

**REGULAR MEETING OF THE TOWN BOARD**  
TOWN OF GLENVILLE  
NOVEMBER 6, 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 John C. Pytlovany, Sid Ramotar and Councilwoman Gina M. Wierzbowski

**Absent:** Councilman Alan Boulant

Also present were Attorney Michael Cuevas; Jamie MacFarland, Director of Operations; Jason Cuthbert, Comptroller, Tom Coppola, Highway Superintendent and Paul Borisenko, Building Inspector.

Town Council Reports:

Councilman Ramotar – “Thank you to the residents that came out to vote last night. I appreciate another opportunity to work for them for another four years along with you, Mr. Supervisor, Highway Superintendent Tom Coppola and Jim Martin. Obviously we are always looking for ways to not only save taxes but increase the quality of life here in Glenville.”

Councilwoman Wierzbowski – “I would just like to report that we have our leaf season in full swing right now. You can check our website [www.townofglenville.org](http://www.townofglenville.org) to see what section we are going to be in. Again please rake your leaves to the curb, do not place them in the roadway.”

Supervisor Koetzle – “I would just like to wish Councilwoman Wierzbowski a very happy birthday today!

Supervisor Koetzle – “Item #5 on the agenda is a public hearing on the 2014 Preliminary budget.”

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

Frank Quinn, 1886 Ridge Road – “My comments are based on over 5 years of review of the typical town budget, so I am coming from data as opposed to any opinion and I not only did that but I looked at not only what was budgeted but actually what actually happened each year.

Based on my eight years on the Town Board submitting these budgets my comments are going to be based on the three main funds.

My review of the data says that for the last four years and again for the 2014 Preliminary Budget, history indicates budgeted versus actual as well as what is proposed we are over estimating the costs and appropriations. When we over estimate the appropriations we generate a surplus each year. The same thing with revenues over the four years we actually budgeted, we have got more revenues then we budgeted for so it is another source of generating revenue surplus. Also we have been decreasing the amount of town budget on the reliance of the fund balance. Each year that has gone down over the years and the amount of money we have been committing to reducing the tax payers burden has gone down from that line, but each year we have been generating surpluses and each year we've increased taxes. So, the outcome of this is currently and for 2014 by these documents, we are going to have a massive fund balance again in the three main funds plus water and sewer as you may know.

For such a large fund balance, so one we are obviously over taxing our tax

payers because we are building up a big fund balance and we are committing less and less of that fund balance. We will have a 2.6 million dollar surplus in budget if it holds, that is a 22% surplus over appropriations. The second outcome is we have got a situation where the fund balance is that large and you have to face three unions for negotiations. They know you have a 2.6 million dollar surplus at the end of 2014; I would say puts the town in very poor negotiating stance. They will want something in pay and benefits too.

When I was Supervisor the recommendation from the Comptroller's Office was a 6% for a good healthy fund balance to carry over.

When you look at the water and sewer funds, the exact same process has been going on except their fund balance is even wilder then what you are facing in the three main funds. So again we are over taxing the people.

Overall in the 2014 budget we are raising taxes and that includes a contingent for cash outs while keeping this very, very large fund balance. It's time for us to give some of that fund balance back to the tax payers. My recommendation for the Town Board based on historical data is to use or commit more of that massive fund balance that we have got, take the money out of the unreserved and inappropriate fund balance for at a minimum a zero tax increase for 2014. Realistically you could cut taxes by a minimum of 5% and still have a very, very large fund balance and you would be well prepared for any unanticipated things to come up in the coming year."

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:44.

Supervisor Koetzle – "Item No. 6 on the agenda is a public hearing to hear all persons interested in the adoption of new floodplain maps."

Supervisor Koetzle opened the public hearing at 7:45 pm

Paul Borisenko, Building Inspector – "The Town of Glenville belongs to the National Flood Plain Insurance Program, we don't have to belong to that but if we don't know one could get a mortgage from a federal bank which basically means we have to belong to it. To participate in it we have to adopt these new flood insurance rate maps by January 8, 2014. The maps we are using right now are from 1984, they are almost thirty years old. They are not very accurate, they are very hard to read, they started in 2009 with the remapping process using a new technique where it is within six inches so these are very accurate maps. They have overlaid them onto aerial photographs so they have benefitted us greatly and there are probably close to one-hundred homes that are actually going to be taken out of the flood plain as a result of this remapping. This will be a significant savings to those people with flood insurance. The average flood insurance is \$1,200 - \$1,800 and these people have been paying flood insurance since 1984 and they have never been in a flood plain but the bank required them to have it."

Supervisor Koetzle – "If people wanted to see the difference are the maps on line?"

Mr. Borisenko – "They can come into the office, which is probably the best way. When this process started in 2009, I sent out over four-hundred notices to notify everybody that had property in the flood plain so they could look into it. In 2011 when they started the appeals process I also notified the same property owners. The maps are available in Town Hall."

Councilman Ramotar – "So based on what you are saying, the storm we recently had which caused flooding did not affect these areas."

Mr. Borisenko – "That is correct."

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:47 pm.

The following people exercised the privilege of the floor.

John Reynolds, 212 Church Road – His comments were in response to a letter he received on November 1<sup>st</sup> from the Town Board regarding his concerns about Mr. Budka, 7099 Church Road also a town employee which he brought to the Board at the October 16<sup>th</sup> Town Board meeting .

He did not feel the town's assessment of the situation was complete. He made accusations that Mr. Budka was using town equipment on his property and the fact that he did not provide all of the receipts for material that was used. He also complained about Mr. Budka and his friends firing guns and using fireworks on his property which disturbs the neighbors.

Frank Quinn, 1886 Ridge Road – His comments were in regards to B & H Auto on the corner of Sacandaga and Church Roads. He went on to explain that it is an auto repair shop and the fact that it has been in business for over 30 years. He brought up the fact that they are currently involved in a dispute regarding a non-conformance issue; they were there, moved to Rotterdam and then came back to the same site in Glenville. Mr. Quinn mentioned the fact that a few years back there was a similar situation with a used car dealership on Freemans Bridge Road and the fact that the town looked into it, took some action to resolve it in favor of the small businessman. He reminded the board of their commitment to supporting and encouraging small businesses and the fact that B & H has over 30 years experience as a reputable business here in Glenville and the fact that there is some confusion over this issue he sincerely recommended that the board takes some steps to resolve the issue and preserve a well established reputable small business and avoid driving it out of business.

Mr. Quinn does live in the neighborhood and does take his cars there for repairs.

Joseph Budka, 7099 Church Road – Mr. Budka responded to the accusations that were made against him by his neighbors.

He accused Mr. Reynolds of dumping his own brush in the creek. He explained to the board that this all started on May 4<sup>th</sup> when his neighbor dug a trench through his property by 33.7 feet, installing a black corrugated pipe dumping his distribution box into the creek. He has been consumed by this since May; nothing has been done because he is waiting for DEC. His neighbor finally received his tickets from DEC for dumping in the creek and for criminal trespass for disturbing my property. An explanation was given for all of the accusations brought against Mr. Budka by his neighbors.

Mr. Budka explained to the Board that this is a continuing bickering situation between neighbors and he is trying to do what is required by law. His neighbors watch everything he does. He is taking one of his neighbors to court because of this situation.

Jerry Crisci, 388 Church Road – Mr. Crisci is bothered by the fact that Mr. Budka is going to do what he wants on his property. Mr. Crisci has lived on Church Road for almost 40 years. He said if you want to hunt on your property or target shoot on your property that's great but not for three (3) hours at a time, not shooting at 11:30 pm along with bomb fires. Mr. Crisci asked Mr. Budka to please take into consideration what his neighbors are going through and be considerate.

#### Supervisor's Comments

Supervisor Koetzle shared the following information:

I am very disturbed and sorry to hear that this is going on on Church Road with all of the neighbors. It certainly isn't a good situation for any of you. I don't know what the answers are right now; we'll talk with our attorney. I think we have answered a lot of these issues already but we will take a look at it again. It is unfortunate when these things happen. We all have to live together; we have to find a way to make it work. I am sorry

that you are airing them here; I think a lot of this stuff could be dealt with individually but I'd like to try and move beyond this and see if we can find a resolution.

I would like to congratulate the winners of the election. We don't have any losers yet. I'd like to thank all of the residents in Glenville that came out to vote. The turnout was very large which was great for a local election. I am looking forward to another four (4) years with all of you and I welcome Jim Martin to the Board.

I do want to correct one thing regarding the budget and the fund balance. It is an issue near and dear to my heart. I am absolutely convinced that we need to reduce our dependency on the fund balance and not go the other way with it. Mooney's have affirmed that decision in the big part of their bond rating increase was that we began to wane ourselves off of using fund balance to plug spending holes in the budget. Just one thing I want to point out; our 20% is actually the standard of the Government Finance Officers Association Fund Balance (GFOA). We are right in the range of where the GFOA wants fund balances to be. So it's not completely the full story when we talk about the 6% from years ago and I believe the comptroller was cited. But it's the GFOA's standard of 20% that we try to adhere to and we are right about there so I am very comfortable with that.

The water agreement with Clifton Park is going to be a tremendous benefit here in Glenville. They are going to commit, I know Mr. Cuevas with working on the agreement but it is an 850,000 gallon per day guarantee at \$2.40 which would bring us about \$500,000 in new revenue in the budget and that's very good news.

I had the opportunity this past week to attend the Planning and Zoning Committee. I think you all read with great interest that a national restaurant chain is looking at the Teresa's lot and they went over the conceptual site plan for that. It looks very attractive; it's a very positive change to our town center. They would be knocking down Teresa's completely, building a restaurant close to the road and having the parking in the back and share with that piece of Hannaford Plaza that seems to be underutilized right now as far as parking is concerned. This is very positive, it looked very good. I know the Planning and Zoning Board was happy with the start and they will be coming back with more concrete plans shortly.

The Madalone housing development, a small sub-division, was started years ago. He pulled back the financing and now he is ready to go again. That project is looking positive.

Galesi was there with their new building in Tech Park, that they are constructing on spec. They don't have a tenant for it yet but they are finding that the market is becoming so hot particularly in Glenville that people want ready made buildings. They don't want to wait for it to be built so they are going to build it on spec. They believe that they have a lot of tenants that would be interested.

The Chamber Holiday Parade is November 23<sup>rd</sup>, Saturday at 5:00 pm.

The Animal Protection Foundation will be having their ribbon cutting for the new Spay and Neuter Clinic, on November 15<sup>th</sup> at 11:00 am.

Stewarts on Maple Avenue and Freemans Bridge Road will have their ribbon cutting on November 15<sup>th</sup> at 12:00 pm.

We have a new videographer, Ben Moore and we look forward to working with him.

On the economic and development front we launched our "Shop Glenville for the Holidays Program" as a marketing program. We are trying to encourage our residents to shop Glenville. We have a partnership with the Hometown where they will have the as "Shop Glenville for the Holidays". We took a map of our commercial corridors and then identified all of the different shops and opportunities; label them with a directory of where you can find what you might be looking for. It is a message that we are trying to send that

says Glenville really has it all right here and this is where you should keep your dollars.

We also launched our Economic Development Program at [www.townofglenville.biz](http://www.townofglenville.biz) . It is a website meant to market outside of the local area; obviously we are trying to reach developers across the nation. It is a phenomenal website full of resources for developers; a compelling reason why they might want to bring their business here.

The applications for a few positions are out. We will be taking resumes until Sunday, November 10<sup>th</sup> on three (3) positions: Deputy Receiver of Taxes, Real Property Technician and Assessor.

Committees and Commissions, we will be looking at reauthorizing those positions that are expiring in 2013, so please get together with the Chairpersons for who is up for appointment because this needs to be done at our organizational meeting.

We will be looking at the strategic plan at our next work session to determine what we did, what we didn't do and what we should do. I am looking at what our strategic plan is for 2014. I have asked a few committee chairs that I work with to give us some ideas for the 2014 plan too so when you are talking with your committee chairs please get some ideas from them.

Supervisor Koetzle announced that there is an add-on resolution this evening to enter into executive session to discuss a personnel matter. The Supervisor moved ahead with the agenda.

**RESOLUTION NO. 185-2013**

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

**A RESOLUTION** approving preliminary capital expense budgets of **Water District No. 11** of the Town of Glenville and **Extensions No. 1 thru 39** for the year of 2014.

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

SECTION 1. The Town Board of the Town of Glenville as Commissioners of Water District No. 11 hereby adopts the following preliminary capital expense budget of Water District No. 11 and it's extensions of the Town of Glenville for the calendar fiscal year 2014:

<u>Appropriations:</u>	
Charges of Paying Agents and miscellaneous expenses in connection with payment of principal and interest.....	\$ 8,000.00
Increase of Facilities for Water District No. 11 and Extensions (Redemption of Bonded Debt)	
Principal Due 6/15/14 & 12/01/14.....	\$ 551,050.00
Interest Due 6/1/14, 6/15/14, 12/1/14, 12/15/14	\$ 220,379.00
Bond Anticipation Note / Principal (Increase in facility for Water District 11)	\$ 38,625.00
Bond Anticipation Note / Interest (Increase in facility for Water District 11)	\$ <u>7,645.00</u>
Total Appropriations \$ <u>825,699.00</u>	

Estimated Revenue:  
Income from temporary investment of assessment

for benefit for debt service.....	\$	1,500.00
Income from contracts with users outside Water District No. 11 and Extensions, exclusive of water rents paid by such users and exclusive of Charlton and Ballston. ....	\$	2,500.00
Reserve for bonded debt.....	\$	0.00

Less Equivalency Charges:

Charlton Water District.....	\$	44,679.00
Ballston Water District. ....		\$155,588.00
Total Equivalency Charges		\$200,267.00

Net amount to be raised by assessment for benefit (based on assessed value and on front footage) for capital expense budget for Water District No. 11 and Extensions..... \$621,432.00

Total Revenue \$825,699.00

SECTION 2. (a) A proposed assessment roll has been prepared for raising funds for the above preliminary capital expense budget of Water District No. 11 of the Town of Glenville and Extensions Nos. 1 thru 39 thereof, including the apportionment to said Extensions Nos. 1 thru 39 of their respective share of the water supply and transmission and distribution lines;

(b) Computation of assessments based on assessed value of real property:

Portion of debt service to be paid by assessments based on assessed value on real property:

Transmission lines, water supply and treatment:	
Gross expense (Section 1 of Resolution facilities (Section 1 of Resolution).....	\$ <u>4,000.00</u>
Total debt service for transmission lines, water supply and treatment.....	\$ 821,699.00

Rate for Water District No. 11, Extensions, 1 thru 39 and Charlton Water District, Ballston Water District based on aggregate full value of..... \$ 2,337,765,872.00

SECTION 3. The assessment roll for Water District No. 11 and Extensions Nos. 1 thru 39 thereof, as mentioned above, shall be filed with the Clerk of the Town Board.

SECTION 4. This resolution takes effect immediately.

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

**Motion Carried**

**RESOLUTION NO. 186-2013**

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

**A RESOLUTION** approving a preliminary capital expense budget of **Sewer District No. 9** and **Woodcrest Sewer Extension** for the year 2014.

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

SECTION 1. The Town Board of the Town of Glenville as Commissioners of Sewer District #9 and the Woodcrest Sewer Extension hereby adopts the following preliminary capital expense budget of Sewer District #9 and Woodcrest Sewer Extension of the Town of Glenville for the calendar fiscal year 2014.

Appropriations:

Redemption of Bonded Debt.....	\$ 155,000.00
Interest due & administration fee on renewal of Bond Note on 04/01/2014 and 10/01/2014.....	\$ <u>56,207.00</u>
Amount to be raised on benefit plan.....	\$ 211,207.00

Estimated Revenue:

Appropriated Fund Balance .....	\$ <u>15,000.00</u>
Amount to be raised on benefit plan .....	\$ 196,207.00

Appropriations, Woodcrest Sewer Extension:

Bond Anticipation Note (BAN) on 06/13/2014 Redemption of principal.....	\$ 10,040.00
Charges of Paying Agents and miscellaneous expenses in connection with payment of principal and interest	\$ 3,000.00
BAN interest due on 06/13/2014.....	\$ <u>1,370.00</u>
	\$ 14,410.00

SECTION 2. A proposed assessment roll shall be prepared for raising funds for the above preliminary capital expense budget of Sewer No. 9 pursuant to the benefit unit basis set forth in the engineering plan for said sewer district.

SECTION 3. Said benefit unit plan provides for the assignment of one (1) benefit units to each individual parcel of land per the engineering plan.

Amount to be raised by benefit plan	\$196,207.00
Number of Benefit Units	9,064.75
Charge Per Benefit Unit	\$ 21.645054

Woodcrest Sewer Extension

Amount to be raised by benefit plan	\$ 14,410.00
Number of Benefit Units	19
Charge Per Benefit Unit	\$ 758.42

SECTION 4. The proposed assessment roll for Sewer District #9 shall be prepared and the appropriate extensions made thereon pursuant to this resolution and such proposed assessment roll and the estimate of income and expenditures shall be filed with the Clerk of the Town Board.

SECTION 5. This resolution takes effect immediately.

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

**Motion Carried**

**RESOLUTION NO. 187-2013**

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

**A RESOLUTION** approving a preliminary Capital expense budget of the joint **Acorn Drive Sewer and Woodhaven Sewer District Waste Treatment Plant** for the year 2014.

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

SECTION 1. The Town Board of the Town of Glenville as Commissioners of the joint Acorn Drive Sewer District and Woodhaven Sewer District Waste Treatment Plant hereby adopts the following capital expense budget of the joint Acorn Drive Sewer District and Woodhaven Sewer District Waste Treatment Plant of the Town of Glenville for the calendar fiscal year 2014:

<u>Appropriations:</u>	
Redemption of bonded debt 5/1/14 .....	\$20,000.00
(4) \$1,488           (6) \$18,512	
Interest due on 5/1/14 and 11/1/14 .....	\$ <u>811.00</u>
Total Appropriations.....	\$20,811.00
Redemption of bond anticipation note (BAN) on 03/21/14 of \$525,000.00	\$25,000.00
Charges of Paying Agents and miscellaneous expenses in connection with payment of principal and interest	\$ 1,000.00
BAN interest on 03/21/14 on \$525,000.00	\$ <u>3,299.00</u>
	\$29,299.00
Total amount to be raised on benefit plan.....	\$50,110.00
<u>Estimated Revenue:</u>	
Appropriated Fund Balance .....	\$ <u>13,000.00</u>
Amount to be raised on benefit plan .....	\$37,110.00

SECTION 2. A proposed assessment roll shall be prepared for raising funds for the above preliminary capital expense budget of the joint Acorn Drive Sewer District and Woodhaven Sewer District Waste Treatment Plant pursuant to the benefit unit basis set forth in the engineering plan for said sewer districts.

SECTION 3. Said benefit unit plan provides for the assignment of two (2) benefit units to each individual parcel of land and the assignment of three (3) benefit units to a single family house for a total of five (5) benefit units for a single family house and lot.

Amount to be raised by benefit plan	\$37,110.00
Number of Benefit Units	1,235
Charge Per Benefit Unit	\$30.05
Annual Charge Per Single Family Residence	\$ 30.05 x 5 = \$150.25

SECTION 4. The proposed assessment roll for the joint Acorn Drive Sewer District and Woodhaven Sewer District Waste Treatment Plant shall be prepared and the appropriate extensions made thereon pursuant to this resolution and such proposed assessment roll and estimate of income and expenditures shall be filed with the Clerk of the Town Board.

SECTION 5. This resolution takes effect immediately.

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

**Motion Carried**

**RESOLUTION NO. 188-2013**

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

**A RESOLUTION** approving preliminary Capital expense budget of the **Alplaus Sewer District No. 1 and Extension No. 1** for the year 2014.

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

SECTION 1. The Town Board of the Town of Glenville as Commissioners of the Alplaus Sewer District No. 1 and Extension No. 1 hereby adopts the following capital expense budget of the Alplaus Sewer District No. 1 and Extension No.1 of the Town of Glenville for the calendar fiscal year 2014:

Appropriations:

Redemption of Bonded Debt	
on 06/01/14 of \$1,886,971	\$82,043.00
0% interest on \$1,886,971 in 2014	<u>0.00</u>
	\$82,043.00

Total amount to be raised on benefit plan \$82,043.00

Estimated Revenue:

Clifton Park equivalency charge	\$53,537.00
Appropriated Fund Balance	<u>3,000.00</u>
	\$56,537.00

Amount to be raised on benefit plan \$25,506.00

SECTION 2. A proposed assessment roll shall be prepared for raising funds for the above preliminary capital expense budget of the Alplaus Sewer District No. 1 and Extension No.1 pursuant to the benefit unit basis set forth in the engineering plan for said sewer districts.

SECTION 3. Said benefit unit plan provides for the assignment of benefit units to each individual parcel of land based on engineering planning report.

Amount to be raised by benefit plan	\$ 25,506.00
Number of Benefit Units	226.55
Charge per Benefit Unit	\$112.58

Annual Charge Per Single Family Residence	\$112.58 x 1 = \$112.58
---	-------------------------

SECTION 4. The proposed assessment roll for Alplaus Sewer District No.1 and Extension No. 1 shall be prepared and the appropriate extensions made thereon pursuant to this resolution and such proposed assessment roll and estimate of income and expenditures shall be filed with the Clerk of the Town Board.

SECTION 5. This resolution takes effect immediately.

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

**Motion Carried**

**RESOLUTION NO. 189-2013**

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

**WHEREAS**, the Town Board of the Town of Glenville previously approved by a resolution duly adopted Extension No. 9 to Sewer District No. 9; and

**WHEREAS**, Baptist Health Nursing and Rehabilitation proposes to convey to Glenville Sewer District No. 9 a deed for a parcel of land forty (40) feet by sixty-five (65) feet improved by a sewer pump station and easement five (5) feet in width and forty (40) feet long together with the sewer improvements contained therein and additional 2760 (+/-) linear feet of 8" sewer force main in the right of way of Swaggertown Road and Horstman Drive as shown on the as-built drawings of the Chazen Companies (*describe*); and

**WHEREAS**, the Town Engineer Technician has reviewed the "as-built" drawings of the Pump station, sewer lateral connection, sewer line extension and manhole constructed for said sewer district extension; and

**WHEREAS**, the Town Senior Sewer Maintenance Worker has inspected the sewer line extension and manhole and has reported to the Commissioner of Public Works that they have been constructed as described in the map, plan and report and the "as-built" drawings to Town standards; and

**WHEREAS**, the Map, Plan and Report of the Chazen Companies (engineers for Baptist Health Nursing and Rehabilitation Center, Inc.) for Proposed Extension 9 to Sewer District 9 anticipated that the pump station and lands thereof, together with the sewer mains within the right of way or easements conveyed to the Town shall be offered to the Town of Glenville for ownership at no cost to the Town"; and

**WHEREAS**, the Town acknowledges that Swaggertown Road is a county highway and that the area of the easement shall hereafter be dedicated to the county; and

**WHEREAS**, the sewer main and pump station were built to accommodate the sewage flow from the entire Baptist Health Nursing and Rehabilitation Community when fully built out and therefore requires that a minimum flow be maintained in order that the system operated properly; and

**WHEREAS**, the Commissioner of Public Works recommends that the Town Board accept the pump house and sewer improvements as outlined in the paragraph above, upon the condition that Baptist Health Nursing & Rehabilitation Center, Inc. enter into the attached system maintenance agreement,

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby accepts for dedication as part of Sewer District 9 a deed to a parcel of land forty (40) feet by sixty-five (65) feet improved by a sewer pump station and an easement five (5) feet in width and forty (40) feet long along with the sewer improvements therein and those sewer improvements consisting of approximately 2760 linear feet of 6" sewer force main running north on Swaggertown Road to Horstman

Drive then east along Horstman Drive, across Route 50, to a new manhole on Freemans Bridge Road where it will connect to the existing 12" gravity sewer line at no cost to the Town of the sewer district, provided the grantor executes and abides by the attached system maintenance agreement.

**Ayes:** Councilmen Pytlovany, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Boulant

**Abstention:** None

**Motion Carried**

**RESOLUTION NO. 190-2013**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Ramotar

**WHEREAS**, the Town Board of the Town of Glenville (herein called the "Town Board" and "Town," respectively), in the County of Schenectady, New York, has received a written petition, dated July 25, 2013, pursuant to section 191 of the Town Law, for the extension of Sewer District No.9 (herein called "District") whose petition was signed by the owners of at least one-half (1/2) of the assessed valuation of all taxable real property situate in the proposed District and including the signatures of resident owners of at least one-half (1/2) of the assessed valuation of such taxable real property situate in the proposed District owned by resident owners, all as shown upon the latest completed assessment roll of said Town, and a map, plan and report for the extension of Sewer District No.9 of the Town of Glenville and the construction of a sewer lateral therein, consisting of a sewer lateral including land or rights in land, connections, fill, services, appurtenances and related site work for service to a commercial property (herein called the "Sewer Improvement") from existing sewer manhole in Swaggertown Road approximately 300 feet to the premises on Ballston Road, was prepared and is now on file in the office of the Town Clerk of the Town for public inspection; and

**WHEREAS**, pursuant to the Order duly adopted on October 2, 2013, the Town Board has determined to proceed with the establishment of the proposed extension to the District and adopted an Order reciting a description of the boundaries of the extension of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the construction of the Sewer Improvement in the District, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying October 16, 2013, at 7:30 PM, as the time when, and the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, in the Town, as the place where, the Town Board would meet to consider the establishment of an extension of the District and to hear all person interested on the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law ; and

**WHEREAS**, certified copies of such Order were duly published and posted pursuant to the provisions of the Town Law; and

**WHEREAS**, the Town Board has given due consideration to the impact that the proposed extension to the District may have on the environment and on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused by the extension of the District; and

**WHEREAS**, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising article 8 of the Environmental Conservation Law and, in

connection therewith, a duly processed Negative Declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

**WHEREAS**, a Public Hearing in the matter was duly held by the Town Board on said October 16, 2013, commencing at or about 7:30 PM, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed extension to the District.

**NOW, THEREFORE**, upon the evidence adduced at such public hearing  
be it

**RESOLVED AND ORDERED** by the Town Board of the Town of Glenville, in the County of Schenectady, New York as follows:

Section 1. It is hereby determined that:

- (a) The Notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient;
- (b) All the property and property owners benefited included within the proposed extension to the District hereinabove referred to in the recitals hereof are benefited thereby;
- (c) All the property and property owners benefited are included within the limits of the proposed extension to the District; and
- (d) It is in the public interest to establish the extension to the District.

Section 2. The establishment of the proposed extension to the District is hereby approved, as hereinafter described and said District shall be designated and known as Extension No. 12 to Sewer District 9 in the Town and shall include the property commonly known as 411 Ballston Avenue, Glenville, New York.

Section 3. The Sewer Improvement is hereby authorized to be constructed in the District and the amount proposed to be expended therefor, including the expenses incurred in connection with the establishment of the extension to the District, is to be fully borne by the developer; the plan of financing is to be fully and completely borne by the developer, at no cost to the Town or other users in the District.

Section 4. The permission of the State Comptroller is not required with respect to the extension of the District because the cost of the extension to the typical property is not above the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts as computed by the State Comptroller.

Section 5. The Town Clerk of the Town is hereby authorized and directed within ten days after the adoption of this Resolution and Order, to file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York, record same in the office of the Clerk of the County in which the Town is located.

Section 6. This Resolution and Order shall take effect immediately.

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

**Motion Carried**

**RESOLUTION NO. 191-2013**

**Moved by:** Councilman Pytlovany  
**Seconded by:** Councilman Ramotar

**WHEREAS**, the Town Board of the Town of Glenville has been considering a Local Law to amend Chapter 255, "Vehicle and Traffic" of the Code of the Town of Glenville; and

**WHEREAS**, this Town Board has held a public hearing on October 16, 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 #7 of 2013, an amendment to Chapter 255, "Vehicle and Traffic" as set forth below:

**§ 255-2. Stop intersections.**

ADD:

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

<b>Intersection</b>	<b>Stop Sign On</b>	<b>Entrance(s)</b>
B Street	7 <sup>th</sup> Street	East

**§ 255-7. Truck Exclusions.**

ADD:

A. All trucks, tractors, tractor-trailers and commercial vehicles with a maximum gross weight of vehicle and load capacity of four tons are hereby excluded from the following highways within this town:

<b>Name of Street</b>	<b>Location</b>
Wolf Hollow Road (Schenectady Count Road No. 59)	Between its intersection with Route No. 5 and its intersection with West Glenville Road
Touareuna Road (Town of Glenville Road)	Between its intersection with Wolf Hollow Road and its intersection with West Glenville Road

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

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

**Abstentions:** None

**Motion Carried**

**Discussion...**

Supervisor Koetzle – “I’ve known Virginia for some time, since I have been a board member, in fact I’ve worked with Virginia for six years now and I know she is very capable and have done a fantastic job.”

**RESOLUTION NO. 192-2013**

**Moved by:** Councilman Ramotar

**Seconded by:** Councilwoman Wierzbowski

**WHEREAS**, a vacancy exists on the Town’s Board of Assessment Review due to the expiration of a term of appointment,

**WHEREAS**, the Chairman of the Board of Assessment Review and related staff support the re-appointment of Virginia Graney, whose term recently expired,

**NOW, THEREFORE, BE IT RESOLVED** that Virginia Graney, 209 Parkland Avenue, Glenville, NY is hereby re-appointed to the Town of Glenville’s Board of Assessment Review for a term of five years according to Chapter 193 of the Real Property Tax Law of 1986, commencing October 1, 2013 and expiring September 30, 2018; and

**BE IT FURTHER RESOLVED** that the Board of Assessment Review member be compensated as follows: \$100.00 per person per day for Grievance Day and \$25.00 per person per hour for sessions following Grievance Day, with the Chairman of the Board receiving an additional \$50.00 for his/her services.

**Ayes:** Councilmen Pytlovany, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Boulant

**Abstention:** None

**Motion Carried**

**RESOLUTION NO. 193-2013**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Ramotar

**BOND RESOLUTION OF THE TOWN OF GLENVILLE, NEW YORK (THE “TOWN”), DATED NOVEMBER 6, 2013 AUTHORIZING THE ACQUISITION OF A 2014 TRUCK AND SNOW PLOW EQUIPMENT; ESTIMATING THE AGGREGATE COST THEREOF TO BE NO MORE THAN \$183,000.00; APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF UP TO \$183,000.00 SERIAL BONDS OF THE TOWN TO FINANCE SAID COST.**

**WHEREAS**, on October 16, 2013, the Town Board of the Town of Glenville (the “Board”), in response to a stated need for machinery and apparatus to remove snow and maintain the Town’s highways, adopted a resolution pursuant to which it authorized the Superintendent of Highways to purchase a 2014 Mack truck with Henderson snow plow equipment in an amount not to exceed \$183,000.00, and that the cost of said acquisition would be paid from the proceeds of bonds;

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, by the Board as

follows:

**SECTION 1.** Pursuant to Sections 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 purchase listed below:

The cost of the acquiring a 2014 Mack truck with Henderson snow plow equipment (the "Purchase"), the maximum aggregate cost thereof being hereby estimated to be no more than \$183,000.00, appropriating said amount therefor and authorizing the issuance of up to \$183,000.00 serial bonds to finance such costs; and

**SECTION 2.** It is hereby determined that the period of probable usefulness of the aforesaid purpose is as follows:

Fifteen (15) years pursuant to Section 11.00(a)(28) of the Law.

**SECTION 3.** The plan of financing includes the issuance of \$183,000.00 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 Section 165.10 of the Local Finance Law for the specific objects or purposes 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 Section 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 Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 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 Section 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 Section 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 Section 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, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** Councilman Boulant  
**Abstention:** None

**Motion Carried**

**RESOLUTION NO. 194-2013**

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

**BE IT RESOLVED**, that the minutes of the regular meeting held on October 16, 2013 are hereby approved and accepted as entered.

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

**Motion Carried**

**RESOLUTION NO. 195-2013**

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

**WHEREAS**, a written petition has been presented to and filed with the Town Clerk of the Town of Glenville requesting an extension to Sewer District No.9 of the Town of Glenville be established to include real property described by section, block and lot number in the petition and consisting of one parcel located at 74 Van Buren Road in the Town of Glenville consisting of 12 multi-family buildings with a total of 96 residential units; and

**WHEREAS**, a map, plan and report dated August 2013, prepared by Lansing Engineering fully describes the proposed extension; and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby adopts the following order:

**ORDER**

1. A petition to add an Extension to Sewer District No. 9 from an existing manhole at the intersection of Saratoga Road with Van Buren Road to the subject property with 575 linear feet of 8" gravity main and 205 linear feet of 3" force main connected at a new manhole to be constructed has been filed with the Town Clerk on or about October 10, 2013. (Additional connections and grinder pumps will be located on the petitioner's property.)
2. The real property to be included in the extension is described by section, block and lot number as identified on the Schenectady County Real Property Tax Service Agency Tax Map as: 22.07-4-59.
3. The improvements proposed are the installation of 575 linear feet of 8" gravity main and 205 linear feet of 3" force main, together with a new manhole for a multi-family apartment complex service connection along the route described in "1" as indicated above.
4. The amount proposed to be expended for the extension is approximately \$50,000.00 to be borne entirely by the developer.
5. While the improvements may benefit other users in the future, no portion of the cost this extension will be attributable to Sewer District No.9.
6. The estimated annual cost to the typical property is:
  - a. District: \$0.00
  - b. O & M: \$481.80
7. The map, plan and report describing the extension has been filed in the office of the Town Clerk.
8. The proposed financing method to be employed in the construction of this connection in this sewer district extension is private financing by the developer.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town

of Glenville will hold a public hearing on the petition to establish this extension to Sewer District No. 9 on November 20, 2013 at 7:30 PM or as soon thereafter as the matter can be reached, at the Glenville Municipal Center at 18 Glenridge Road, Glenville, New York to hear all persons interested in the establishment of this extension to the Sewer district; and

**BE IT FURTHER RESOLVED** that a copy of this order certified by the Town Clerk shall be published at least once in the official newspaper of the Town and that said publication be not less than ten nor more than twenty days before the November 20, 2013 public hearing date.

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

### **Motion Carried**

#### **New Business:**

Councilman Ramotar – “I would like to thank everyone that came out to vote last night and I am looking forward to another four years with the Town Board.”

Councilwoman Wierzbowski – “I would like to thank all of the residents who actually stayed for our meeting after they were done with their comments.

In regards to Mr. Quinn’s comments earlier, the reduction in the fund balance that we had said we were going to do four years ago for a number of reasons. When we took office it was 1.3 million dollars of our fund balance that was being used to keep you tax increase close to zero. Now I live in the town, I don’t like paying taxes, I don’t like paying taxes, I don’t like raising taxes however I feel that we have been responsible in our small increases and reducing our use of the fund balance has allowed us to save hundreds of thousands of dollars on the debt that we have by refinancing it, it has allowed us to work a lot smarter with the town’s money. I would extremely disagree with his position that just because we have a large fund balance we are in a poor position to negotiate a good contract for the town with our bargaining units. I think we have proven that we are able to negotiate fairly with them; we have not been to arbitration once yet.

Just for the record, in the 2014 proposed budget the tax levy increase is a total of 1.59% which is well below 2% at this point. The 2014 town’s bill for town residents, town outside the village the average homeowner would see an increase of about \$11.48 per year; I don’t think that is an unmanageable increase for what you get when you live in this town; additionally the typical village homeowner with the proposed increase of \$2.88 for next year. So while we are raising taxes, I cannot dispute that fact, I think that we are trying to keep it reasonable, trying to keep it affordable, trying to just cover our costs that we cannot get rid of. We have things we have to pay for, things cost more so it’s great to stand up and say that you have a surplus and you shouldn’t but when our bond rating increases it pretty much validates everything we have been saying.”

### **RESOLUTION NO. 196-2013**

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

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

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

**Abstention:**           None

**Motion Carried**

Supervisor Koetzle adjourned this portion of the meeting at 8:30 p.m. and entered into Executive Session.

Time being 9:36 p.m.; Supervisor Koetzle reconvened the meeting and announced that no action was taken during the Executive Session.

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Ramotar; Seconded by Councilman Pytlovany, everyone being in favor the meeting was adjourned at 9:37 PM.

ATTEST:

---

Linda C. Neals  
Town Clerk