clients in the event of a lawsuit concerning use of the path and injuries sustained in connection therewith. The proposed agreement addresses insurance, however, my clients have potential liability exposure because the path abuts their property and because of the steep grade. In addition, the agreement should contain a provision for review of the insurance minimums at a later date, as the easement will run with the property indefinitely.
4. Easement Agreement: The proposed Easement Agreement is for the placement of a recreational path on my client's property. In fact, as currently proposed the path will not be on my client's property, however, a culvert and drainpipe will be modified and significant grading may be undertaken. We would ask that the

Easement Agreement be tailored to address the work that will be done, including grading, and the maintenance of the culvert and drainpipe.

5. Compensation: As the expansion of the culvert and access to the recreational path will impact my clients' property, we would expect compensation, which was alluded to in Supervisor Koetzle's enclosure letter. Before the easement can be signed, we would need to know the compensation that will be offered.

We would reiterate our support of the plank as the recreational path will benefit my clients and their neighbors, however, we would ask that our concerns be addressed as the Town moves forward toward commencement of the project and in advance of execution of the Easement Agreement. Please contact me to set up a meeting to review the foregoing concerns after you have had the opportunity to review this letter. It would be helpful to me and my clients if the Town Planner and Engineer could also be available for questions.

Michelle H. Wildgrube
Cioffi, Slezak, Wildgrube P.C.

Andrean Kreig, 12 Valleywood Drive – “I am a mother of two young children, raising a family in Woodhaven. We have lived there for about three years. Overall I think this walkway would greatly improve the quality of life that I can offer my kids in this development. I grew up in a small village of Voorheesville, not too far away, but we had sidewalks everywhere and some of my best memories were after dinner being able to go for a walk with my family to go out and get ice cream cones at the convenience store. My sister and I had a lot of independence and that independence and self-confidence I try to instill in my children. As a mother of a daughter who is approaching the teenage years I hope she will have a job so I don't always have to support her. It would be wonderful if she could actually transport herself there with all of the opportunities for employment at Town Center with Target, Hannaford, the library and just an ability to give our children and our families that independence and the ability to get around. As far as compensation I think this improvement overall is going to increase the value of our properties throughout Woodhaven and all along Glenridge. I am a runner, I have attempted to run on Glenridge Road and I do not recommend it to any of you. It is not safe, I would not allow my children to walk, ride their bikes or run even if accompanied by an adult. So I think because of the safety issues that were very elegantly laid out earlier I just want to echo those statements and say I really hope it does move forward and I trust it will be done correctly so that it is to benefit everybody in the development and everybody in the community.”

Donna Gigone, Glenville YMCA – “I would like to speak in favor of the new walkway. At the Y we work hard to promote youth development, healthy living and social responsibilities. One of the groups that we serve on a regular basis is the eleven and fifteen year olds and these are kids that are at risk. They don't always have a lot to do. Some of the things they do like to do is come to the Y with their friends and usually that is on foot or bicycles. I cringe when I see those kids, as they pull in and their bikes are out front in the bike rack, on the roads that they traveled to get there. As I was coming in tonight I actually was driving up the hill and there were two young girls, the sun was in my eyes and two young teenagers were walking down facing me. Another large part of our organization is we employ young kids sixteen and seventeen year olds who don't always have a form of transportation. We probably hire fifty plus summer camp counselors, lifeguards in the summer. A lot of them come to work on foot or bicycle. That's another consideration. Another large population are the runners and the walkers on all of the roads surrounding Town Center, the Glenville Y and Indian Meadows either leaving the Y, the park or coming to the Y and the park. The long term goal to connect Woodhaven to Indian Meadows and the YMCA and the two bike paths is such a wonderful safe opportunity for all and for all of our recreation.”

Sarah Dill, 30 Glenridge Road – “We come from Schenectady, on State Street and we both work non-profit for a good amount of our lives about fifteen years. We purchased Glenridge Road because it sat back. We have the wooden area in front

of us. It was like being in the country and we are still able to access all of the roads. We are very much town people, and very much for the betterment of the community. I think that we all need to recognize that the people that the properties that it will affect. We have to ask them why they purchased that property in the first place. I understand that Woodhaven would like to have a better direct access to Route 50 and the shopping centers there however when we purchased that home that home was there. We are new homeowners, we are very proud, we have a son as well. I just want to make sure that our voice is heard as well. It is our property that is affected.”

Jason Heidelmark, 40 Glenridge Road – “I am a resident that is affected by this walkway. I am not in favor of it, especially as narrow as it is coming down to because it was supposed to be an eight foot. I have four children and I would never allow my children to walk alongside this road. There are cars that fly up and down this road constantly. I all for town improvements and things of that nature. I grew up in stages, like people had spoken up here, so many sidewalks and places that I have walked to, it’s not an interest of mine. I would rather go through a park and check out the scenery and walk through the parks and everything. To connect people just so they can look at Target and the library that doesn’t make sense to me. This is a beautiful place to go explore. I don’t feel like it’s necessary to spend the tax payer’s money on something as of this nature. I am in total agreeance with the Tompkins. I also retained a lawyer. I needed to come here for answers which for our last meeting you were supposed to have which I come to this meeting and it’s not a pro/con thing. That’s why I’m here, I feel like I’m wasting my time because the last meeting you, Christopher, had sent me a letter stating that we could voice our concerns and we didn’t receive any answers. I feel like I am being pushed around without answers and that is why I didn’t come with a letter like she has which I could have because I want answers to present to my lawyer so we have the proper information before we pursue. Not only that it’s not a straight walkway going through my yard, it’s a horseshoe around a telephone pole. I’m for working everything out but you guys are creating this liability for us and making us liable for it under contract. It is going to die out, everybody is going to want to get out in the summer time walking back and forth that’s great but now it is creating a liability for the homeowners on that road that it is affecting. That is basically all I have before I get answers and present that proper information to my lawyer. I am not against it but I have to have everything in a legal matter and things worked out before this goes through.”

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:48 PM.

The following people exercised the privilege of the floor:

Arkley Mastro – “I just had a simple question, with regard to Add On Resolution No. 2, it was my understanding from the work session last week that that resolution was for approval of the road section reduction. I see that it is on to schedule a public hearing and I’m curious as to what changed in the last week?”

Attorney Cuevas – “Actually we looked back at our practice with respect to waiver applications public hearings. That enables residents to voice their opinions if anyone has any such an opinion. It’s an amendment for a specific property from the requirements of Town Code.”

Mr. Mastro – “I didn’t think the Code required a public hearing.”

Mr. Cuevas – “The Code doesn’t specifically require it, but we chose to schedule one on the safe side.”

Supervisor Koetzle moved ahead with the agenda items.

Discussion...

Councilman Martin – “I would just like to hear a little bit more from the applicant’s representative about the buffer area.”

Tony Stellato, CHA Consulting, representing TJ Development of Glenville, LLC gave a power point presentation regarding the proposed zoning map amendment. Both parcels are about 0.62 acres. (The entire presentation is available on the Town's website under Town Board Videos). Mr. Stellato explained that all around Town Center and all around the general business is suburban residential. The point I make here is the predominate zoning district within the Town Center overlay is clearly general business, it's centered around the Route 50, Saratoga Road corridor and it is common that there is suburban residential all the way around. Mr. Stellato displayed slides where the current zoning district boundaries are (community business, general business zone and the limits of the Town Center overlay district). Both properties located at 3 & 7 Sheffield Drive are both currently adjacent the general business zone. What we propose is to just shift the boundary line back one lot to incorporate 3 Sheffield Drive into the general business zone. The general business/suburban residential boundary now goes around 7 Sheffield Drive. All of this information is included in the application that we submitted to the Town Board.

We reviewed the ordinance and we find that it stipulates that there are several factors that the Town Board has to consider before it can consider this amendment:

The first factor is that you need a recommendation from the Planning and Zoning Commission and we went to the Planning and Zoning Commission and they have made that favorable recommendation at their April 10th meeting. The second factor is the public hearing of this Board, which was held on May 3rd. Two people spoke, you heard their comments and then in addition to those two things there are five additional factors that we need to go through. I want to do this in some level of detail because I think it is important that we cover the points. I have power phrased some of the requirements of code on the slides to avoid a lot of work.

There needs to be compatibility with the Comprehensive Plan – the Comprehensive Plan is under development, under revision. We do have the Town Center Master Plan and we know that the Town Center Master Plan is going to be interval to the Comprehensive Plan especially for this area. We looked at the Town Center Master Plan for the goals that it establishes that we want to make sure that we provide compatibility with. There are three goals, three overarching goals in the Town Center Master Plan that we looked at:

1. Land Use Goal - to establish a critical mass of business.
2. Community Design Goal – Integrated, walkable community center with diverse use of ranges.
3. Transportation Goal - Efficient circulation patterns with direct street connections and alternate routes within the Town Center and to surrounding community.

We look at all three of these goals and what are we trying to achieve? We are taking an existing vacant piece of property that sits within the Town Center overlay district and we are providing zoning that is compatible with the larger Aldi site so that we can provide a contiguous piece of development that makes sense and works with the Aldi site.

The second factor that the Town Code brings up is compatibility with the neighboring land uses:

1. Existing relationships between General Business, Community Business & Suburban Residential Zones are preserved.
2. Adjustment in location of GB/SR boundary between existing parcels that currently abut it.

The third factor speaks the preservation of land values:

1. Will not result in any lot abutting a zone that isn't already abutting to.
2. Vacant remains of former development will be improved.
3. Infill development in Town Center adds to its value as a community asset.
4. Access to walkable, contiguous shopping and dining options has been demonstrated to have a real positive impact on land value.

The fourth factor speaks of preservation of neighborhood character:

1. Route 50 commercial neighborhood characterized by large retail interspersed with smaller retail/restaurants.

Sheffield Road residential neighborhood:

1. Subject parcels are contiguous to GB zone for the entire depth
2. Existing and proposed screening will continue to provide a physical and visual separation between GB and SR zones.

The parcels that we are dealing with are physically and contiguously within the general business zone. The entire depth of the property that we seek to rezone have the general business zone next to them. There is existing and proposed screening that will continue screen the residential zone from the commercial uses. If this moves forward 7 Sheffield Rd will be the first house in the residential district. The western edge of the proposed pad site and there is an existing buffer on the property line and a couple of existing trees that we want to preserve and protect. (Ariel slides were shown). We were asked as to how we would treat that buffer. We provided a sketch, we don't have a plan for the development. What we do know is the thirty foot strip will not be touched, we will preserve this and then we will come in and build a small berm, not a large berm because we really want to be sensitive to those existing trees and we don't want to add a lot of fill next to them and we want to make sure the trees and the hedge survive. We can get a one to two foot berm within that space and plant a mixture of trees and shrubs within the buffer. Along Sheffield Rd we would add street trees and they go thirty feet on center that's right out of the town's landscaping guidelines. That will create an attractive entrance to the residential area. Then when we do come in with development on the pad site there will be a building in there and that would have additional landscaping in addition to what we are doing along the street. We feel it will be quite an attractive improvement over what is there today.

The fifth factor: Compatibility with various other purposes of Town Code per Article 1 of Chapter 20 (Zoning):

1. Protect the Great Flats Aquifer
2. Protect wetlands, flood plains & view sheds
3. Encourage parks, open space & recreational uses
4. Maintain rural western Glenville
5. Protect scenic vistas/water views.
6. Preserve historic/significant structures
7. Minimize traffic congestion
8. Increase housing options to a larger demographic
9. Decrease property tax burden/increase commercial tax base
10. Promote public access to Mohawk River
11. Foster community identity/character by focusing on the Town Center

This project is an infill project in the Town Center straightening out the boundary really lets us do something with this property that is going to enhance the Town Center overlay district and it's going to be an asset to the people that live around it.

Supervisor Koetzle – “Some of the residents have asked if there's no development plan now, why do it and it's really because the Aldis site requires the zone change. People need to understand that because in their minds think they are two different properties and there is no reason for Aldis to have that zone change but that's not true.”

Mr. Stellato – “Yes, that is true.”

Supervisor Koetzle – “The second thing I want to point out. I know we had a lot of folks point out fast food. Although the zone change may allow for it there is no plan for fast food.”

Mr. Stellato – “We don't have anything signed up for this site right now. Really the zone change is going to make the site much more marketable. Once the project is done and it's a real developable site then we are going to have a lot more opportunities to attract the user and that's really what we need to do. We need to get

the zoning boundaries taken care of so we can go to a potential tenant and say we've got a real site and this is something that is approvable."

Councilman Hennel – "You are not looking at putting any type of an exit on Sheffield right?"

Mr. Stellato – "If you look at the concept plan, Aldis provided us with a curb cut off of Route 50 at the intersection and the pad site can very easily use that access. So no to the extent that this plan is approved we do not need access on Sheffield."

Councilman Martin – "The existing hedge is on whose property?"

Mr. Stellato – "The existing hedge is on 3 Sheffield Rd which will be owned by the applicant. It will be maintained and it will lie within that buffer area."

Councilman Martin – "I appreciate the information that was provided on the buffer as requested. There has been some dialogue and communications back and forth since the public hearing and I appreciate that. For me the question of the buffer treatment is resolved in regards to rezoning. I would like to make sure that this information is passed on to the Planning and Zoning Commission as well as the minutes of this public hearing and this meeting. I think we are there. I just read on my phone again Part 2 of the SEQRA long form that this resolution is in reference to and I paid particular attention to the aesthetic questions and the community character questions and I think it is very reasonable to say it is a negative declaration in this instance. These issues where we have commercial property butting up against residential property are never easy. There are areas of conflict to be sure and I think the applicant has demonstrated a plan that takes the edges off of that conflict so to speak. To continue that thirty foot buffer is very important and certainly on this rezoning site along the entire edge and I have complete faith in the Planning and Zoning Commission of doing a good job and making sure that buffer treatment was conflicted. I would imagine this is a look and treatment that you would carry through that entire buffer for the sake of aesthetic consistency on your own site. I'm not going to hold you to that but I would expect that to be the case."

Mr. Stellato – "I cannot speak to the Aldis site because I am not their engineer but clearly the connecting link here is the Planning and Zoning Commission. So the Planning and Zoning Commission will be reviewing the Aldis plan, they'll have say over what the landscaping treatments are on the Aldis plan. That site being that it is general business it is subject to the same requirements that this site will be if and when it is rezoned."

RESOLUTION NO. 121-2017

Moved by: Councilman Martin

Seconded by: Councilman Pytlovany

WHEREAS, TJ Development of Glenville, LLC has submitted a change of zoning application to rezone approximately 0.62 acres of property that includes all of 3 Sheffield Road and a portion of 303 Saratoga Road, from "Suburban Residential" and "Community Business," respectively, to "General Business;" and

WHEREAS, the purpose of this zoning map amendment is to allow the landowner/developer to pursue construction of a bank, retail building, or fast-food restaurant to accompany the Aldi proposal slated for development on the remaining portion of 303 Saratoga Road, which is already zoned "General Business;" 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; and

WHEREAS, the Town of Glenville Planning and Zoning Commission, at their April 10, 2017 meeting, recommended that the Town Board find no significant adverse environmental impacts associated with this proposed zoning map 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 zoning map amendment for 3 Sheffield Road, and a portion of 303 Saratoga Road, as described above, 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” for this proposal, based on the following findings:

- This proposed zoning map amendment will not result in a substantial adverse impact to air quality, surface water quality, or traffic volumes within nearby residentially-zoned areas, nor will it increase the potential for erosion or flooding. With the property’s proposed driveway, as well as the primary driveway that would serve Aldi, to be located on Route 50, any increase in traffic volumes will take place almost entirely on Route 50. In fact, the proposed combination of Aldi and an adjacent development on the corner of Route 50 and Sheffield should not be substantially different than what it was in the past with Glenville Tile being located on the corner of Route 50 and Sheffield, and any number of retailers and drug stores operating on the bulk of the property at 303 Saratoga Road.
- The rezoning and subsequent redevelopment of this property will not result in the removal of large quantities of vegetation or fauna. Both 3 Sheffield Road (presently occupied by a single-family home) and 303 Saratoga Road (formerly occupied by commercial uses) have been developed for decades, resulting in properties where most of the existing vegetation is limited to the vicinity of property lines. Trees and hedgelines that presently exist on both properties along property lines will largely remain following redevelopment, thereby serving to assist in the buffering of adjacent residential parcels.
- The proposed rezoning does not dramatically conflict with the Town’s pending Comprehensive Plan. And while the commercial rezoning of a property that is currently zoned residential does represent a departure from the proposed and existing Comprehensive Plan relative to commercial expansion into residential areas, the residential property to be rezoned is only 0.26 acres in size.

Further, the entire northern property line for 3 Sheffield Road abuts the “General Business”-zoned portion of 303 Saratoga Road. By changing the zoning of 3 Sheffield Road to “General Business,” the boundary line between the “General Business”-zoned portion of 303 Saratoga Road and the residential property to the rear (west) is effectively extended south to Sheffield Road. The extension of commercial zoning to the west is thereby limited to no deeper than the existing commercial/residential zoning boundary line at 303 Saratoga Road.

Also of note, should 3 Sheffield Road get redeveloped for commercial use, what does get built on this property will be oriented towards Route 50, not the residential Sheffield Road.

- The property under consideration for rezoning does not contain any notable agricultural, open space, or recreational resources. Consequently, future

redevelopment of this property will not result in any impacts to farmlands, open space, or recreational land or uses.

- Similarly, redevelopment of this property will not impact any known important historical, archeological, architectural, or aesthetic resources.
- Neighborhood character will not be significantly compromised as a result of this action. It is true that a single-family home property will be converted to commercial as a consequence of this rezoning, but the area being impacted is insignificant, especially considering the proposed orientation of development towards Route 50 and the anticipated amount and location of buffering and landscaping.

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

Motion Carried

Discussion...

Councilman Martin – “This is the resolution that actually enacts the zone change for the subject parcel at 3 Sheffield Rd from suburban residential to general business. I appreciate Mr. Stellato for being very detailed, as he always is. That is essentially what it does and it builds in a number of locations that we have been making through the review of this.”

Councilman Hennel – “I would like to echo Councilman Martin’s concern or appreciation of the fact of the buffer being proposed and I think that is critical. Without that I couldn’t support it. I think this is good as well as not having access onto Sheffield Rd I think will also minimize the impact of the neighborhood.”

RESOLUTION NO. 122-2017

Moved by: Councilman Martin
Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville is proposing to change the zoning of a parcel of real property commonly known as 303 Saratoga Road (Tax Map # 22.7-2-11.11) from “Community Business” to “General Business” and to change the zoning of the adjacent parcel to the northwest, commonly known as 3 Sheffield Drive (Tax Map # 22.7-2-14) from “Suburban Residential” to “General Business”, a total area of approximately 0.62 acres; and

WHEREAS, TJ Development of Glenville, LLC submitted an application, dated March 17, 2017, for such change of zoning through its engineers, CHA (formerly Clough Harbour Associates) of III Winners Circle, Albany, New York;” and

WHEREAS, at its April 10, 2017 meeting, the Town of Glenville Planning and Zoning Commission recommended that the Town Board approve this zoning map amendment; and

WHEREAS, the purpose of this zoning map amendment is to allow the landowner/developer to pursue construction of a bank, retail building, or fast-food restaurant to accompany the Aldi proposal slated for development on the remaining portion of 303 Saratoga Road, which is already zoned “General Business;” 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; and

WHEREAS, the Town of Glenville Planning and Zoning Commission, at their April 10, 2017 meeting, recommended that the Town Board find no significant adverse environmental impacts associated with this proposed zoning map amendment, and further recommended that the Board issue a SEQRA “Negative Declaration;” and

WHEREAS, pursuant to New York State Town Law and the Code of the Town of Glenville, at the May 3, 2017, regular Town Board meeting, the Town Board held a public hearing, after due and proper public notice, on this proposed zoning map amendment, at which time all persons wishing to be heard were accorded the opportunity to address the Town Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Glenville hereby approves proposed zoning map amendment for 3 Sheffield Road from “Suburban Residential” to “General Business”, and for 303 Saratoga Road from “Community Business: to “General Business”; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville in approving such zoning map amendment, makes the following findings:

- This proposed zoning map amendment is reasonably compatible with the Land Use Plan of the Town of Glenville Comprehensive Plan and the Town Center Master Plan, both of which envision commercial development along this portion of the Route 50 corridor. The parcels being rezoned will be accreted to a larger parcel already zoned “General Business”. The larger parcel already has preliminary approval for the construction of a new Aldi supermarket the parcels rezoned create a rational zoning scheme that will permit the Aldi project to move forward and will permit an adjacent development on the corner of Route 50 and Sheffield, not substantially different its’ past use as Glenville Tile other retailers and drug stores which have operated on the bulk of the property at 303 Saratoga Road.
- The proposed rezoning does not dramatically conflict with the Town’s pending Comprehensive Plan. And while the commercial rezoning of a property that is currently zoned residential does represent a departure from the proposed and existing Comprehensive Plan relative to commercial expansion into residential areas, the residential property to be rezoned is only 0.26 acres in size.
- The zoning map amendment will be compatible with neighboring land uses. Immediately across Saratoga Road are two shopping plazas with supermarkets as anchor tenants and not far to the south, the former K-mart site has been redeveloped into a shopping plaza with a Target department store as an anchor tenant. All of those other developments and the majority of the proposed Aldi site have lots depths from Saratoga Road in excess of 200 feet.
- Further, the entire northern property line for 3 Sheffield Road abuts the “General Business”-zoned portion of 303 Saratoga Road. By changing the zoning of 3 Sheffield Road to “General Business,” the boundary line between the “General Business”-zoned portion of 303 Saratoga Road and the residential property to the rear (west) is effectively extended south to Sheffield Road. The extension of commercial zoning to the west is thereby limited to no deeper than the existing commercial/residential zoning boundary line at 303 Saratoga Road.

- Also of note, should 3 Sheffield Road get redeveloped for commercial use, what does get built on this property will be oriented towards Route 50, not the residential Sheffield Road.
- The proposed zoning map amendment should preserve land values. Both 3 Sheffield Road (presently occupied by a single-family home) and 303 Saratoga Road (formerly occupied by commercial uses) have been developed for decades, resulting in properties where most of the existing vegetation is limited to the vicinity of property lines. Trees and hedgelines that presently exist on both properties along property lines will largely remain following redevelopment, thereby serving to assist in the buffering of adjacent residential parcels.
- Neighborhood character will not be significantly compromised as a result of this action. While a single-family home property will be converted to commercial as a consequence of this rezoning, the area being impacted is insignificant, especially considering the proposed orientation of development towards Route 50 and the anticipated amount and location of buffering and landscaping. There will be no access to the new “General Business” zoned parcels from Sheffield Drive; there is currently natural buffering and that will be enhanced by the development of the parcels and the General Business zone already extended as deep of Saratoga Road on the northerly parcel which has historically been used for retail commercial uses.
- Adoption of the zoning map amendment will not conflict with the “Purpose” provisions of Article 1, Section 270-1 of the Zoning Chapter of the Code of the Town of Glenville as this action is in accord with the Town’s Plan for the Town Center and the decision to do so is in accord with the Comprehensive Plan. This zoning map amendment is also consistent with the principle objective of municipal zoning which is “to protect the health, safety and general welfare” of the Town and its residents.

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

Noes: None

Absents: None

Abstentions: None

Motion Carried

Discussion...

Attorney Cuevas – “This was necessitated by the cleanup of the Kenco site. There is currently a stream that runs through that site and DEC has approached the Town about diverting the stream during the cleanup process so that water doesn’t run through there. The best way to divert it is into the public sewer system but currently our Town Code doesn’t permit that and generally DEC doesn’t like unpolluted and groundwater to go into the sanitary sewer. That’s the closest connection and would be the least expensive alternative. We had a meeting with DEC, the City of Schenectady which is where our sewage is treated and all of the parties are in agreement with this plan so this is the technical fix to able us to go forward with that plan.”

(After the meeting Attorney Cuevas was informed that it would not be necessary to amend the Town Code so the public hearing will not be scheduled.)

RESOLUTION NO. 123-2017

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Hennel

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to amend Section 217-6 , “Regulations for use of public sewers” of the Code of the Town of Glenville; and

WHEREAS, a duly scheduled public hearing must be held in order to amend the existing code by Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville will meet at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on Wednesday, June 14, 2017 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed local law to amend Section 217-6, “Regulations for use of public sewers” section of the Code of the Town of Glenville; and

BE IT FURTHER RESOLVED that the Town Clerk be and she is hereby authorized and directed to prepare the proper public notice of said hearing in accordance with law, as follows:

§ 217-6 – Regulations for use of public sewers.

To be amended to read (*new text underlined*):

- A. No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm water, groundwater, roof runoff, foundation drainage, subsurface drainage or cooling water to any sewer, except storm water runoff from limited areas, which storm water may be polluted at times or storm water, groundwater or water from streams or creeks required to be diverted in order to avoid pollution or contamination at a toxic waste site, after consultation with and approval of the New York State Department of Environmental Conservation and the City of Schenectady. This discharge shall only be allowed if approved in writing by the Town Commissioner of Public Works or designee and, when required, by the State Health Department.

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

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 124-2017

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Hennel

WHEREAS, the Commissioner of Public Works advises the Town Board that a water Pressure Regulating Vault (PRV) installed on lower Ballston Road in 1970 is at the end of its useful life; and

WHEREAS, the PRV is used to regulate water pressure for residential and commercial users and needs to be replaced to ensure the reliable, safe delivery of water to Town residents and businesses; and

WHEREAS, in 2016 the Commissioner of Public Works recommended that replacement of this PRV be scheduled for 2017, with the result that this expense was anticipated and included within the Water Department maintenance

and repairs operating budget line as part of the 2017 adopted budget; and

WHEREAS, the required PRV is a sole source, specialized piece of equipment custom-built by Ross Valve of Troy, New York, with the vault itself measuring nine feet in length by seven feet in width by seven feet in height, with a delivery time estimated at eight to twelve weeks after placement of an order;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby authorizes the Commissioner of Public Works to purchase one Pressure Regulating Vault from Ross Valve Manufacturing Company, 79 102nd Street, Troy NY 12180, for a total sum, including delivery, off-loading by overhead crane, installation, and testing, not to exceed forty-two thousand dollars (\$42,000), with said expense charged to account 50.11.8340.4417 as included in the 2017 adopted budget.

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

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 125-2017

Moved by: Councilman Hennel

Seconded by: Councilwoman Wierzbowski

WHEREAS, the Burnt Hills–Ballston Lake Business Professional Association (BH-BL BPA) will hold its 16th Annual Flag Day Parade on June 8, 2017 from approximately 6:40 P.M. to 8:30 P.M.; and

WHEREAS, the parade route will be generally along Route 50 and Kingsley Road, with a portion of the route in the Town of Glenville and another portion in the Town of Ballston; and

WHEREAS, the BH-BL BPA has submitted a map of the parade route, an event brochure, event application, insurance certificate and other required documents to the New York State Department of Transportation (NYSDOT); and

WHEREAS, the NYSDOT has granted the BH-BL BPA a special use permit for the parade, but requires the BH-BL BPA to comply with all municipal ordinances; and

WHEREAS, the Code of the Town of Glenville §§ 204-4 thru 204-9 requires a permit for Outdoor Public Exhibitions and Entertainments, and the amount therefore is established by Chapter 139 of said Code in the sum of \$150; and

WHEREAS, §139-16 of the Code of the Town of Glenville states, “No fee shall be charged if the applicant shall be a religious or charitable organization;” and

WHEREAS, the BH-BL BPA Flag Day Parade serves a generally educational and community purpose;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby approves the application, authorizes the Town Clerk to issue the permit and waive the permit fee for the BH-BL BPA 16th Annual Flag Day Parade.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

Discussion...

Supervisor Koetzle – “I would like to entertain an amendment to the resolution to change the date from Wednesday, June 21st to Wednesday, June 14th.

Moved by Councilman Martin, Seconded by Councilman Pytlovany
Ayes: Councilmen Martin, Pytlovany, Hennel, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None

RESOLUTION NO. 126-2017

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 and of 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, Fieldstone Partners, LLC has proposed to build a 14 lot single family home residential subdivision in on a tract of land in the Town that is partially designated wetlands, will consist mostly of lots of 5 acres or more and will have a rural character; and

WHEREAS, Fieldstone Partners, LLC has requested 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 wishes to hold a public hearing with respect to the request of Fieldstone Partners, LLC that the Town Board grant such waiver;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board of the Town of Glenville at 7:30 PM on June 14, 2017, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York to hear all persons wishing to be heard with respect to the request of Fieldstone Partners, LLC. 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 its proposed 14lot single family residential subdivision, 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.

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

Motion Carried

RESOLUTION NO. 127-2017

Moved by: Councilman Hennel

Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED that the **Monthly Departmental Reports** for April, 2017 as received from the following:

Assessors Department
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, Hennel, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 128-2017

Moved by: Councilman Hennel

Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED, that the minutes of the regular meeting held on April 19, 2017 are hereby approved and accepted as entered.

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

Noes: None

Absent: None

Abstentions: Councilman Hennel

Motion Carried

RESOLUTION NO. 129-2017

Moved by: Councilman Hennel

Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED, that the minutes of the regular meeting held on May 3, 2017 are hereby approved and accepted as entered.

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

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 130-2017

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Hennel

WHEREAS, the State of New York requires each municipality to establish a standard work day for the purposes of reporting time worked for the members of the New York State and Local Retirement System; and

WHEREAS, State Law requires that the standard work day for elected and appointed officials be fixed at not less than six (6) hours per day; and

WHEREAS, the Office of the New York State Comptroller has updated its requirements for reporting standard work days of elected and appointed officials to the New York State and Local Retirement System;

NOW, THEREFORE, BE IT RESOLVED, that the Glenville Town Board, through the attached form RS 2417-A Standard Work Day and Reporting Resolution provided by the Office of the New York State Comptroller, hereby establishes the standard work days for the elected officials identified therein.

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

Motion Carried

RESOLUTION NO. 131-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Hennel

WHEREAS, General Municipal Law Article 5-G vests municipalities with the authority to do jointly what each could separately; and

WHEREAS the Town Board of the Town of Glenville (by Resolution No. 115-2017) and the Village Board of Trustees of the Village of Scotia (by a similar resolution) established and appointed members to a joint committee to:

- a. Make surveys and studies and conduct research programs to aid in the solution of local governmental problems and in efforts to improve administration and services.
- b. Provide for the distribution of information resulting from such surveys, studies and programs.
- c. Consult and cooperate with appropriate state, municipal and public or private agencies in matters affecting municipal government.
- d. Devise practical ways and means for obtaining greater economy and efficiency in the planning and provision of municipal services and make recommendations in accordance therewith.
- e. Promote the general commercial, industrial and cultural welfare of the participating municipalities.
- f. Otherwise promote strong and effective local government, public health, safety, morals and general welfare by means of local and intercommunity planning or performance of municipal services.
- g. Employ such persons and adopt such rules and regulations as shall be necessary and proper to effectuate the purposes of this section.
- h. Provide a forum for local governments to explore and develop areas for municipal cooperative activities pursuant to article five-G of the General Municipal Law; and

WHEREAS, the Town of Glenville/Village of Scotia Joint Survey committee is currently comprised of six (6) members, each appointed for a one year term, with two members appointed by the Town Board of the Town of Glenville (one of whom may be a member of the Town Board) and two members appointed by the Village Board of the Village of Scotia (one of whom may be a member of the Village Board), and the Town Supervisor or his designee and the Village Mayor or his designee serving as the remaining two members; and

WHEREAS, since the formation of the committee additional community members from the Village and the Town have expressed interest in serving on the committee; and

WHEREAS, the Mayor of the Village of Scotia and the Supervisor of the Town of Glenville believe additional community involvement will enhance the discussion and development of ideas within the committee;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby amends Resolution No. 115-2017, the Town of Glenville -

Village of Scotia Joint Municipal Survey Committee resolution to increase the committee's total membership to ten (10) by adding two members to be appointed by the Town Board of the Town of Glenville and two members to be appointed by the Village Board of Trustees of the Village of Scotia with all members serving one year terms, effective upon receipt of notice from the Village Clerk of the passage of a similar resolution of the Village Board of Trustees adopting the same amendment; and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is directed to provide a copy of this resolution, with notice of its adoption, to the Village Clerk as soon as practicable.

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

Motion Carried

RESOLUTION NO. 132-2017

Moved by: Councilman Hennel
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville is the recipient of a 2017 Schenectady County Initiative Program Grant in the amount of \$1,500.00 in support of the Glenville Oktoberfest, and

WHEREAS, a condition of the grant specifies that a Public Benefit Services Agreement that specifies the terms and conditions of the grant be entered into between the Town of Glenville and the County of Schenectady,

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Town Supervisor to enter into the attached Public Benefit Services Agreement in the amount of \$1,500.00 for the purpose of Schenectady County's support of Glenville Oktoberfest 2017.

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

Motion Carried

RESOLUTION NO. 133-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Hennel

WHEREAS, the Town of Glenville accepted the Town of Glenville Highway Department was served with a Notice of Probable Violation by the New York State Department of Public Service (PSC) alleging a violation of 16 NYCRR Part 753-3.5 as a result of a Town operated backhoe striking a natural gas service line on January 12, 2017; and

WHEREAS, the Town Highway Superintendent, Attorney for the Town and the Road Maintenance Supervisor requested a hearing before the Public Service Commission and attended such hearing to explain the facts and circumstances of the incident; and

WHEREAS, the PSC originally sought a fine of \$2,500 and now, after considering the explanation offered at the hearing is proposing that the Town enter into a Consent Order with a reduced fine of \$1,000 and requiring Dig Safely New York training for all employees involved in excavation; and

WHEREAS, the Highway Superintendent has already had all employees attend the required training;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Highway Superintendent to enter into the attached Consent Order and authorizes the Comptroller to issue payment to the Department of Public Service in the amount of \$1000 in satisfaction of the Notice of Probable Violation.

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

Motion Carried

RESOLUTION NO. 134-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Hennel

WHEREAS, by Resolution No.1-2017, adopted January 4, 2017, the Town Board of the Town of Glenville set the dates and times of Town Board meetings for calendar year 2014; and

WHEREAS, due to scheduling issues, the Town Board finds it necessary to revise Resolution No. 1-2017 to change the Town Board Meeting schedule for the month of June 2017 as follows: the June 14, 2014 Work Session is changed to a Special Town Board Meeting and Work Session to commence at 7:00 PM and to be held at the Glenville Municipal Center;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville will meet at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on June 14, 2017 at 7:00 P.M. for the purpose of conducting a "Special Session" of the Board and Work Session.

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

Motion Carried

RESOLUTION NO. 135-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Hennel

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

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

Motion Carried

Supervisor Koetzle adjourned this portion of the meeting at 8:40 PM and entered into Executive Session.

Time being 8:55 PM; Supervisor Koetzle reconvened the meeting and the

Board took the following action.

RESOLUTION NO. 136-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Hennel

WHEREAS, the Town Board of the Town of Glenville is empowered by section 51 of the Town Law to, among other things, make amendments and adjustments to the adopted Town Budget upon recommendation of the Town Supervisor; and

WHEREAS, the Town Supervisor is empowered by section 52 of the Town Law to, among other things, make recommendations for the amendment and adjustment of the adopted Town Budget; and

WHEREAS, the Town Supervisor, in consultation with the Town Highway Superintendent / Commissioner of Public Works, has implemented a Public Works department reorganization plan whereby Highway and Public Works support staff (both members of the CSEA bargaining unit) will be assigned to work from Town Hall and will work the hours as provided in the Town agreement with CSEA; and

WHEREAS, prior to the reorganization, a Senior Account Clerk Typist was assigned to the work at the Highway Department garage and thus worked a 40 hour work week consistent with the hours of Highway Department employees with a 2017 annual salary as provided in the CSEA agreement of \$51,796.90; and

WHEREAS, inasmuch as all CSEA members who work in Town Hall normally work a 35 hour per week work schedule according to the CSEA agreement with the Town and after unsuccessfully attempting to negotiate a Memorandum of Agreement with CSEA on the terms of a transitional plan for the Senior Account Clerk Typist, the Town Supervisor recommends that the Town Board ratify the reorganization plan, specifically eliminating any assignment of a CSEA bargaining unit to work at the Highway Department garage on a 40 hour per week schedule, abolishing the position of Senior Account Clerk Typist (40 Hours) and creating the position of Senior Account Clerk Typist (35 Hours) and assigning the Senior Account Clerk Typist (35 hours) to work at Town Hall on a 35 hour per week schedule consistent with that of all Town Hall CSEA unit members at an annual salary as provided in the CSEA agreement with the Town of \$45,322.28, effective Sunday, May 28, 2017;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby adopts the Town of Glenville Public Works reorganization plan, abolishes the position of Senior Account Clerk Typist (40 hours) assigned to the Highway Department garage and creates in its place the position of Senior Account Clerk Typist (35 hours) assigned to Town Hall effective May 28, 2017, appoints Tammy Stocker to the position of Senior Account Clerk Typist (35 hours), and authorizes the Supervisor to take such further steps and execute such further documents as may be necessary to implement and effectuate said plan; and

BE IT FURTHER RESOLVED that the Comptroller be and hereby is directed to report the abolition of the position of Senior Account Clerk Typist (40 hours) and the transfer of Town Employee Tammy Stocker to the Senior Account Clerk Typist (35 hours) position to the Schenectady County Civil Service Commission, amend the 2017 adopted Town Budget to reflect the changes necessitated by this action and to transfer any excess Personal Services funds into the appropriate Contingency account line.

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

Motion Carried

RESOLUTION NO. 137-2017

Moved by: Councilman Hennel

Seconded by: Councilwoman Wierzbowski

WHEREAS, three retirements in the Glenville Highway Department since October 2016 have resulted in multiple instances of employees working out-of-class to provide the normal services of the department; and

WHEREAS, Highway Department employees have performed admirably when asked to perform out-of-class duties; and

WHEREAS, the Highway Superintendent recommends that current employees be promoted to backfill the positions vacated through these retirements; and

WHEREAS, each of the employees recommended for promotion meets the minimum requirements, including possession of the appropriate class of New York State drivers' license, required for the position to which they are recommended for promotion;

WHEREAS, the Town Comptroller advises that the recommended promotions can be absorbed within existing 2017 budgeted appropriations;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby makes the following provisional appointments in the Glenville Highway Department at the hourly pay and benefits for such titles as determined by the agreement between the Town and the Highway Department Employees Association:

- Kristopher Krutz to the position of MEO-Heavy, effective March 20, 2017
- Michael Guzzo to the position of MEO-Medium, effective May 1, 2017
- Joseph Batzinger to the position of MEO-Medium, effective May 1, 2017
- Jonathan Sharer to the position of MEO-Light, effective May 1, 2017
- Joseph LaBrie to the position of MEO-Light, effective May 1, 2017

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

Noes: None

Absent: None

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 8:57 PM.

ATTEST:

Linda C. Neals
Town Clerk