

**MEETING OF THE TOWN BOARD  
TOWN OF GLENVILLE  
FEBRUARY 14, 2018  
AT THE GLENVILLE MUNICIPAL CENTER  
18 GLENRIDGE ROAD, GLENVILLE, NEW YORK**

Supervisor Koetzle called the meeting to order at 7:00 PM;

A moment of silence for the Florida mass shooting victims.

Pledge of Allegiance to the Flag.

Supervisor Koetzle asked the Deputy Town Clerk, Julie Davenport, to call the roll.

**Present:** Supervisor Christopher A. Koetzle, Councilmen Michael Aragosa, Michael R. Godlewski and Councilwoman Gina M. Wierzbowski and Councilman John C. Pytlovany

**Absent:** None

Also present were Michael Cuevas, Attorney, Jason Cuthbert, Comptroller, James MacFarland Director of Human Services and William Purtell Town Assessor.

**Town Council Reports:**

Councilman Godlewski - Expressed what a great success the Pizza & Wing Bowl was and that it was nice to have town events that support local businesses and the Yate Mansion. He said it was nice to see all the participants, volunteers and hopes the event continues. He also attended the Women's March in Albany with his wife and what a profound impact it had in him as well as his wife. This is something he wanted to bring up because it's important to address these issues of equal rights and social issues. He was happy to be a part of it.

Councilwoman Wierzbowski - Would like to recognize Scott Pyke, who is a resident of our town and a fire fighter at the Air National Guard Base and East Glenville Fire Department. Scott has been appointed by the County Legislature as County CAR, also known as Schenectady County Fire Coordinator. She wanted to take this time to formally congratulate him.

Supervisor Koetzle - I want to thank Deputy Town Clerk, Julie Davenport, for stepping in tonight for the Town Clerk. I also want to thank Julie Davenport for the work she did on the Pizza & Wing Event.

Councilman Pytlovany - The Website Committee met this week. The committee is working hard on updating the Town's website. It should be up and running in about two months. He also attended the Traffic Safety Meeting and the group discussed areas in the town that have safety concerns. He also wanted to remind people of the DARE graduations. Glendaal School is tomorrow at 2PM and Glen Worden is Friday at 2 PM.

Councilman Aragosa- Met with the Mayor of Schenectady and Paul Lafond, who is in charge of the sewer plant, discussing the contract that doesn't exist between the Town and the City. They discussed a contract that they might like us to consider and move forward with it. He will talk to them again by the end of the week to see where we are. The Environmental Conservation Committee met in January, they have some new members. One member is Charlie from Alplaus. Charlie is interested in getting the Key Board people together with the town and the committee to sit down and talk about the contamination to the property. He'd like to try and get monies to get the property cleaned up. He also would like to discuss where they want to go forward with the property. He would also like the ARA (Alplaus Resident Association) to be involved as well and would like to hold a meeting on February 27.

Councilman Aragosa also met with Mr. Koetzle and the Efficiency in Government Committee, Jamie was there as well. The group is a spirited group, it's interesting to hear the group's conversations and he feels he is learning a lot from the people and their ideas.

Supervisor Koetzle - "We do have a somewhat busy agenda tonight, we have an ADD-ON, number 16 under new business. The ADD-ON is a resolution authorizing a Memorandum of Agreement (MOA) with the Glenville PBA. If you look at the resolution there's quite a number of items that need some board discussion in Executive Session. So we will move in to Executive Session to discuss nearly everything on the Agenda. I would beg the Board's pardon, instead of going into Executive Session immediately, some people showed up for Privilege of the Floor and we take up item #10, which has already been discussed in a work sessions. So we will be going out of order, first hearing Privilege of the Floor, next Item # 10 and then going into Executive Session. If there is no objection we'll proceed under that."

The following people exercised privilege of the floor

Peter Looker, 1965 Amsterdam Rd.

Spoke about his concern with the lights that glare from Old Dominion. He has discussed this issue before and feels the lights glaring into the homes across the street is in violation of the Towns law. He would like the Town to follow its law and to do something about this issue.

Warren Avery, 239 Wolf Hollow Rd.

Mr. Avery does not want to speak and instead would like to share a letter with the Board that says the following.

Hoffman's- Fire and Road Safety Letter

02/14/18

Fire

When they blocked the Hollow off the first time, West Glenville Fire Co. said they couldn't get their fire trucks down the hill over the top, so they reopened the Hollow. But the past big storm we had, washed the Hollow out so bad, they closed the Hollow permanently. According to the sign I am in Beukendaal Fire District 5 and to me that means the closets fire truck are at the corner of Sacandaga Road and Spring Road.

During the summer there is usually 2 or 3 times a month somebody burning garbage so bad I can smell it in the house. They have big fires all the time, IT IS NOT SAFE, and on or around the 4<sup>th</sup> of July they have way too much & too big fireworks.

Road

The section of the road over the top is NOT SAFE, there are pot holes and open ditches. People throw, cans, bottles, and papers into the ditches past my house. 53ft. trailers and loaded logging trucks go up and down the road, the rush hours in the morning and afternoons groups of 3 or 4 cars will speed up and down the road. There is a limited line of sight when I turn left into my driveway, the cars come down the hill so fast I might get hit.

Privilege of the Floor closed.

Supervisor Koetzle moved ahead with agenda items.

Sponsored by: Christopher A. Koetzle, Supervisor  
Submitted by: Michael R. Cuevas, Attorney for the Town

**RESOLUTION NO. 54- 2018**

**Moved by:** Gina Wierzbowski  
**Seconded by:** Michael Aragosa

**WHEREAS**, Richbell Capital LLC has submitted an application to the Town Board proposing a zoning map amendment that would change the zoning of the six parcels (Tax Map ID#s: 30.-1-24.411, 30.-1-412, 30.13-3.10.1, 30.13-3-42.1, 30.13-3-19.1 and 30.13-3-43.1) located along Dutch Meadows Lane, currently owned by Raymond M. Piotrowski and presently unoccupied, vacant land from “General Business” and “Professional/Residential” to “Mixed Use Planned Development”; and

**WHEREAS**, Article VI – Planned Development Districts of Chapter 270 – Zoning authorizes the Town Board to create a Mixed Use Planned Development District under appropriate circumstances and with or without conditions detailed therein; and

**WHEREAS**, this Board has determined that this zoning map amendment is a Type 1 Action for purposes of the State Environmental Quality Review Act (SEQR), it hereby declares the Town Board lead agency for the SEQR review process and, refers the matter to the Glenville Environmental Conservation Committee for review and recommendations; and

**WHEREAS**, the Code of the Town of Glenville requires before the Town Board considers an amendment to a zoning map or a local law creating a planned development district that it refer the matter to the Planning and Zoning Commission for review and a written recommendation;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville acknowledges receipt of an application for a proposed zoning map amendment involving six parcels along Dutch Meadows Lane, submitted by Richbell Capital seeking to change the zoning of same from General Business and Professional/Residential to Mixed Use Planned Development and a creating a Mixed Use Planned Development District on such parcels of real property in the Town of Glenville in accord with such application dated January 29, 2018; and

**BE IT FURTHER RESOLVED** that the Town Board hereby declares itself as lead agency for purposes of the State Environmental Quality Review Act (SEQRA) review and refers this matter to the Glenville Environmental Conservation Committee for initial review and recommendation to the Board; and

**BE IT STILL FURTHER RESOLVED** that in accordance with Chapter 270, Article VI of the Town Code refers the matter of the zoning map amendment to the Planning and Zoning Commission for review and recommendations to the Town Board.

**Ayes: Councilman Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski, Supervisor Koetzle**

**Noes: None**

**Absent: none**

**Abstentions: none**

**Motion Carried**

Move for Executive Session 7:25PM

Sponsored by: Christopher A. Koetzle, Town Supervisor  
Submitted by: Michael Cuevas, Attorney

**RESOLUTION NO. 55-2018**

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

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

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

**Noes:** None

**Absent:** None

**Abstention:** None

**Motion Carried**

Executive Session ends 8:10 PM

Supervisor Koetzle moved ahead with the rest of the agenda items.

**Discussion**

Mike Godlewski- "After some discussion I would like to thank the Town Attorney and Assessor, I had some questions. I feel it's a good deal and a fair deal. It will have my support I guess."

Supervisor Koetzle refers to Town Attorney Michael Cuevas regarding any rebates listed.

Michael Cuevas- "There is a schedule over the 2 years, its \$14,500.00 in the Patriot Sq. The rest of the settlements have relatively minor impacts on the town. Patriot Sq. \$14,500.00, a 2 year refund, Indian Brook \$2,164.00, Hamilton Living Trust \$ 2,552.00 and Glenville Manor Estates \$2,432.00. That's the Towns portion."

Supervisor Koetzle – "The school district has been kept abroad, both school districts?"

Michael Cuevas- "Yes the school district, Scotia Glenville School District, has a standing agreement with us, where they share the cost of appraisals, if we need expert testimony. So they keep in touch with us on a regular basis. The Assessor and I keep them informed of where we are going."

Supervisor Koetzle- "Any more comments? Seeing none, please record the vote."

Sponsored by: Michael Godlewski, Town Councilman  
Submitted by: Michael R. Cuevas, Attorney for the Town

**RESOLUTION NO. 56-2018**

**Moved by:** Michael Godlewski  
**Seconded by:** Gina Wierzbowski

**WHEREAS**, a Petition and Notice to Review the Assessment for taxation for the tax years 2017 and 2018 of the real estate owned by **Patriot Square LLC.**, commonly known as 451 Rudy Chase Drive, Glenville, New York (S/B/L # 22.-1-24.2), the real estate owned by **Indian Brook Apartments of Glenville LLC.**, commonly known as 26 Van Buren Road, Glenville, New York (S/B/L # 22.7-4.59), the real estate owned by **Hampton Run LLC.**, commonly known as 14 Glenridge Road, Glenville, New York (S/B/L # 22.11-4.20.1) and the real estate owned by **Glacier Albany LLC.**, commonly known as 14 Sarnowski Drive, Glenville, New York (S/B/L # 30.19-1-11.1) was duly served upon the Assessor in July 2016 and July 2017 respectively; and

**WHEREAS**, the Town, through its attorney and the Assessor are prepared to enter into an agreement and stipulation of compromise and settlement of their differences as follows:

That the proceedings for tax years 2017 and 2018 in relation to the property be settled on the following terms and conditions:

1. This settlement is made in resolution of all past and present claims or proceedings with respect to the subject property's real property tax assessment;
2. Approval of this settlement and all required authorizations and enactments by the necessary parties shall be made in good faith and as expeditiously as possible;
3. Pursuant to Real Property Tax Law section 727, the proceeding shall be settled by establishing the assessment of the property at the revised assessed values as follows:
  - a. **Patriot Square LLC** - \$11,345,000.00 for the 2017 tax year and \$11,101,000.00 for the 2018 tax year.
  - b. **Indian Brook Apartments** - \$4,505,000.00 for the 2017 tax year and \$4,606,000 for the 2018 tax year.
  - c. **Hampton Run LLC** – no change, remains at \$3,952,000.
  - d. **Glacier Albany LLC** – no change remains at \$11,500,000.
4. That the Comptroller is authorized to calculate the amount of any refund for 2017 and 2018 Town, Highway and Special District taxes already paid and to pay same over to the property owner upon receipt of a fully executed stipulation.
5. All other provisions of the RPTL section 727, including RPTL 727 (2) shall apply to this settlement. That is, the property owner agrees not to bring another tax certiorari proceeding with respect to this property for the three years following the affected tax year unless the improvements on the property shall be destroyed, demolished or removed and the Assessor agrees to maintain the assessment based upon the revised full market value for those three years unless required by additions, alterations or capital improvements or in the event of a revaluation.
6. In consideration hereof, the tax certiorari proceedings brought by the taxpayer shall be discontinued on the merits with prejudice and without costs to either party or against the other.
7. The parties agree that the Stipulation is entered into for good and valuable consideration, that it is the entire agreement of the parties, that it is made to resolve this litigation and shall not be offered in any other proceeding by any party as competent evidence of any fact, that the stipulation may be filed in the office of the Schenectady County Clerk and an Order may be entered, based upon the Stipulation by either party on notice to the other.

**WHEREAS**, it appears to be in the best interests of the Town to settle said matter as recommended by the Attorney for the Town and the Assessor without further attendant legal and appraisal costs; and

**WHEREAS**, three of the properties are located in the Scotia - Glenville School District and one in the Burnt-Hills Ballston Lake School District and neither District has intervened or expressed any opposition to the proposed settlement;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby authorizes the Attorney for the Town to enter into an agreement with the Patriot Square LLC, Indian Brook Apartments of Glenville LLC, Hampton Run LLC and Glacier Albany LLC for the settlement of the tax certiorari proceedings brought relative to the properties referenced above under the terms outlined above.

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

**Noes:** none

**Absent:** none

**Abstention:** none

#### **Motion Carried**

#### **Discussion**

Supervisor Koetzle-“Is there any rebate?”

Michael Cuevas- “I’m sorry I mentioned that going through this. I don’t want to ignore that two five, we had to fight at the last minute in court to get the last \$25,000. The total town liability for refunds on the Glenville Manor Estates \$2,432.00, I had mentioned all of them earlier.”

Supervisor Koetzle- “OK. Just to put that in prospective for a moment, a proceeding, if going to court, could cost the town how much in experts and appraisals?”

Michael Cuevas- “In this case we did a preliminary appraisal and the preliminary was about \$4,000 billed. Generally when we get to court, it’s probably another \$4,000.00 in expert testimony. Judge Kramer scheduled us two days of trial. We probably would have expert testimony, and our expert would have to be there the entire time, in court with us during both the direct case and our case. So we’d probably incur somewhere around \$10,000.00 in expert witness fees.”

Supervisor Koetzle – “You have the risk of perhaps not getting a settlement as good as this”

Michael Cuevas – “Right the court could have decided to split, could have decided to go with their appraisal. We didn’t think so and they didn’t think they wanted to take the risk either.”

Sponsored by: Michael Godlewski, Town Councilman

Submitted by: Michael R. Cuevas, Attorney for the Town

**RESOLUTION NO. 58-2018**

**Moved by:** Michael Godlewski  
**Seconded by:** Gina Wierzbowski

**WHEREAS**, Petitions and Notices to Review the Assessment for taxation for the tax years 2016, 2017 and 2018 of the real estate owned by **T.E. Hamilton Living Trust**, commonly known as Building 606, Avenue E, Glenville, New York (S/B/L # 29. - 3-16.72) were duly served upon the Assessor in July, 2015, July 2016 and July 2017 respectively; and

**WHEREAS**, the Town, through its attorney and the Assessor are prepared to enter into an agreement and stipulation of compromise and settlement of their differences as follows:

That the proceedings for tax years 2016, 2017 and 2018 in relation to the property be settled on the following terms and conditions:

1. This settlement is made in resolution of all past and present claims or proceedings with respect to the subject property's real property tax assessment;
2. Approval of this settlement and all required authorizations and enactments by the necessary parties shall be made in good faith and as expeditiously as possible;
3. Pursuant to Real Property Tax Law section 727, the proceeding for 2015 and later years shall be settled by establishing the assessment of the property at the revised assessed value of \$1,292,000.00 for the 2016 tax year, \$1,278,000.00 for the 2017 tax year and \$1,251,200.00 for the 2018 tax year. That the Comptroller is authorized to calculate the amount of any refund for 2016, 2017 and 2018 Town, Highway and Special District taxes already paid and to pay same over to the property owner upon receipt of a fully executed stipulation.
4. All other provisions of the RPTL section 727, including RPTL 727 (2) shall apply to this settlement. That is, the property owner agrees not to bring another tax certiorari proceeding with respect to this property for the three years following the affected tax year unless the improvements on the property shall be destroyed, demolished or removed and the Assessor agrees to maintain the assessment based upon the revised full market value for those three years unless required by additions, alterations or capital improvements or in the event of a revaluation.
5. In consideration hereof, the tax certiorari proceedings brought by the taxpayer shall be discontinued on the merits with prejudice and without costs to either party or against the other.
6. The parties agree that the Stipulation is entered into for good and valuable consideration, that it is the entire agreement of the parties, that it is made to resolve this litigation and shall not be offered in any other proceeding by any party as competent evidence of any fact, that the stipulation may be filed in the office of the Schenectady County Clerk and an Order may be entered, based upon the Stipulation by either party on notice to the other.

**WHEREAS**, it appears to be in the best interests of the Town to settle said matter as recommended by the Attorney for the Town and the Assessor without further attendant legal and appraisal costs; and

**WHEREAS**, the property is located in the Scotia - Glenville School District, and the District has no opposition to the proposed settlement;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby authorizes the Attorney for the Town to enter into an agreement with the T.E. Hamilton Living Trust for the settlement of the tax certiorari proceedings

brought relative to the property known as Building 606, Avenue E under the terms outlined above.

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

**Noes: none**

**Absent: none**

**Abstention: none**

**Motion Carried**

Sponsored by: Christopher Koetzle, Town Supervisor  
Submitted by: James MacFarland, Director of Human Services

**RESOLUTION NO. 59-2018**

**Moved by:** Gina Wierzbowski  
**Seconded by:** John Pytlovany

**WHEREAS**, there currently exists a vacant position of Code Enforcement Officer in the Town of Glenville Building Department; and

**WHEREAS**, the demands of the Town Building Department require adequate staffing in the department, particularly during the spring and summer months; and

**WHEREAS**, the Director of Human Services recommends Arnold Briscoe, 118 Willow Lane, Glenville, for the vacant position of Code Enforcement Officer, with the recommendation based upon Mr. Briscoe's previous experience and knowledge; and

**WHEREAS**, Arnold Briscoe is willing to accept the appointment;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby provisionally appoints Arnold Briscoe of 118 Willow Lane, Glenville, New York to the position of Code Enforcement Officer, effective February 19, 2018, at a salary for such title of \$50,715.97, based upon his employment date of May 2, 2016, and benefits as determined under the CSEA agreement with the Town.

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

**Noes: none**

**Absent: none**

**Abstention: none**

**Motion Carried**

Sponsored by: Christopher Koetzle, Town Supervisor



Submitted by: James MacFarland, Director of Human Services

**RESOLUTION NO. 60- 2018**

**Moved by:** Gina Wierzbowski

**Seconded by:** John Pytlovany

**WHEREAS**, there currently exists a vacancy in the position of Deputy Building Inspector; and

**WHEREAS**, upon request, the Schenectady County Civil Service Commission provided the Town with a certified list of Glenville residents eligible for appointment to the position of Deputy Building Inspector; and

**WHEREAS**, the Town Supervisor, Director of Human Services, and Attorney for the Town served as an interview committee for eligible candidates; and

**WHEREAS**, the interview committee determined that James Pangburn, 33 Virginia Boulevard, Glenville, is best qualified to meet the needs of the department and recommends his appointment as Deputy Building Inspector; and

**WHEREAS**, James Pangburn is willing to accept the appointment;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby provisionally appoints James Pangburn of 33 Virginia Boulevard, Glenville, New York to the position of Deputy Building Inspector, effective February 20, 2018, at a starting salary for such title of \$54,779.20 and benefits as determined by the CSEA agreement with the Town.

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

**Noes:** none

**Absent:** none

**Abstention:** none

**Motion Carried**

**Discussion**

Supervisor Koetzle – “Glenville has a piece, a legislative matter on the agenda, specifically brought forth by Glenville. It’s taking the sales tax share matter to the State Legislature. Asking the Legislature to amend the State Law so the municipalities affected by the Share Tax, have a say at the chair and a vote in the matter. It’s only fair as representation on the matter. I hope the State Legislature gives the municipalities a say”.

Councilman Aragosa – “Just a brief little comment, I just want to remind you, you are representing a little bit different demographic. This time, I want you to keep that in mind.”

Supervisor Koetzle – “Has the Town changed?”

Councilman Godlewski- “The Town indeed has.”

Councilman Aragosa – “The Town has.”

Supervisor Koetzle – “I didn’t realize the Town changed.”

Sponsored by: Gina Wierzbowski, Town Councilmember  
Submitted by: Michael R. Cuevas, Attorney for the Town

**RESOLUTION NO. 61-2018**

**Moved by:** Gina Wierzbowski  
**Seconded by:** John Pytlovany

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

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

**WHEREAS**, the Association requires that the Town Board adopt an official resolution by February 14, 2018 designating its' voting delegate for the Association's 2018 Annual Business meeting to be held Wednesday, February 21, 2018; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby designates Christopher A. Koetzle as its' voting delegate for the Association of Towns' 2018 Annual Business meeting and authorizes and directs the Town Clerk to complete the Certificate of Designation and return same to the Association no later than February 16, 2018.

**Ayes: Councilman Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski, Supervisor Koetzle**

**Noes: none**  
**Absent: none**  
**Abstention: none**

**Motion Carried**

Sponsored by: Michael Aragosa, Town Councilman  
Submitted by: Jason Cuthbert, Town Comptroller

**RESOLUTION NO. 62- 2018**

**Moved by:** Michael Aragosa  
**Seconded by:** Michael Godlewski

**WHEREAS**, the Town of Glenville Highway Department requires reliable and proper equipment to perform Town duties; and

**WHEREAS**, the Highway Department is in need of one additional set of two heavy duty vehicle rotary lifts at the Town of Glenville Highway Garage to most efficiently perform required maintenance and repairs on large vehicles such as dump trucks, snow plows, and firetrucks, the latter of which the Highway Department helps maintain under shared services agreements with fire districts located within the Town of Glenville; and

**WHEREAS**, the 2018 Adopted Budget included twenty-one thousand dollars (\$21,000) for the purchase of one set of two heavy duty vehicle rotary lifts; and

**WHEREAS**, the Highway Superintendent advises that the recommended heavy duty vehicle rotary lifts are available from Total Tool Ltd of Castleton, New York, under New York State contract pricing;

**NOW, THEREFORE, BE IT RESOLVED**, that the Highway

Superintendent is authorized to purchase one set of two heavy duty vehicle rotary lifts from Total Tool Ltd under New York State contract pricing at a cost not to exceed twenty-one thousand dollars (\$21,000), with this expense charged to account 04.00.5130.2000 (Equipment) as included in the 2018 Adopted Budget.

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

**Noes: none**

**Absent: none**

**Abstentions: none**

**Motion Carried**

Sponsored by: Michael Godlewski, Town Councilman  
Submitted by: Thomas Coppola, Commissioner of Public Works

**RESOLUTION NO. 63- 2018**

**Moved by:** Michael Aragosa

**Seconded by:** Michael Godlewski

**WHEREAS**, the Commissioner of Public Works has informed the Town Board that the Parks Department is in need of purchasing two new commercial lawnmowers; and

**WHEREAS**, the 2018 Adopted Budget included sixteen thousand dollars (\$16,000) for the purchase of two new commercial lawnmowers; and

**WHEREAS**, the Commissioner of Public Works recommends purchase of two HP Kawasaki FX Commercial 60-inch Zero Turn Mowers to best meet the needs of the Town; and

**WHEREAS**, in order to achieve cost savings the Commissioner of Public Works recommends the utilization of pricing available to the Town under the New York State Contract number PC66756, pursuant to Section 104 of the General Municipal Law of the State of New York;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby authorizes the Commissioner of Public Works to purchase two HP Kawasaki FX Commercial 60-inch Zero Turn Mowers at New York State Contract pricing from Grassland Equipment, 892-898 Troy Schenectady Rd, Latham NY 12110, in a total sum not to exceed sixteen thousand hundred dollars (\$16,000), with said expense charged to account 01.00.7110.2000 (Equipment) as included in the 2018 Adopted Budget.

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

**Noes: none**

**Absent: none**

**Abstentions: none**

**Motion Carried**

## Discussion

Councilman Pytlovany – “I want to thank all the parties involved in the negotiation over the past year, I think you’ve done a fantastic job.”

Supervisor Koetzle – Here is a list of the top 15 items of the contract.

### **PROPOSED PBA CONTRACT 2017-2021**

1. Raises health insurance contribution rate for all employees from 10% to 15%
2. Implements dental & vision insurance contribution rates of 10% for new hires
3. Reduces the maximum annual vacation accrual from 6 weeks per year to 5 weeks
4. Reduces the annual sick leave accrual from 18 days to 15 days
5. Reduces the maximum comp leave bank from 480 hours to 360 hours
6. Eliminates the annual clothing allowance of \$1,100 per year per employee
7. Implements a maximum dry cleaning allowance per employee; previously there had been no spending cap
8. Caps the maximum health insurance opt-out payments at 2018 levels
9. Brings to a close several open grievances/improper practice charges
10. Lowers the minimum age for town-paid retiree health benefits from age 55 to age
11. Allows employees to utilize unpaid sick leave accruals toward health insurance in retirement, including prior to age 50
12. Increases the flat-rate health insurance opt-out payments from \$250 per month to \$300 per month
13. Increases longevity payments but caps maximum payment at 25 years of service
14. Average annual pay increases of 1.3% for the five years (2017 through 2021)
15. Increases the top pay step (6+ years of service) effective July 2019

Supervisor Koetzle cont. – “As you can see in the deal everyone got a little something and everyone gave a little something. It’s the pure definition of negotiations to a deal everyone can accept. I think it’s a good deal for both parties. I see the president of the PBA is here, Jay Borwhat. I want to thank Jay on all his hard work on this and your team. I think you had a great team at the table. I think this is probably one of the first negotiations I’ve been involved with in eight years that we kept the line of communications open, kept things cordial. We tried and strived to understand each other, we both understood priorities. I think we took them very well. I appreciate the work your side put into it. I appreciate our time as well, Jason, Mike and Jamie’s great counsel, the Chief’s work. I think we all came together, got a great deal and I appreciate everyone’s part. Any questions or comments?”

Councilman Godlewski – “Let me explain my vote, I just would like to comment that I am thrilled to see this happen. This was something that myself and Mike, when we were out hitting doors, this was something we talked about seeing that this got done. Its good news, puts us in a good position in going forward as far as employee relations are concerned. Obviously we want all employee’s to be happy and want our police force to be happy.”

Sponsored by: John Pytlovany, Town Councilmember  
Submitted by: Michael R. Cuevas, Attorney for the Town

**RESOLUTION 64-2018**

**Moved by:** John Pytlovany  
**Seconded by:** Gina Wierzbowski

**WHEREAS**, the Town of Glenville and the Glenville Police Benevolent Association (GPBA) are parties to a collective bargaining agreement for a term which expired December 31, 2016 and a; and

**WHEREAS**, the Town and the GPBA have been engaged in negotiations for a successor collective bargaining agreement for more than a year; and

**WHEREAS**, the Town negotiating team and the PBA negotiating team have reached a tentative agreement and have memorialized such tentative agreement in a Memorandum of Agreement (MOA) covering the period of January 1, 2017 through December 31, 2021, a copy of which is attached hereto; and

**WHEREAS**, the MOA is subject to ratification by the PBA and the Town Board; and

**WHEREAS**, the PBA membership ratified the MOA at a meeting held February 13, 2018 conditioned upon the addition of language:

For the purposes of this paragraph, a bargaining unit member hired by the Glenville Police Department prior to 1/1/2010 who had prior employment with the Village of Scotia Police Department, will be credited with 25% of his or her employment time with the Village PD towards the 15 year employment requirement to qualify for Town health insurance in retirement.

Also for the purposes of this paragraph, "retirement" means leaving employment with the Town of Glenville Police Department after qualifying for and commencing receipt of benefits from the New York & Local Government Police & Fire Retirement System; and

**WHEREAS**, the Town Supervisor and the Attorney for the Town recommend that the Town Board approve the MOA as a fair and balanced agreement;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby approves the attached memorandum of agreement with the Glenville PBA establishing terms and conditions of employment for bargaining unit members for the period of January 1, 2017 through December 31, 2021 and authorized the Town Supervisor to execute a collective bargaining agreement incorporating the terms of the MOA.

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

**Noes: none**

**Absent: none**

**Abstention: none**

**Motion Carried**

## New Business

Councilman Godlewski- nothing to report.

Councilwoman Wierzbowski- "Mr. Supervisor, I would like to just make a comment in regards to the motion and resolution that was passed where you are representing the Town at the Association of Towns. Council Aragosa, made a comment about how or seemed to infer in some way that you were maybe not representing the Town in some way by talking about the Glenville portion of the Legislative Agenda. I would say that I don't know that is necessarily a fair statement. I would say that any town that's in the position we are in probably has the same concern. Seven cents on the tax dollar, sale tax dollar, doesn't seem like a fair deal and we don't really have a say in that. So whether it was a republican controlled or democrat controlled legislature, I would have the same concern. Quite frankly that arrangement is detrimental to any town in our position, who is not receiving, who is not able to have a voice at the table. Whether you think the amount of tax money, sales tax money we are allowed to keep is fair or not we have no say. So, I would say that I support that portion of that Legislative Agenda and I do hope that the Association of Towns does support that. As I said it would not just benefit Glenville and this board, whatever make up it might be. I think it would benefit many municipalities in our State and that's all I have to say."

Councilman Pytlovany- nothing to report.

Councilman Aragosa- "Just to rebuff that remark. I wasn't referring to that particular piece of the agenda or that piece of legislation that Mr. Koetzle was bringing to the town or the Association of Towns. I was just referring to the idea that the board has changed. And you know, keep in mind that we all have some different ideas and some different views and I liked to see you represent all of them. "

Supervisor Koetzle – "That's it?"

Councilman Aragosa- "That's it."

Supervisor Koetzle, "Thank you."

Supervisor Koetzle- "I'd like to weigh in a little bit on the new business, on this one because. I will say I'm a little dismayed that the implication is that I'm not representing the entire board. I think the implication Councilwoman Wierzbowski brought up, was that you in some way or suggest the democrat minority doesn't support each town having representation, in an important process like this is troubling. We represent the town residents on this matter and I think everyone on this board would be supportive of the fact that Glenville would be given a voice in a process, it's democratic. It's fair and it benefits our residents. If the democrat minority on this board doesn't believe that the town residents should have a voice in this matter, than they should state that and that's fine. But otherwise, I'm representing the Town as I've always represented the Town. I'm doing it with passion, I'm doing it because it's the right thing to do for the residents of this town. If I was four one minority on this board, I would still be talking about this issue because it's that important. So perhaps, Councilman Aragosa, now I'll offer the benefit of the doubt. I don't know if that was the intension of the comment but we certainly will continue with this issue at the Association of Towns, in this forum and as the county representatives themselves said they are interested in talking about this as well. So we'll be bringing it forward to them."

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; moved by Councilman Godlewski; Seconded by Supervisor Koetzle, everyone being favor the meeting was adjourned at 8:50 PM.

ATTEST:

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Julie Davenport  
Deputy Town Clerk