

MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
FEBRUARY 21, 2018
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 John C. Pytlovany, Michael Aragosa, Michael R. Godlewski and Councilwoman Gina M. Wierzbowski

Absent: None

Also present were Michael Cuevas, Attorney and Dana Gilgore, Deputy Highway Superintendent/Deputy Commissioner of Public Works

Town Council Reports:

Councilman Aragosa – “Just a thank you to the Highway and Water Departments. We had a small water main break on my street and they got out and got that fixed up in between snow storms.”

Councilman Godlewski – “Myself and Councilman Aragosa welcomed Schenectady Distillery. They had a soft opening last week. They are in the old firehouse on Route 5. I would encourage those of age to visit local businesses. We had a tour of their facility. We welcome them to Glenville and see how that business expands. We welcome them to Glenville and forward to see how that business grows and expands. One of the things that I was interested in is how they would fair with Wolf Hollow Brewery which is a couple of blocks down the road. They are doing some collaborative stuff with the brewery rather than being competitors they are working together.

As liaison to the Parks Department and as the owner of two dogs I get around to the parks. Since the last meeting I have been down to Maalwyck Park, Indian Meadows every day also the dog park and Collins Park in the Village. Just a kind and friendly reminder to everybody the need to pick up after your dogs. The snow melts but what the dog leaves behind does not so when the snow melts you see what the dog has left behind.”

Councilwoman Wierzbowski – “The Justice Department received their OCA Audit. It had several recommendations within it and I met with them to go over it and discuss the different recommendations many of which seem to be things that were necessary to be included that were forwarded on to the architect which I believe has already been done. I just wanted to close that loop because I know we had asked for that to happen last year. Luckily it doesn't seem to be any glaring discrepancies but there is some room for improvements in some areas that I'm sure we will be talking to them about in the future.”

The following people exercised the privilege of the floor

Jack Rightmyer, 18 Velina Drive – Stated the following:

He stated that every month someone from his neighborhood would be attending the meetings to speak about the road conditions and the drainage issues.

He is a very advent runner but he can't run at night anymore because of the pot holes everywhere.

Because of the drainage problem the entire neighborhood freezes up

They are gigantic pot holes and someone reports it every month and nothing is getting done.

They will keep coming back until they get something done.

Judy Rightmyer, 18 Velina Drive – Stated the following:

She is extremely frustrated that they have not received a response from the Highway Superintendent. She has called repeatedly.

They have been contacting the Town since 2014 with repeated comments that it is going to get done.

She mentioned that the piece of equipment being purchased on the agenda tonight for \$375,000. She asked why the Town couldn't borrow this equipment from the County and use the money for infrastructure maintenance.

The Supervisor shared the following information:

The Court Clerk's did a great job getting the grant money to help pay for the lights that kept going out in the parking lot. In the fall we started having significant problems with our lights out. We had to have everything rewired and redone at a significant cost but it came in under the safety grant so that will cover that.

We continue to meet with the architects. The Town Hall concept should be coming in I'm hoping sometime in early March. That should give us an idea of what the architect thinks we can do and how much it would cost.

The Yates plan should also be ready hopefully by the end of this month. We talked about how we are going to start the restoration of the Yates Mansion and the clean-up phase.

The Senior Center rebid is going back out for the expansion. The bids came in fairly high and so we are rebidding working with an engineer on that.

We have a resolution on tonight's agenda accepting the lowest responsible bid for the Phase III Archaeological Investigation at Maalwyck Park. Once this is done we will be able to move forward with getting the fieldhouse, the bathrooms and the pavilion upgraded.

Efficiency In Government (EIG) has met with the Town and Village Shared Services Committee which I think fits perfectly with what Ms. Rightmyer was talking about. Both committees are talking about ways to be more efficient. The Shared Service Committee, which will be meeting on March 1st, is talking exactly about these ideas about how we can share capital costs and other things with the Village.

Our new website is moving forward. We have meetings set up with department heads to take a look at the layout and what each department wants.

March 5th – meeting to be held here on the Freemans Bridge Road Complete Street. We are coming to a conclusion on that. We are meeting with the advisory committee which has some business owners on it but after that we will be ready to go out to a public meeting and talk about visions the Town and the State have for Freemans Bridge Road and Complete Street planned development. I will let you know as soon as that date is set.

March 13th – 1st meeting of our Codes Revision Committee. Councilman Godlewski will be joining that with Jim Martin, the staff and myself to start reviewing the Comprehensive Plan and how the Comprehensive Plan and the Code and the zoning all match up and make any changes that need to be made.

March 1st – Small Business and Economic Committee (SBED) will be meeting to discuss "Let's Talk Business" which will be held on April 19th this year of business owners across the town to come together.

CSEA has reached out to start initial conversations with them on contract negotiations now that PBA is behind us. I think early March we will be starting the conversations.

Supervisor Koetzle moved ahead with the agenda items.

Discussion...

Councilman Pytlovany – “The Traffic Safety learned from the residents that the truck traffic that comes down Sacandaga Road is cutting over through the Glenville hills to get over to Route 5 and these are the roads they use to go the back ways.”

RESOLUTION NO. 65-2018

Moved by: Councilman Pytlovany
Seconded by: Councilwoman Wierzbowski

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to amend Chapter 255, “Vehicle and Traffic” 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, March 7, 2018 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 Chapter 255, “Vehicle and Traffic” chapter 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:

§ 255-4 – Yield Intersections.

ADD:

The following intersections are hereby designated as yield intersections, and yield signs shall be erected on entrances thereto as indicated:

Name of Street	Yield Sign on	Entrance(s)
Socha Lane	Marilyn Drive	North

§ 255-6 F – Stopping of Vehicles.

ADD:

The stopping of vehicles is hereby prohibited in any of the following locations and No Standing Any Time signs shall be erected thereto as indicated:

Name of Street	Side	Location
Viele Road	both	620 feet from Vley Road to its terminus
Viele Road	South	50 feet at the end of Viele Road

§ 255-7 – Truck Exclusions.

A. General weight exclusions.

(1) All trucks, tractors, tractor-trailers and commercial vehicles with a maximum gross weight of vehicle and load capacity in excess of four tons are hereby excluded from the following highways within this Town:

ADD:

Name of Street Location

Church Road	Between its intersection with Sacandaga Road and its intersection with Ridge Road
Closson Road	Between its intersection with Sacandaga Road and its intersection with Ridge Road
Gower Road	Between its intersection with Amsterdam Road and its intersection with Sanders Road
Johnson Road	Between its intersection with Amsterdam Road and its intersection with West Glenville Road
Rector Road	Between its intersection with Amsterdam Road and its intersection with Ridge Road
Ridge Road	Between its intersection with Sacandaga Road and its intersection with West Glenville Road
Sanders Road	Between its intersection with Ridge Road and its intersection with Washout Road
Washout Road	Between its intersection with Amsterdam Road and its intersection with Ridge Road
Waters Road	Between its intersection with Amsterdam Road and its intersection with West Glenville Road

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 Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 66-2018

Moved by: Councilman Godlewski

Seconded by: Councilman Aragosa

WHEREAS, the Town of Glenville publicly solicited bids for Phase III Archaeological Investigation work required for the development of Maalwyck Park; and

WHEREAS, three bid proposals were received by the established deadline for submission of bids of February 16, 2018; and

WHEREAS, the NY State Historic Preservation Office has reviewed the three bid proposals and finds that the work plans submitted each of the bidders are acceptable in that each satisfactorily addresses the required elements of the Phase III Archaeological Investigation; and

WHEREAS, the Town of Glenville Director of Human Services and the Town's parks' consultant, the Environmental Design Partnership, recommend the acceptance of the lowest cost responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby accepts the lowest cost bid proposal, that submitted by Hartgen Archeological Associates, 1744 Washington Ave. Ext., Rensselaer, NY, 12144, for Phase III Archaeological Investigation services and authorizes the Supervisor to enter into agreement for said services as follows:

- Preparation and implementation of the Phase III data retrieval plan (containing the preliminary Phase III scope of work outlined in this

proposal), Phase III data retrieval report, and Archeological Monitoring report: \$44,500.00.

- Archeological Monitoring Plan: \$500.00
- Archeological Monitoring Fieldwork: \$60.00/hour

With all such expense to be charged to account # 03.00.7110, as budgeted.

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Discussion...

Supervisor Koetzle – “I’d like to ask Dana Gilgore, Deputy Highway Superintendent to the podium to address the need to the Board for this purchase.”

Dana Gilgore – “This is a budgeted item. It is an item that we have considered and looked at for the past few years. Under the State’s Storm Water Program we a regulated MS4 community and we are required to back out a certain number of our catch basins. I don’t have a total for you tonight but we fall short of that every year. Right now the equipment that we have to clean catch basins are basically clams. We do have the ability to share with the County and the County sends over a driver. We have been able to avail that from time to time but it would not only be for cleaning catch basins we would also us it in the sewer department for sewer plugs, the water department for water main breaks. It’s a versatile piece of equipment, we can actually do what they call hydro-excavation. We can actually excavate the soil out without digging with a backhoe and a bucket so it protects the infrastructure underground.”

Supervisor Koetzle – “In speaking with the Mayor of Scotia and the committee work that we have done together. It’s problematic to share certain pieces of equipment and much as we like to share, because there is such a large need for each piece of equipment in each municipality.”

Dana – “They are regulated MS4 as well. I don’t know the number of their catch basins but they need to...”

Supervisor Koetzle – “We have been using their truck for a while...”

Dana – “Yes, and we have a great working relationship with the Village. There is an older piece of equipment, I think at some point and time they will be asking to use ours. Our last water main break we were able to use their correlator to locate a leak.”

Supervisor Koetzle – “Would you say that it is a common practice that the County, the Town and the Village share equipment?”

Dana – “Yes”

RESOLUTION NO. 67-2018

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Pytlovany

WHEREAS, the Highway Superintendent has informed the Town Board that the Highway Department is in need of purchasing a vacuum truck for the highway department; and

WHEREAS, the Highway Superintendent recommends purchase of a

Combination Single Engine Sewer Cleaner with Hydrostatic Driven Vacuum System Mounted on a Heavy Duty Truck Chassis to best meet the needs of the Town; and

WHEREAS, in order to achieve cost savings, the Highway Superintendent recommends the utilization of pricing available to the Town under the New York State Contract list - Onondaga County Heavy Truck Class #8 Statewide Contract #7823, pursuant to Section 104 of the General Municipal Law of the State of New York; and

WHEREAS, the purchase is not subject to the bidding requirements of General Municipal Law Section 103, as the purchase represents a piggybacking of the methods employed by Onondaga County for such equipment;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Highway Superintendent to purchase one new Combination Single Engine Sewer Cleaner with Hydrostatic Driven Vacuum System Mounted on a Heavy Duty Truck Chassis at New York State Contract pricing from Joe Johnson Equipment LLC, 1373 Indian Fields Road, Feura Bush NY 12067 in a sum not to exceed Three Hundred Seventy-Five Thousand Dollars (\$375,000.00); and

BE IT FURTHER RESOLVED that payment for said vehicles shall be made through issuance of a Bond Anticipation Note in the amount of \$375,000.00

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 68-2018

BOND RESOLUTION OF THE TOWN OF GLENVILLE, NEW YORK (THE "TOWN"), DATED FEBRUARY 21, 2018 AUTHORIZING THE ACQUISITION OF A NEW VACUUM TRUCK FOR THE HIGHWAY DEPARTMENT; ESTIMATING THE COST THEREOF TO BE \$375,000.00; APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$375,000.00 BONDS OF THE TOWN TO FINANCE SAID COST.

Moved by: Councilman Aragosa

Seconded by: Councilwoman Wierzbowski

WHEREAS, on the date hereof, the Town Board of the Town of Glenville (the "Board"), in response to a stated need for a new vacuum truck for the Highway Department, adopted a resolution pursuant to which it authorized the Highway Superintendent to purchase one (1) Combination Single Engine Sewer Cleaner with Hydrostatic Driven Vacuum System Mounted on a Heavy Duty Truck Chassis (the "Truck") in an amount not to exceed \$375,000.00, and that the cost of said acquisition would be paid from the proceeds of bonds; and

WHEREAS, the Board now seeks to authorize the issuance of serial bonds of the Town in order to finance the cost of the Truck;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board as follows:

SECTION 1. Pursuant to §§31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law"), the Town hereby authorizes the acquisition of the Truck, the maximum cost thereof being hereby estimated to be \$375,000.00 appropriating said amount therefor and authorizing the issuance of up to \$375,000.00 serial bonds or bond anticipation notes to finance such cost.

SECTION 2. It is hereby determined that the period of probable usefulness of the Truck is fifteen (15) years pursuant to §11(a)(28) of the Law.

SECTION 3. The plan of financing includes the issuance of \$375,000.00 serial bonds and the levy of a tax upon all of the real property in the Town to pay the principal of and interest on said bonds as the same shall become due and owing.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to §165.10 of the Local Finance Law for the specific object or purpose described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the Town intends to reimburse such funds with the proceeds of the tax-exempt borrowing authorized and identified pursuant to Section 1 above.

SECTION 5. The proposed average maturity date of the bonds authorized pursuant to this resolution is expected to exceed five (5) years.

SECTION 6. The serial bonds issued to finance the cost of each object or purpose described in Section 1 above shall mature no later than the date of the expiration of the period of probable usefulness for each such object or purpose.

SECTION 7. The Town hereby covenants and agrees with the holders from time to time of the serial bonds of the Town issued pursuant to this resolution, and any bond anticipation notes of the Town issued in anticipation of the sale of said bonds, that the Town will duly and faithfully observe and comply with all provisions of the United States Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the Town, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

SECTION 8. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by §52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said serial bonds and any bond anticipation notes issued in anticipation of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 9. Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of §50.00 and §60.00 of the Law, the powers and duties of the Board relative to authorizing serial

bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town. Pursuant to the provisions of paragraph a of §56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of §21.00 of the Local Finance Law, is hereby delegated to the Supervisor of the Town, the chief fiscal officer of said Town. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Town Supervisor, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 10. All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters, feasibility consultants, counsel for the Town and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 11. The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the Town is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 12. This resolution shall be published in full in the designated official newspapers of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in §81.00 of the Law.

SECTION 13. This bond resolution shall take effect immediately upon its adoption by the required votes of the Town Board.

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: None
Abstention: None

Motion Carried

RESOLUTION NO. 69-2018

Moved by: Councilman Godlewski
Seconded by: Councilman Aragosa

BE IT RESOLVED that the **Monthly Departmental Reports** for January, 2018 as received from the following:

Assessors Department
Economic Development & Planning Department
Justice Department
Police Department
Receiver of Taxes
Town Clerk's Office

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

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: None
Abstentions: None

Motion Carried

Discussion...

Supervisor Koetzle – “This is a resolution that was passed mostly but amended slightly, to deal with some time that has passed by. It was passed by the 2017 Town Board as a way to express support. I know this came up in the last meeting as to the fair share sales tax piece of legislation that we brought to the Association of Towns. I failed to explain that that wasn’t a resolution that I brought to the Association of Towns, the Association of Towns needs a resolution from the Town Board in order to get something on the legislative agenda so the 2017 Town Board passed this unanimously. I think the point brought up was probably a good one in retrospect that we now have a 2018 Board, which is slightly different, and we are working on 2018 legislative agenda for the Association of Towns so it’s probably a good time to just pause and make sure the 2018 Board is accepting the 2017 Board, I think it’s only fair, so this resolution calls for us to support through the Association of Towns and through our own work insuring that the Town of Glenville and all towns in the State has a seat at the table as the contract negotiations are underway regarding the share of the county sales tax within each of the counties.”

Councilman Godlewski – “I would like to at this point make a motion to amend the resolution before the board. What I would be seeking is to remove “the County Manager, the Chairman of the County Legislative District 3, the Mayor of the City of Schenectady” in the Now, Therefore, Be It Resolved paragraph.”

Supervisor Koetzle – “So we have a motion amend the resolution per Councilman Godlewski, Seconded by Councilman Aragosa.”

Councilman Godlewski – “The reason I seek this amendment to this resolution is this has become what I would call a contentious issue. It’s become something that has had partisan flare to it, something that when both I and Councilman Aragosa were campaigning, one of the things that we campaigned on was a kind of renewed relationship with the County of Schenectady and the City of Schenectady. As we currently sit right now this legislation that we are seeking to advocate for would bring the towns to the table, the negotiation table but as we sit right now the parties of that negotiating table are the County of Schenectady and the City of Schenectady. My concern is that by the shot gunning resolutions towards them that we kind of saber rattle the issue rather than seek to resolve the issue. What is being sought here is a cause that is something that I think we could generate a 5-0 vote on seeking to eventually advocate for this legislation on behalf of the Town to our State Legislatures. I think by including the county, the city multiple county representatives, I just don’t think this is the appropriate way of going about it. Perhaps reach out, conversation, meetings that course rather than the shot gunning resolution towards them.”

Supervisor Koetzle – “I appreciate your argument and your thoughts on that. I understand your line of thinking. I’m real troubled that we would be omitting a

communication to our representatives at the county and by way I think it would be viewed by the county that we would be circumventing the county and going to our state legislatures without bringing the county into the conversation which we have tried to do many times. I think that one of the good things is when we do send this resolution there is a carefully worded diplomatic letter that goes with it signed by me indicating what our intentions are because I think that people can get the wrong idea about our intentions and I think you kind of thought about our partisan flare is absolutely the wrong idea. I think we want to make sure that people understand that, the County Manager, our County Legislatures who are a party to the agreement understand what our concerns are. I don't see the value in cutting them out of the communication and going straight to another government body that deals specifically with the County. This would be a diminishment or a change in County power and I don't feel comfortable doing that without them being fully aware, 100% up to date on what our resolution said and what our intentions are. I think by cutting them out that would only... Councilman I understand what you are saying but they can't sit on the other side of the river with earplugs in their ears and blinders on their eyes and say things aren't happening in Glenville, they are happening in Glenville and we are going forward with this. All we are asking is for a seat at the table, how that offend somebody or how that can bring a partisan flare to it I'm confused by that."

Councilman Godlewski – "Not to belabor this but this has, whether intentional or unintentional, it has a partisan issue. It was a hot issue during the last election and I anticipate it being an issue in elections going forward. The City of Schenectady and the players are aware of the argument both pro and con and if this is legislation that they want to get behind they'll get behind it. I don't think sending them a letter and a resolution is going to change anything. I think it runs the risk of continuing to fracture an already fractured relationship."

Supervisor Koetzle – "So what I'm hearing is your opposition is really passing the resolution, sending them the resolution is not significant in the action, it's passing the resolution. The resolution is going to be available to the public to view as they want. It's going to be on our website and hopefully one of our legislation representatives will look at it there because it's nice if they know what we are doing. The only thing I would disagree with you on that and where I don't believe it's savor rattling or becoming partisan or anything else that we are urging support from our legislatures, the people that are elected to support or to work on our behalf. If we don't communicate to them what we want them to work on then how do we hold them accountable. It's nonsensical not to communicate to them a resolution we passed...this is what we are supposed to be doing. We are supposed to be sending them a resolution saying this is where we are folks, you know Rory and Cathy and all of the folks that represent us. This is an important issue to us and it's so important that we are taking time as a body to pass this. I don't see how not sending them communication is good. I think the most communication that we can have is better. That's just my feeling on that."

Councilman Godlewski – "What I represent is this amendment, if past will garner support from the minority of this Board. Without this amendment it certainly will not have my support for the reasons stated. It's not the act of passing the resolution what's being sought in the resolution to attempt to get our state legislatures to act on this issue and to bring the Town to the table I do view as significant and I do as important but the act of continuing to poke the bear when we don't have state legislation that brings this to the table that leaved it between the County and the City. As the argument progresses what we forget is that they also have the ability to give us less revenue. The act of sending the resolution may be reviewed different than Supervisor Koetzle putting on record."

Supervisor Koetzle - "Well if there ever comes a time where sending our representatives a letter is somehow damaging a relationship then God help democracy because it's over. So, I do not support the amendment."

Supervisor Koetzle – "Please call the roll on the amendment to strike the language that Councilman Godlewski had articulated in the second to last paragraph in the resolution."

Councilman Pytlovany – "I think to go over the head of the County and the

City without having them involved or notify them is the wrong thing to do so I vote no.”

Supervisor Koetzle – “For the reasons that Councilman Pytlovany articulated I vote no.”

Ayes: Councilman Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: Councilmen Aragosa and Godlewski

Amendment defeated

Discussion...

Supervisor Koetzle – “I would like to point out a few things as to why this is so important at this particular juncture. We’ve talked about it, Councilman Godlewski is adverted to the fact that it has been an issue out there for some time now that on every new sales tax dollar that is generated the County and the City keeps 97 cents of every new dollar. We get a share of 3 cents, 1 cent goes to the Town of Glenville. That keeps us at a very, unfortunately, flat rate for growth on one of our most important revenue streams. We have residents talk about the need for roads and drainage issues, we have Councilmembers here talk about the need for new police officers, and these are all things that are paid for with sales tax money that is generated within the County. When you look at the unfairness of how Schenectady County shares the money with its towns it doesn’t match other towns. You look at Saratoga County it’s 50/50 so those towns are growing and are able to use new sales tax that is coming out of their towns to invest back into their town and they don’t have a town tax because of it. Albany County 40/60 within the municipalities. It’s not a fair share in our town and our town cannot grow, we cannot meet the needs of the infrastructure it we don’t have the sales tax growth. In this particular year it’s really important, when you look at the fact that the State Comptroller just issued in a report that local sales tax growth in 2017 is the highest it has been in four (4) years and it’s on the upswing. They point to a few things inflation being one of them, price of gas being another all of these things are on the upswing. So municipalities are starting to get growth again in their revenue line but not the Town of Glenville, not the Town of Rotterdam, not the Town of Niskayuna but almost every other town that shares within the state is going to see that growth. But we’ve looked through this and we look at where that growth is and low and behold what’s so surprising to me is Schenectady County is one of the big winners with sales tax growth. Sales tax growth in Schenectady County in one year went up almost 8%. That is significant, that means what Schenectady County collected in 2016 was \$94,000,000 went up to \$101,000,000. But Glenville stills collects a measly \$2,000,000, we don’t grow, we don’t see that 8% growth in our revenue stream. Schenectady County collected \$90,000,000 and we got \$2,000,000 of it. That is not fair to these tax payers, it’s not fair to the people that want infrastructure rebuilt in the Town because it’s sales tax growth that does it. If it is not sales tax growth it’s property tax and that is the difference between towns that are growing across this state and towns that are not. All this resolution does is ask that we have a seat at the table because the agreement that they reach impacts each one of us in this town but we are not a party to the agreement and that is not fair, that is not right. The last agreement that was written the Towns weren’t even notified. Your elected officials in this town did not even know negotiations were happening behind a closed door somewhere in the County office building between the City and the County. They came out of that agreement and they said to the towns guess what you are getting the same measly \$2,000,000 you got the past seven (7) years and you are going to get it the next seven (7). Go figure it out because we are keeping it all. That’s not right. In 1963 Chief Warren said “one man, one vote”, I say “one town, one vote”. This is the basis of our democracy, if we don’t have a say in our own destiny then we are lost and anyone that doesn’t support that has a significant issue with supporting democracy. This is the basis of democracy, this effects our budget, this effects the taxes you pay, the services we provide, this effects everything the town does. This is an important resolution and it’s a resolution that our County officials should know about. I am very, very much supporting the resolution.”

RESOLUTION NO. 70-2018

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Pytlovany

WHEREAS, sales taxes represents an important source of revenue that many towns use to help cope with the rising costs of providing services and to mitigate property tax increases at the local level; and

WHEREAS, counties are authorized by Article 29 of the New York State Tax Law to impose a tax on the sale of certain goods; and

WHEREAS, a county legislature has the option of using all, or a portion, of its sales tax revenues solely for county or education purposes, or it may apportion some between its towns and cities (Tax Law, §1262); and

WHEREAS, a county legislature is additionally authorized to make an agreement with any city or cities in the county to allocate a specific portion of these revenues to such city or cities; and

WHEREAS, cities have the right to preempt application of the county sales tax and impose their own local sales tax; and

WHEREAS, towns do not presently enjoy the right to levy their own local sales tax, preempt the application of the county sales tax in their town or to require the county to negotiate a sales tax allocation agreement; and

WHEREAS, local sales taxes are generally levied at the county level and sales tax proceeds are distributed to other units of government within county boundaries, in accordance with local sharing agreements entered into at the discretion of the county; and

WHEREAS, in counties where the county shares sales tax with towns, towns can receive their sales tax distribution in one of three ways: (1) as an offset to reduce county property taxes levied in a town; (2) in cash, or (3) a combination of the two; and

WHEREAS, the New York State Association of Towns has passed a resolution supporting state legislation to assure a fair and balanced relationship between counties governed by a separately elected board of legislators and local governments within their boundaries, to amend the New York State Tax Law to require county governments governed by separately elected legislators to share sales tax revenue with towns and to negotiate sales tax allocation formulas with towns, and which would also require that non-negotiated changes to a county sales tax allocation formula are to be subject to a permissive referendum;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby directs that the Town Supervisor transmit a copy of this resolution to the County Manager, the Chairman of the County Legislature, all County Legislators representing Legislative District 3, the Mayor of the City of Schenectady, the Mayor of the Village of Scotia and all Town Supervisors in the county urging them to support this legislative initiative and to convey their support for same to the Governor and our state legislators; and

BE IT STILL FURTHER RESOLVED that the Supervisor is hereby authorized to contact our state legislators urging them to draft and introduce legislation to ensure that Towns and Villages in this state are guaranteed a fair share of sales tax generated in their municipalities.

Ayes: Councilman Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: Councilmen Godlewski and Aragosa

Absent: None
Abstention: None

Motion Carried

Discussion...

Supervisor Koetzle – “As you know this is a project supported by the SAM Grant through the NYS Dormitory Center that Senator Tedisco got for us so it is budgeted. We are ready to go with the sidewalk portion in front of the Town Hall which will be a sidewalk and then after the History Center it turns into a recreational path down to Woodcrest Drive. I am very much anxious to get this project going for this spring. It was supposed to happen last year but we put it on hold waiting for the funding and we finally got it.”

RESOLUTION NO. 71-2018

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Pytlovany

WHEREAS, the Town Board of the Town of Glenville had previously determined to proceed pursuant to Section 151 of the Highway Law to establish and construct a recreational path/sidewalk parallel to a portion of Glenridge Road (N.Y.S. 914V) in the Town of Glenville within easements on real property described by section, block and lot number and consisting of 7 parcels in the vicinity of Glenridge Road as described in a report of MJ Engineering and Land Surveying, P.C. on file with the Town Clerk; and

WHEREAS, the map, plan and report dated August 6, 2016, prepared by MJ Engineering and Land Surveying, P.C. was subsequently revised due to issues with FAA approvals for the portion of the path that would cross lands owned by Schenectady County as part of the airport ; and

WHEREAS, the revised plan would move the path from County property into the New York State right of way for Glenridge Road and would avoid the need to take easements across parcels of homeowners along the route; and

WHEREAS, the New York State Department of Transportation has granted conceptual approval to the project; and

WHEREAS, the Town has secured a State and Municipalities Facilities Program grant in the amount of \$250,000 for the construction of the path; and

WHEREAS, the path will connect the Woodhaven neighborhood to Town Center and the existing sidewalks located there, thereby improving walkability, and increasing recreational opportunities in the Town; and

WHEREAS, the Town Board previously held a public hearing in connection with its review of the potential negative environmental impacts of this project and thereafter issued a negative declaration;

NOW, THEREFORE, BE IT RESOLVED that pursuant to, and in accordance with, the provisions of section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR Part 617) the Town Board of the Town of Glenville hereby

makes the following determinations and classifications with respect to the proposed revised recreational path/sidewalk in the Town of Glenville in the area of Glenridge Road.

1. The Town Board of the Town of Glenville hereby reaffirms that the action is subject to SEQR.
2. The Town Board reaffirms that the action does not involve a Federal agency and that the New York State Department of Transportation is an interested agency, involved in the environmental review process for the construction of the sidewalk.
3. The Town Board hereby reaffirms the classification of the action as an Unlisted action.
4. The Town Board hereby determines that it is and will continue to be, the lead agency with respect to review of the recreational path/sidewalk for the Town of Glenville.
5. That the location of the path, almost entirely in the NYS DOT right-of-way, limits any disturbance of land, that is not already subject to being disturbed for this or another highway-related purpose, to two small sections. The two small sections are immediately adjacent to the driveways for the Hampton Run apartment complex and the Target commercial plaza.
6. The NYS DOT supports the project as does the NYS Dormitory Authority as evidenced by the SAM grant.
7. The NYS DOT recently constructed sidewalks along Route 50 (Saratoga Road) in Town Center with the expectation that additional, connecting sidewalks or paths would be constructed.
8. The path will encourage pedestrian and bicycle use and will, to some extent, will reduce vehicular traffic and automobile exhaust in the area.
9. The path/sidewalk will be esthetically pleasing and a visual enhancement to the Town Hall, County Library, Hampton Run and Target plaza properties.
10. The current design will avoid any significant drainage issues and not create any drainage that cannot be accommodated by existing systems.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town Board has given due consideration to the impact that the proposed recreational path/sidewalk may have on the environment and on the basis of such consideration, the Town Board has found that the action is an Unlisted Action and that no substantial adverse environmental impact will be caused by the extension of the District and hereby issued a Negative Declaration for the reasons stated above.

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: None
Abstention: None

Motion Carried

New Business

Councilman Godlewski – “In response to what happened in Parkland, FL last week and what’s happened throughout our country over the past 19 years starting with Columbine. I would like to take this up for discussion at our next work session. I think as a municipality that is taxed with insuring the safety of its residents this is something that we are just waiting to happen. I would ask that this be put on the agenda for our next work session.”

Supervisor Koetzle – “At the Association of Towns we talked a little bit about the legislative agenda they have. There are actually two (2) legislative items on there from the Town of Glenville and I am very proud of that. We got some state wide recognition, one is the one we just talked about, to allow the towns and villages to have a seat at the table during the negotiations for sales tax share and the second one is the SWAP Program that came out of Clifton Park and Glenville talking about infrastructure needs. That is one where we are urging the Governor to do like a CHIPS style funding mechanism where CHIPS you get a certain amount of money every year to pave our roads based on how many miles of roads we have. We are asking for the same investment to be done in our infrastructure, our water, drainage and sewer infrastructure and that each year each municipality would get a set amount of money to invest in the upgrades to that infrastructure so that we don’t have as many water breaks or sewer problems and drainage issues to fix. We are going to bring these two forward, they are both adopted into the Association of Towns. Many Towns across the State that are behind both of these initiatives. I’m very proud of that and hopefully we will be able to get some of this moving this year.

I just want to piggy back on Councilman Godlewski’s readiness and obviously the events in Florida again have shaken all of us. I recently got a newsletter from the BH/BL School District regarding a comment or a statement on the shooting regarding the recent incident in Florida. I’m just proud of the one thing in particular and I want to take a few minutes to read because it really speaks to I think Glenville’s preparedness for this.

The Superintendent talks about, Scotia-Glenville did not put the same statement out but we work just as closely with them as we do with Burnt Hills...

Our district interfaces regularly with multiply law enforcement agencies. Including NYS, Saratoga County and the Town of Glenville. Chief Janik in Glenville is very active and involved in keeping our school safe. We have daily visits from both departments, the Saratoga County Sheriffs and the Glenville Police Department. The officers there get to know our students as they walk the halls and visit the cafeteria. They are available 24/7 to our safety director, our principals, and our central office staff and for anything we need to address in an emergency situation. They teach our students DARE in class in our elementary schools, they provide all of our students and staff across this district with instruction on proper emergency response procedures. They serve on our Health and Safety Committee, they serve on our Building Safety Teams and they help us develop and maintain our official district safety plan. We encourage you to support our local law enforcement partners and applaud the pro-active role that they play in our schools each and every day.

I wanted to take a moment to read this because I’m proud of what our police do and help be pro-active in the schools. I’m not saying it can’t happen here but I’m saying we are further ahead than most communities already with what we do. I just wanted to take a moment to get it into the record the role that our police already play in the schools. I thank them all for the hard work.”

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Pytlovany; Seconded by Councilwoman Wierzbowski, everyone being in favor the meeting was adjourned at 8:00 PM.

ATTEST:

Linda C. Neals
Town Clerk