

**REGULAR MEETING OF THE TOWN BOARD**  
TOWN OF GLENVILLE  
NOVEMBER 20, 2013  
AT THE GLENVILLE MUNICIPAL CENTER  
18 GLENRIDGE ROAD, GLENVILLE, NEW YORK

Supervisor Koetzle called the meeting to order at 7:30 PM;

Supervisor Koetzle asked the Town Clerk, Linda C. Neals, to call the roll.

**Present:** Supervisor Christopher A. Koetzle, Councilmen Alan Boulant, John C. Pytlovany, and Sid Ramotar

**Absent:** Councilwoman Gina Wierzbowski

Also present were Attorney Michael Cuevas; Jamie MacFarland, Director of Operations; Jason Cuthbert, Comptroller.

Town Council Reports:

Councilman Ramotar – “We received quite a few applications for the following vacant positions; deputy receiver of taxes, the assessor and real property appraiser technician. The next step is to review the applications for the best candidate and to have those positions filled.”

Councilman Pytlovany – “I attended the Traffic Safety meeting this afternoon. We received an email from one of the residents on Baldwin Road thanking the police department for their added step up in speeding vehicles. We also got a yearly report from our town traffic engineer. During the past year he set up our traffic counter at 44 different locations in the town and at 52 locations he set up the speed trailer.”

Supervisor Koetzle – “Item No. 5 on the agenda is a public hearing to hear all persons interested in the adoption of Extension 12 to Sewer District No. 9, 74 Van Buren Road (Indian Brook Apartments).

Supervisor Koetzle opened the public hearing at 7:35 pm.

Jason Dell, Lansing Engineering – “I am here on behalf of the applicants, Dawn Homes Management for the proposed extension to Sewer District No. 9. The proposed extension would allow for the Indian Brook Apartment complex to connect to municipal sewer that is located along Route 50.

The sewer system proposed will include both a low pressure force main as well as a gravity sewer system that will accommodate the apartment complex and will connect into the system on Route 50.”

Len Berube – 2 Van Buren Road – “I certainly have an interest in this connection. My question, I suppose not only to the board but also to the engineering staff is; will the private citizens have access to the trunk line in order for us to have utilization of that facility?”

Mr. Dell – “At the present time the extension is for the tax parcel that encompasses only Indian Brook Apartment complex. However, the trunk line would be sized to accommodate any additional sanitary sewer. It would require an addition to the sewer district at a future date.”

Mr. Berube – “My additional question is, in order for us as citizens, realizing that the aging aspect of our septic systems in this area. We need to seriously look long term as to the health and welfare of this community from the prospective that at some point we need to be tied into a sewer system.

All I am saying today is this trunk line is an asset to this community and it's important that we continue thinking in the future and looking at retrofits for our districts that we live in and for the welfare of our own homes and our children for the future."

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:40 pm.

#### Privilege of the floor

Supervisor Koetzle – "I just want to note that we have quite a few people signed up to speak so I just want to go over the rules for speaking during this time; I ask that you address your comments to the Board, it is not a question and answer session; all comments remain civil; we ask that each person limit their time to only 5 minutes (we don't usually enforce that but due to the number of people that have signed up that rule will be enforced).

The following people spoke against the proposed full-time supervisor's position and the increase in salary for that position.

Ed Rosenberg – Baldwin Road  
Michele Draves – 38 Country Fair Lane  
Steven Marsh – 109 Huston Street  
Frank Quinn – 1886 Ridge Road  
Kristin Trapini – 322 Lark Street  
Brad Coryer – 211 North Ten Broeck Street  
Val DiGiandomenico – 2 Via Del Zotto Drive  
Cathy Bern-Smith – 24 Lillian Drive  
Steve Smith – 24 Lillian Drive  
Mark Raven – 1 Tryon Drive  
Cathy Bryson – 346 Church Road  
Peg Tomko – 5 Drott Drive

Charles Brown – 6 Spartan Lane, reminded the Supervisor that he and Mr. Coppola made a promise during their campaign that they would be in his development, which is under siege by water constantly. He said that they promised to clean out the water laterals which are the responsibility of the town. The comment back was that you would be in our area at the end of the summer, we are approaching December and I haven't seen anybody in our development.

Jason Plank spoke about the Schenectady County Legislature. He spoke regarding what has been going on at the County level.

Supervisor Koetzle – "I will read the add on resolution:

**WHEREAS**, a local law, being proposed as, Local Law No. 2013, A Local Law to add a new Chapter 6 to the Town Code of the Town of Glenville, "Town Supervisor" and setting the salary of the Town Supervisor for calendar year 2014 at \$83,000.00, a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board of the Town of Glenville; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by the Town Board of the Town of Glenville with respect to the adoption of the aforesaid Local Law at 7:30 PM on December 4, 2013 at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, and it is further

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

The following people spoke in support of the proposed full-time supervisor's position and the increase in salary for that position.

Dave Lindsey – 14 Red Coach Drive  
Javier Tapia – 10 Pinewood Drive  
Darryl Wisniewski – 18 Lorwood Drive  
Vicki Ramotar – 24 Willowbrook Road  
John Keane – 12 Red Coach Drive  
Joe Tassone – 3 Colin Drive  
Richard Usas – 1 Miracle Lane  
Tom Coppola – Highway Superintendent  
Jim Martin – 30 Bancker Avenue  
Len Berube – 2 Van Buren Road

Kurt Semon – 181 Droms Roads, offered advice on how to handle this situation.

Mike Aragosa – 153 Horstman Drive, believes that this proposal should be looked at a little more before it is acted on.

James MacFarland – 1541 Washout Road – I would first like to apologize to the Board and certainly to some of the public who are upset about how things have occurred. It was never my intention for this to happen this way, but things do happen and I will explain that in just a moment.

Some speakers had stuff wrong and I would be happy to correct those if somebody wanted to talk to me about specific things operationally. One point that was made was it sounds like if I were to return in a part-time capacity I would do everything that I am doing now. I can assure you that this not going to happen. It just wouldn't be possible to do that. I have a fairly long list of things that I do, I won't bore you with them. You are in a position when you do that in one year you are forced to do the same amount and potentially more the next year and it keeps increasing and increasing and you get to a point where it has happened previously, over 1.3 million dollars annually and that is a horrible trap to be in so I think the financial practices we have had over the past four year have really helped that which is shown in the bond rating increases, fiscal stress etc.

I certainly feel a little insulted by some of the comments relative to how highly engineered this might have been and how perhaps disingenuous it was. I'm not sure how many people have lost a brother at a fairly young age, if that doesn't affect you then your eyes aren't opened, that has been weighing on me for a number of years and then relative to the timing of the decision, post election, I can tell you that I would not have made the decision to retire if certain election results had been different. This board has been good to work with; Supervisor Koetzle has been very good to work with. I feel now is a time when I have faith that this board is going to be able to continue to lead the town in the manner that it should be. Had election results been different I would not have had that same faith and I might have stayed or I might have been kicked out had the results been different, but that was the final decision that needed to be made, the result of the election. I certainly have not been forced out by Supervisor Koetzle. I think in a lot of ways after what you are going through now, you probably prefer that I would stay. I really want to retire but I would never leave the town in a lurch. If the town sees fit to bring me back in a part time capacity because it is efficient to do so then I would certainly consider that and in all likelihood I would do it. But if the town wants to say, we have a better model and we want to go in a different direction that too would be fine.

I really do say in closing that this has not been an easy decision because I really enjoy working for in particular this board and the town is now going in a very good direction. I took great offense to some of the characterization during the election of Glenville's failed economic policies. Wow, if you look around town it certainly has not failed. Supervisor Koetzle, Councilman Boulant, Jim Martin, Dick Usas, they have all

been instrumental in doing that. So I think we are going in a great direction. This gives me comfort in being able to step down, although I would continue if asked to in a limited capacity. Certainly not the hours I have been putting in recently.”

No one else wished to speak; Supervisor Koetzle closed the privilege of the floor.

Supervisor's Comments:

Supervisor Koetzle shared the following information:

“There is a lot to address tonight and I think as Jamie eloquently stated there was a lot of misinformation and over the coming days we will correct that.

A lot of people have characterized this as a raise and I sat and listened to my integrity be called into questioned and the service that I have given this town for the last six (6) years and my intentions be called into question from people that have never met me, never talked to me for one minute and never understood what was on my mind and in my heart.

There are a lot of things I want to address tonight and I think the first thing I want to do is just back up and address for the people some of the personal nature that I think all of you on the Board already know, that went into Jamie's decision.

As I explained from the beginning one of the things that I wanted to address right off the bat was that for anyone to say that they did not know this was my intention, this was the Boards intention, did not pay attention over the past four (4) years. I can go back four (4) years when I ran against Mr. Quinn and during the debate held by the League of Women Voters, I said this was a full-time position, this needs to be a full-time position and wasting no time at all Mr. Quinn put a very nice mailer together and told the whole town that my intention was to turn this into a full-time job. No, maybe some people weren't in town four (4) years ago when all of that happened but it happened and it was true and I never disputed it.

When we got in here we took a look at the organization and we had three (3) people doing the job that two (2) people do now. The Quinn administration (Mr. Rosenberg was a part of that) went out and hired a person from Rensselaer County, a person very connected to the Democratic Party after passing over two (2) people in Glenville who were very qualified and paid him almost \$93,000 to come in and do the Supervisor's job. So, you had Jamie MacFarland doing some of what he is doing now at \$65,000, the Quinn administrator making \$93,000 and you had Supervisor Quinn making \$20,000 all totaled is about \$180,000 - \$190,000. When we came in we quickly changed that model and we eliminated that \$93,000 position and Jamie and I took on additional responsibilities at the \$20,000 that was there and \$65,000 in his first year. Over the years with him working hard the Board has bumped his salary to \$83,000. We still are doing it at a significant savings to what was being done prior.

Throughout that entire process I was always clear that this ought to be a full-time job but I would never, ever ask you to fire Jamie so I could take his job, I would never ask for additional new spending as the previous Supervisor did after the election without a public hearing. If we want to talk about integrity I want to know why nobody asked the former Supervisor why he didn't call a public hearing to put almost \$100,000 in new spending in that budget, but all of a sudden we're taking a proposal to the people and saying we are going to save you \$16,000 in this transaction, we are going to keep the management team consistent to what it has been the last four (4) years at positive success and for some reason this is something that is astonishing people, it is astonishing and befuddling the Democratic Party in this County went to the extent that they paid money to send out robo-calls, to start an on-line petition, launch a social media campaign. Specifically I want to say that this was talked about in this election and if any body came to the League of Women's Forum, I again repeated what I said four (4) years ago right there on TV, on video in front of the Gazette reporter and in front of my opponent who now seems to be saying something differently. Here is the quote

“We need a full-time Supervisor here”, that was stated emphatically, if you did not come to that or if you did not watch that, that is not my problem or my fault. You say what drives this decision; I got a list and this goes back to the two (2) budget forums and this is something I want to explain too. We had two (2) budget forums this year, public forums, and the only person I think in this room who came to those might have been Mr. Quinn. We had one (1) budget hearing and privilege of the floor multiple times, we had a public meeting on the budget at the Senior Center opened to anybody but specific for the seniors. You all had opportunities to come to those budget hearings and hear what we were facing. We are facing 25% of our staff is eligible to retire this year, tremendous organizational change, I told at the time that I had a list of employees that would not be made public because I did not feel it was appropriate to put our employees in public saying that they may be eligible for retirement when they haven’t decided they are going to retire yet. One of the names on that list was Jamie MacFarland and I thought it was odd, I said, gee he is a young man, not quite there at that age yet, he is shy of 30 years, seems odd, let me go talk to him. People think we don’t talk, that we hadn’t talked about this. I went to Jamie and we had a very personal conversation, Jamie alluded to it a little bit, not a kind of conversation I would ever come into public and talk about with anybody because it is no ones business and it’s not my business when he decides to retire. Being younger and just shy of his 30 years of service he had reasons why he wanted to make his decision. He told me that was not something he was not ready to make a final decision on. I told him to come to this decision on his terms, in your time and I would deal with anything I had to deal with, even if it means a political backlash from the Democratic Party. The perception isn’t important, policy is important; politics are not important, people are important to me and we decided that we would wait for Jamie to make that decision. He made it on his terms, he came to this board and he told us when he was ready on November 6<sup>th</sup>. The Board had a discussion about this, we discussed it quite a lot over the years, and it wasn’t a new discussion. The Board decided to wait until the 13<sup>th</sup>, the next time that we could talk as a full Board. We can only talk as a full Board during our regularly scheduled meetings. During an executive session on the 13<sup>th</sup> the Board decided that this was the way best way to go forward. It was a savings of \$16,000 and it made sense, it kept the management team in tact. The very next morning and our reporter can confirm that, I called her, so early she wasn’t even to work yet and I told her that I believed that the people of this town ought to know what is going on now that we can talk about it. We couldn’t talk about it prior because the Board was working through it during an executive session and the Gazette ran the story. People close to me said “wow”, you are just whipping up your opposition and I said that is not important to me, what is important to me is that we have a chance to talk about this. My previous opponent likes to talk about the Gazette article, yes it didn’t have anything in it but clearly we did talk about it, we are going to pass the amendment tonight for the budget but there was going to be a public hearing. For her to take credit for that is disingenuous. We always talked about that we wanted to make sure that the people had a chance to weigh in on this. The merits of this make sense.

Those were the things that I wanted to address most immediately and the other thing I wanted to address is we are getting tied up in the full-time/part-time, this pay, that pay. I was elected to this position; I was given this position by the people of this town. They gave these people on the Board the responsibility to deliver the budget, to make those decisions that we believe are best for the town. We are going to have our public hearing, we are going to talk, we are going to listen, if there are other ideas let’s talk about them but I did say and I never hid the fact that this needs to be a full-time job and that I would take this as a full-time job once I had the opportunity to go forward.

I wanted to update you on the budget: We do have surpluses in a variety of the accounts. The General Fund has a surplus of \$160,000 because our revenues are up and our expenses are down, same thing with the Town Outside Fund and the Highway Fund is trending better than it has in previous months.”

Supervisor Koetzle moved ahead with the agenda

### **Discussion...**

Jason Cuthbert, Comptroller – “The budget amendment in front of you is

comprised of three main pieces; the first one is the reorganization prompted by the impending retirement of the Director of Operations. The salary and benefits savings for that piece of the budget amendment comes in at just over \$16,000.

A second piece, a very small piece with no tax impact at all. There are some minor housekeeping things in there; you will see utility lines and things like that. That is just moving money into the correct places, zero tax impact.

The other piece of the budget amendment reflects the water deal with Clifton Park that is in the process of finalizing. The revenue from that will be used in three (3) ways; first to offset some expenses like pumping more water, higher utility fees, and maintenance repair costs, things of that nature. Some of the money is also being allocated toward contingency for the retirement pay offs that we expect in 2014. As the Supervisor eluded we have got twenty (20) potential retirements in 2014. We did budget a decent amount of money in the preliminary budget but not quite enough for pay outs and we thought it was prudent to take some of the money from the Clifton Park deal just to make sure we are set for all of the potential retirements in 2014.

The third and largest piece of Clifton Park water revenue is being used to lower the amount of fund balance appropriations that we are using. When we lost Clifton Park as a water customer a few years ago we relied more and more on tapping the water fund balance but this would plug that revenue hole to the point where in 2013 and initially in 2014 had half a million in fund balance that we were tapping in water fund so instead of doing that we are taking about \$217,000 of the new revenue from Clifton Park and reducing that amount of fund balance used. So instead of taking a half a million out of water savings account we're now able to use \$280,000 which is still a little too much but it is much better.

All total these amendments have a budgetary savings of about \$16,148. It will reduce the 2014 budgets levy increase to 1.40% that would be the final adopted budget, which is well below our tax cap limit set by the State of New York."

### **RESOLUTION NO. 197-2013**

**Moved by:** Councilman Boulant

**Seconded by:** Councilman Pytlovany

**WHEREAS**, the 2014 Preliminary Budget of the Town of Glenville has heretofore been filed with the Town Clerk on October 16, 2013; and

**WHEREAS**, a public hearing was held by the Town Board on said 2014 Preliminary Budget, at a regular meeting of said board, held on November 6, 2013; and

**WHEREAS**, the Town Board has had the opportunity to discuss the Preliminary Budget and any changes, alterations and revisions thereto as the members considered advisable and consistent with law; and

**WHEREAS**, the Town Board has identified certain changes to the Preliminary Budget which will lower the tax levy and reduce the use of appropriated fund balance;

**NOW, THEREFORE, BE IT RESOLVED** that the 2014 Preliminary Budget is hereby amended as follows:

#### **Establish Appropriation Codes**

01.00.1220.1001 – Personal Services – Part-Time, in the amount of \$19,152

01.00.7510.4200 – Utilities, in the amount of \$500

#### **Increase Appropriation Codes**

01.00.1220.1000 – Personal Services, by \$63,848

01.00.1990.4600 – Contingent Account - Miscellaneous, by \$43,960

01.00.9010.8000 – State Retirement, by \$1,125

01.00.9030.8000 – Social Security, by \$1,346  
02.00.1990.4600 – Contingent Account - Miscellaneous, by \$28,000  
04.00.1990.4600 – Contingent Account - Miscellaneous, by \$4,088  
04.00.5142.4000 – Contractual, by \$5,147

Increase Appropriation Codes

50.11.8330.4126 – Chemicals, by \$2,000  
50.11.8330.4200 – Utilities, by \$18,000  
50.11.8340.2000 – Equipment, by \$12,500  
50.11.8340.4417 – Maintenance & Repair, by \$10,000

Decrease Appropriation Codes

01.00.1010.1000 – Personal Services – Dir of Ops, by \$32,680  
01.00.1220.1000 – Personal Services – Conf Secretary, by \$10,000  
01.00.1620.4200 – Utilities, by \$250  
01.00.7620.1000 – Personal Services, by \$12,255  
01.00.8045.1000 – Personal Services, by \$12,255  
01.00.8045.1006 – Longevity, by \$1,250  
02.00.1620.4200 – Utilities, by \$250  
02.00.7110.1000 – Personal Services, by \$24,510  
02.00.7110.1006 – Longevity, by \$1,250  
02.00.9010.8000 – State Retirement, by \$5,358  
02.00.9030.8000 – Social Security, by \$1,971

Increase Revenue Codes

01.00.1001.0000 – Real Property Taxes, by \$61,241  
04.00.1001.0000 – Real Property Taxes, by \$11,500  
50.11.2140.0000 – Metered Water Sales, by \$260,214  
50.11.2378.0000 – Water Service for Other Governments, by \$83,550

Decrease Revenue Codes

02.00.1001.0000 – Real Property Taxes, by \$5,339  
50.11.1001.0000 – Real Property Taxes, by \$83,550  
04.00.2801.0000 – Interfund Revenues, by \$2,265

Decrease Appropriated Fund Balance

W11-599 – Appropriated Fund Balance, by \$217,714

**BE IT FURTHER RESOLVED**, that the 2014 Preliminary Budget as amended be adopted as the 2014 Final Adopted Budget of the Town of Glenville

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

**Motion Carried**

**Discussion...**

Supervisor Koetzle – “This budget was just outlined by the Comptroller as a final levy total increase of 1.4%, down from the Preliminary 1.59%. Some of it is a savings in the pending job change between Jamie and me and the additional water revenue that we got in with Clifton Park.

It is a good budget; it is a budget without gimmicks; it's a budget without anything hidden; it a budget without any surprises; it a budget that saves money organizationally which we've always done. Every time we've made an organizational change in the Town, and to your credit Mr. Pytlovany, you are the one that really drew that home to us. Every time we made an organizational change we found savings. If

we do this, this will find \$16,000 in savings.

I congratulate the Board for their hard work on it. We did go through many budget forums, we invited people in; they were very sparsely attended forum; we discussed some of these retirement challenges. Again thank you for all of your hard work.”

**RESOLUTION NO. 198-2013**

**Moved by:** Councilman Boulant  
**Seconded by:** Councilman Pytlovany

**WHEREAS**, the Preliminary Budget for 2014 of the Town of Glenville, including the fire protection district, lighting districts, drainage districts, water districts and sewer districts, has heretofore been filed with the Town Clerk on October 16, 2013; and

**WHEREAS**, a public hearing was duly held on November 6, 2013, and the Town board heard all persons desiring to be heard regarding the Preliminary Budget as submitted; and

**WHEREAS**, the matter of the Preliminary Budget for 2014 was fully discussed and considered by the Town Board; and

**WHEREAS**, the Preliminary Budget has been amended,

**NOW, THEREFORE, BE IT RESOLVED** that said amended Preliminary Budget for 2014 of the Town of Glenville be and it hereby is adopted as the **Final Budget** of the Town of Glenville for the fiscal year commencing January 01, 2014, and

**BE IT FURTHER RESOLVED** that said adopted budget shall be spread upon the minutes of this Town Board Meeting, in its entirety.

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

**Motion Carried**

**RESOLUTION NO. 199-2013**

**Moved by:** Councilman Boulant  
**Seconded by:** Councilman Pytlovany

**WHEREAS**, the Town Board of the Town of Glenville has been considering a Local Law to amend Chapter 151, “Flood Damage Prevention” of the Code of the Town of Glenville; and

**WHEREAS**, this Town Board has held a public hearing on November 6, 2013 at 7:30 P.M., at which time all parties in interest were afforded an opportunity to be heard and to publicly comment on the amending of the Code of the Town of Glenville as set forth above;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville does hereby establish a local law to amend the Code of the Town of Glenville to adopt Local Law No. 8 - 2013, an amendment to Chapter 151, “Flood Damage Prevention” as set forth below:

Section 1. Sections 151-4. 151-6 and 151-18D of Chapter 151 of the Code of the Town of Glenville are hereby amended, in applicable part, to read as follows:

CHAPTER 151 – FLOOD DAMAGE PREVENTION

§151-4 **Definitions**

Add: VIOLATION – The failure of a structure or other development to be fully compliant with the community’s flood plain management regulations.

§151-6 **Basis for establishing areas of special flood hazard.**

**The areas of special flood hazard are identified and defined on the following documents:**

**(1) Flood Insurance Rate Map Panel Numbers:**36093C0039D, 36093C0043D, 36093C0066D, 36093C0068D, 36093C0069D, 36093C0131D, 36093C0132D, 36093C0151D, 36093C0152D, 36093C0153D, 36093C0154D, 36093C0156D, 36093C0157D, 36093C0158D, whose effective date is, January 8, 2014, and any subsequent revisions to these map panels that do not affect areas under our community’s jurisdiction.

(2) A scientific and engineering report entitled "Flood Insurance Study, Schenectady County, New York, All Jurisdictions" dated January 8, 2014.

The above documents are hereby adopted and declared to be a part of this Local Law. The Flood Insurance Study and/or maps are on file at: Glenville Municipal Center, 18 Glenridge Road, Glenville, New York 12302

§151-18. **Manufactured homes and recreational vehicles.**

D. Within Zone AO, the floor shall be elevated above the highest adjacent grade at least as high as two feet above the depth number specified on the Flood Insurance Rate Map enumerated in § **151-6** (at least two feet if no depth number is specified).

Section 2. Effective Date

This Local Law shall take effect twenty (20) days after filing with the Secretary of State.

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

**Motion Carried**

**RESOLUTION NO. 200-2013**

**Moved by:** Councilman Boulant  
**Seconded by:** Councilman Pytlovany

**A RESOLUTION** adopting the assessment roll for Water District No. 11 of the Town of Glenville, Schenectady County, New York and the assessment roll for **Extensions No. 1 through 39** of said Water District for the year 2014

**WHEREAS**, on November 6, 2013 the Town Board of the Town of Glenville adopted a preliminary capital expense budget for Water District No. 11 of the Town of Glenville and Extensions Nos. 1 through 39 of said Water District; and

**WHEREAS**, assessment rolls have been prepared by the Water

Commissioners of Water District No. 11, Town of Glenville, Schenectady County, New York based upon said preliminary capital expense budget for and in connection with said Water District; and

**WHEREAS**, said assessment rolls were completed and filed in the office of the Town Clerk of said Town on June 1, 2013; and

**WHEREAS**, due notice of the completion of said assessment rolls and of the time and place when and where this Town Board would meet to hear and to consider any objections that might be made to said rolls was duly given by the Town Clerk by the publication of due notice thereof in The Daily Gazette, a newspaper published in the County of Schenectady and circulated in the Town of Glenville, and this Town Board duly met at the time and place specified and a hearing was duly had upon said assessment rolls,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. Said assessment rolls are hereby approved, affirmed and adopted by the Town Board.

SECTION 2. This resolution takes effect immediately.

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

**Motion Carried**

**RESOLUTION NO. 201-2013**

**Moved by:** Councilman Boulant  
**Seconded by:** Councilman Pytlovany

**A RESOLUTION** adopting the assessment rolls for **Sewer District No. 9 and Woodcrest Sewer District** of the Town of Glenville, Schenectady County, New York for the year 2014

**WHEREAS**, on November 6, 2013 the Town Board of the Town of Glenville adopted a preliminary capital expense budget for Sewer District No. 9 and Woodcrest Sewer District of the Town of Glenville; and

**WHEREAS**, assessment rolls have been prepared by the Sewer Commissioners of Sewer District No. 9 and Woodcrest Sewer District, Town of Glenville, Schenectady County, New York based upon said preliminary capital expense budget for and in connection with said Sewer Districts; and

**WHEREAS**, said assessment rolls were completed and filed in the office of the Town Clerk of said Town on June 1, 2013; and

**WHEREAS**, due notice of the completion of said assessment rolls and of the time and place when and where this Town Board would meet to hear and to consider any objections that might be made to said rolls was duly given by the Town Clerk by the publication of due notice thereof in The Daily Gazette, a newspaper published in the County of Schenectady and circulated in the Town of Glenville, and this Town Board duly met at the time and place specified and a hearing was duly had upon said assessment rolls,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN

BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. Said assessment rolls are hereby approved, affirmed and adopted by the Town Board.

SECTION 2. This resolution takes effect immediately.

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

**Motion Carried**

**RESOLUTION NO. 202-2013**

**Moved by:** Councilman Boulant  
**Seconded by:** Councilman Pytlovany

**A RESOLUTION** adopting the assessment roll for the **Acorn Drive Sewer District and Woodhaven Sewer District Waste Treatment Plant** of the Town of Glenville, Schenectady County, New York for the year 2014

**WHEREAS**, on November 6, 2013 the Town Board of the Town of Glenville adopted a preliminary capital expense budget for Acorn Drive Sewer District and Woodhaven Sewer District Waste Treatment Plant of the Town of Glenville; and

**WHEREAS**, an assessment roll has been prepared by the Sewer Commissioners of the Acorn Drive Sewer District and Woodhaven Sewer District Waste Treatment Plant, Town of Glenville, Schenectady County, New York based upon said preliminary capital expense budget for and in connection with said Waste Treatment Plant; and

**WHEREAS**, said assessment roll was completed and filed in the office of the Town Clerk of said Town on June 1, 2013; and

**WHEREAS**, due notice of the completion of said assessment rolls and of the time and place when and where this Town Board would meet to hear and to consider any objections that might be made to said rolls was duly given by the Town Clerk by the publication of due notice thereof in The Daily Gazette, a newspaper published in the County of Schenectady and circulated in the Town of Glenville, and this Town Board duly met at the time and place specified and a hearing was duly had upon said assessment rolls,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. Said assessment rolls are hereby approved, affirmed and adopted by the Town Board.

SECTION 2. This resolution takes effect immediately.

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

**Motion Carried**

**RESOLUTION NO. 203-2013**

**Moved by:** Councilman Boulant  
**Seconded by:** Councilman Pytlovany

**A RESOLUTION** adopting the assessment roll for **Alplaus Sewer District No. 1 and Extension No. 1** of the Town of Glenville, Schenectady County, New York of the year 2014

**WHEREAS**, on November 6, 2013 the Town Board of the Town of Glenville adopted a preliminary capital expense budget for Alplaus Sewer District No. 1 and Extension No. 1 of the Town of Glenville; and

**WHEREAS**, assessment rolls have been prepared by the Sewer Commissioners of Alplaus Sewer District No. 1, Town of Glenville, Schenectady County, New York based upon said preliminary capital expense budget for and in connection with said Sewer District; and

**WHEREAS**, said assessment rolls were completed and filed in the office of the Town Clerk of said Town on June 1, 2013; and

**WHEREAS**, due notice of the completion of said assessment rolls and of the time and place when and where this Town Board would meet to hear and to consider any objections that might be made to said rolls was duly given by the Town Clerk by the publication of due notice thereof in The Daily Gazette, a newspaper published in the County of Schenectady and circulated in the Town of Glenville, and this Town Board duly met at the time and place specified and a hearing was duly had upon said assessment rolls,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. Said assessment rolls are hereby approved, affirmed and adopted by the Town Board.

SECTION 2. This resolution takes effect immediately.

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

**Motion Carried**

**RESOLUTION NO. 204-2013**

**Moved by:** Councilman Ramotar  
**Seconded by:** Councilman Boulant

**WHEREAS**, the Town Clerk of the Town of Glenville is authorized by the New York State Environmental Conservation Law to issue and collect fees for hunting and fishing licenses for town residents; and

**WHEREAS**, the State of New York has recently changed vendors for the licensing system; and

**WHEREAS**, the New York State Department of Environment Conservation (NYS DEC) requires that the Town Clerk enter into a license issuing agent agreement by December 15, 2013 to continue to perform this service and to regulate same; and

**WHEREAS**, it appears that the Town Board has never previously authorized such an agreement; and

**WHEREAS**, the Town Board desires that the Town Clerk enter into the attached licensing agreement with the NYS DEC under the terms set forth therein;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby authorizes the Town Clerk to enter into the attached agreement with the NYS DEC.

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

**Motion Carried**

**RESOLUTION NO. 205-2013**

**Moved by:** Councilman Ramotar  
**Seconded by:** Councilman Boulant

**BE IT RESOLVED** that the **Monthly Departmental Reports** for October, 2013 as received from the following:

Dog Control  
Economic Development & Planning Department  
Justice Department  
Receiver of Taxes  
Section 8 – Voucher Program  
Town Clerk's Office

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

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

**Motion Carried**

**Discussion...**

Michael Cuevas, Attorney for the Town – “We have a twelve (12) unit apartment building located at 132 Glen Avenue, owned by SJM Realty. We had a conference before Supreme Court on this case. We previously had appraisals done on similar properties on Glen Avenue that were very similar, particularly 7 Glen Avenue which is also a twelve (12) unit apartment building and found that there was a difference in the assessments of those properties. There were some slight differences in age as being the older property then 7 Glen Avenue but they were willing to settle this basically for a full market value that was in line with that of the newer property. So we would recommend to the Board that we settle this tax certiorari case.”

**RESOLUTION NO. 206-2013**

**Moved by:** Councilman Ramotar  
**Seconded by:** Councilman Boulant

**WHEREAS**, a Petition and Notice to Review the Assessment for taxation for the tax year 2014 of the real estate owned by SJM Realty LLC, commonly known as 132 Glen Avenue, Scotia, New York (S/B/L # 38.44-2-55) was duly served upon the Assessor July 16, 2013; 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 year 2014 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 2014 and later years shall be settled by establishing the assessment of the property at the revised full market value of \$641,750.00 multiplied by the applicable equalization rate for that year. That the Comptroller is authorized to calculate the amount of any refund for 2014 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 SJM Realty, LLC for the settlement of the tax certiorari proceeding brought relative to the property known as 132 Glen Avenue under the terms outlined above.

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

**Motion Carried**

**Discussion...**

Supervisor Koetzle read the following proposed local law:

## PROPOSED LOCAL LAW

### TOWN SUPERVISOR

Be it enacted by the Town Board of the Town of Glenville as follows:

Section 1. A new Chapter 6 of the Code of the Town of Glenville, "Town Supervisor" is hereby adopted to read as follows:

**§6-1 Elected Town Supervisor.**

The elective office of Town of Glenville Supervisor shall be considered a full-time position.

**§6-2 Salary of the Town Supervisor for calendar year 2014.**

The salary of the elected, full-time Supervisor for calendar year 2014 shall be fixed in the amount of \$83,000.00 and thereafter shall be established by the Town Board in the annual budget process.

**§6-3 Legislative Intent.**

The administration of municipal government in New York State has become increasingly more complex due to changes in law, rules and regulations at the federal and state levels. In recognition of these factors, the Town has experimented with a full-time administrator and a full-time Director of Operations, each of whom were delegated administrative duties of the part-time Supervisor and acted on his behalf, at his direction. It is the sense of the Town Board, that a full-time, elected Supervisor would be more directly responsive to the people and the Town Board. In addition, the Town of Glenville has seen a period of strong growth and development making the full time leadership of the Supervisor more imperative. It is further the sense of the Town Board that savings in salaries and benefits would result from this more efficient form of government.

**§6-4 Legislative Authority; supersession of Town Law.**

This local law is adopted pursuant to the authority granted by the Municipal Home Rule Law and shall supersede any provision of Town Law which is inconsistent herewith.

**§ 6-5 Permissive referendum.**

Pursuant to Town Law §27 (1) and §24 (2) of the Municipal Home Rule Law, this chapter shall be subject to a permissive referendum; such referendum shall be held at a Special Election no sooner than sixty (60) days after submission of a valid petition to the Town Clerk and the determination of validity by the Town Clerk if a valid petition is filed with the Town Clerk within 45 days after adoption of this Local Law by the Town Board.

Section 2. Effective Date

This Local Law shall take effect forty-five (45) days after adoption by the Town Board, unless a valid petition for a permissive referendum is filed with the Town Clerk within such time and then it shall only take effect upon approval by the electors of the Town of Glenville.

Supervisor Koetzle read the following statement submitted by Councilwoman Wierzbowski, who was unable to attend due to medical reasons:

Good evening Mr. Supervisor, fellow Board members and members of the public. I offer my sincere apologies for not joining you this evening however I am unable attend do to recovering from recent surgery. I want to offer my comments and thoughts for the record.

For the past four (4) years, we as a Board have learned to do more with less. We have cut non-mandated spending by \$500,000, we have reorganized

departmental staffing for more efficiency and have been diligent with you tax dollars. At his time with all the growth that has happened and the growth that we are poised to experience I feel that our town is at the point where we must transition to a full time Supervisor. I feel it will allow the Supervisor the ability to focus solely in our town and its needs. It will allow a true hands-on approach to leadership; it just makes sense for Glenville.

I am aware of the concern regarding the timing of this proposal. It's my understanding that the Board this evening will be taking steps to address that concern. I have long believed in transparency in government. That being said I am in full support of the action that my fellow board members are taking tonight.

I would like to personally thank any and all residents that attended this evening and have spoken, whether it is in support or against our proposal. We cannot do our job without you input and I am sorry to have missed this evening. If any resident should have questions or concerns and they wish to share with me I will be happy to listen. Please feel free to email me at my town email."

Councilman Boulant – "I have worked my butt off for the last seven months to try and better this community and I lost. What transpired the last five days of the election and tonight has got me so upset. I was called a racist, I was called a bigot, I was called a Nazi hater, corporate welfare. Nobody worked harder the past seven months on anything than I did. I worked 24/7. I put up a fight and I got beat.

This room was packed full of people who have no interest in the Town of Glenville other than to go after the successful team in this town and it's a republican team. If it was a democratic team it wouldn't even be a question there would only be four (4) people in this room.

A lot of people have been misinformed about what we wanted to do here. If you came to board meetings on a regular basis and work sessions you would know exactly where our thought was. Unfortunately we had four (4) people here and it was Jamie, the Chief and one other gentleman.

If you walked into my shop, I am the most diverse ethnic background business that is in Glenville. 50% of my employees are from Schenectady County and 85% of them are from the City of Schenectady. I have taken offense, I have taken everything that has happened personally and how everybody is looking at this whole group is that we tried to do something underhanded is pure crap. It's an insult of everybody's intelligence and for any of you folks who want to figure out what we are all about show up at the board meetings, stop in my business or talk any one of us. All of the crap that I heard from the democratic candidate for Supervisor about our failed economic development program, I took that personally because I was the leader of most of it. If you look around Glenville it's hot and it's happening. There is a lot of delusion going on; Mr. Gardner has that kool-aid that everybody is drinking."

I am not going anywhere. I will be here if these guys need me, I will do it for free."

Councilman Ramotar – "I want to thank all of you that came out for all of the right reasons and hopefully we had those questions answered. I am not going to address anyone else what came out for the other reasons. We have done what we felt was needed to do within the last four years to really bring the right growth to Glenville, to do some things that would make people feel good about living here and that is what we are going to continue to do. This is something that we take very seriously and hopefully it shows."

**RESOLUTION NO. 207-2013**

**Moved by:** Councilman Boulant

**Seconded by:** Councilman Pytlovany

**WHEREAS**, a local law, being proposed as, Local Law No. 2013, A Local Law to add a new Chapter 6 to the Town Code of the Town of Glenville, "Town Supervisor" and setting the salary of the Town Supervisor for calendar year 2014 at \$83,000.00, a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board of the Town of Glenville; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by the Town Board of the Town of Glenville with respect to the adoption of the aforesaid Local Law at 7:30 PM on December 4, 2013 at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, and it is further

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

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

### **Motion Carried**

Supervisor Koetzle – "This has been a rollercoaster for me too emotionally over the past couple of weeks. Obviously we are losing out. Al you have been a tremendous, tremendous leader in this Town. I remember once at an Economic Development forum that we held I talked about really when you think about our economic development policies it's kind of like a train. Everybody has a role to play; some people are the engineers, some people grease up the tracks. Al you are the steam in the engine, you will continue to be the steam in the engine and we are going to miss you dearly. I joked with you in an email that we came to the board together as two very different people. If anyone is familiar with the "Odd Couple" I'm Felix and Al is Oscar. We had some trouble in the beginning a little bit but I think we grew to respect each other, to like each other, to call each other friends and I will always be there for you too.

One more comment on Jamie because not only are we losing a good friend here with Al we may apparently at some point be losing a good friend in Jamie. Not just a good friend but someone that I worked six (6) years with and relied on about every minute of those six (6) years. I knew when I was on this Board you were the person that should have been running this town not that administrator. As soon as we had the opportunity we fixed that mistake and we see all of the benefits we got from it. You have been a tremendous asset, there's nobody in this room combined that has done more for the town than you have in the past twenty-seven (27) years. Your counsel has always been good, great. I have always trusted your word; I always believed that you would do everything we asked you to do. I never had a worry that you weren't doing what this town needed. You always put this town and this board ahead of yourself, even in this decision. It is unfortunate that some people see the evil that's not there because it might be in their heart but it is not necessarily in anyone else's. We are going to miss you and the first thing I said when you decided to make this decision to retire, I'm the one that said we need to have Jamie back in that budget, in that part-time spot because I need him. We are going to go through tremendous change and your expertise is going to be great. We are going to miss you and I want to again give Jamie applause for all he has done."

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Boulant; Seconded by Councilman Pytlovany, everyone being in favor the meeting was adjourned at 9:45 PM.

ATTEST:

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Linda C. Neals  
Town Clerk