

REGULAR MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
DECEMBER 4, 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, Sid Ramotar and Councilwoman Gina Wierzbowski

Absent: None

Also present were Jamie MacFarland, Director of Operations; Jason Cuthbert, Comptroller; Tom Coppola, Highway Superintendent; Michael Ranalli, Chief of Police and Kevin Corcoran, Planner.

Town Council Reports:

Councilman Ramotar – “We met with some candidates for the vacancies in the Assessor’s Office. We hope to have those positions filled soon.”

Councilwoman Wierzbowski – “We are on our second pass through the town with our leaf program. They are currently on the east side of Rte. 50. If you haven’t yet gotten your leaves to the curb and would like to do so you can check the town’s website to see where we are going to be and where we currently are.”

Supervisor Koetzle – “Item No. 5 on the agenda is a public hearing to hear all persons interested in the proposed Local Law – 2013 adding chapter 6 “Supervisor” to the Code of the Town of Glenville.

Before I open the public hearing I have a statement to read, our counsel is not here tonight and I was asked to read this statement by counsel and then I will do a short presentation so everyone clearly understands the proposal and then we will open it up to public comment.

The statement is as follows:

“The Town of Glenville duly published notice of this public hearing and placed on the Town’s website the agenda for this board meeting which included this public hearing. Certain technical objections have been made with regard to the content of the published notice. We believe there was substantial compliance with the legal requirements particularly in light of the media coverage given to this matter and also based upon the information disseminated by the Town with regards to the sum and substance of this proposal. We will therefore, proceed with the public hearing tonight. Given the number of people in attendance here, we believe that it is clear and there was adequate notice received by the public with regard to this hearing. Moreover it would be unfair for those here not to proceed with this hearing; however the board desires to keep this public hearing opened until the 18th to insure that every resident wishing to be heard has every opportunity to do so.

At the conclusion of the comments of this public hearing, the public hearing will be adjourned tonight and continued on the 18th. We ask that you limit your comments tonight to 3 minutes since you will have an opportunity to submit your written comments to the Board, through the clerk’s office, for the next two (2) weeks. Those written comments will be included in the record.”

Supervisor Koetzle gave a brief explanation of the proposal.

“We held an informational meeting this past Monday at the Senior Center

with a question and answer period which gave the residents an opportunity to hear the proposal, ask questions and get answers. The few of you that were there I have to apologize that you have to sit through it again, but to those of you who weren't I think it will be valuable time.

I'd like to address, first and foremost, there has been a lot of discussion around this so there is a lot to address but the first thing I want to address is the timing of the proposal. There have been some questions about that from some of our residents. Some have asked questions relating to the timing and speed at which this proposal was brought forward and that is a fair question. Some of it can be answered by referring to the laws of NYS relating to local governments and the budget adoption but first it is important to know that the Director of Operations informed the Board of his final decision to retire on November 6th. That was his first opportunity to address the Board. As you know the Board cannot just meet outside of its publicly scheduled meetings. The Board discussed options during the executive session that evening. Very quickly the Board started to discuss the idea of restoring the supervisor back to its traditional role prior to a previous administration with a salary which makes it possible to be a full-time job. No final decisions were made that evening. The Board was fairly prepared for the decision; however, since it has been well known that the Board has been more desirous of a model for some time that included a full-time supervisor and was discussed over the years. I first raised the idea in my 2009 campaign for supervisor while running against Supervisor Quinn and I again mentioned it in a public forum during this year's election on October 23rd when I stated that the Town needed a full-time supervisor in fact my opponent in this past election also stated that she would consider making it a full-time position in a Time Union article dated October 31st 2013. There seems to be general agreement that this should be a full-time position by both candidates and this Town Board.

The Board again met for a work session on November 13th to finalize this decision to proceed. The budget by state law needs to be adopted by the 20th of November, 2013 and the Board prepared an amendment to the preliminary budget to reflect this change in the final adopted budget. This amendment was needed to create the allocation in the budget but it did not alone enact the change. A local law is needed to amend the salaries of elected officials when they change from the preliminary budget to the final. This is a step we could have avoided if we were sure of the retirement prior of the adoption of the preliminary budget in October but we were not sure at that time and therefore the change was not made at that time. As soon as the Board made its decision on November 13th in the interest of full and open disclosure I called the media immediately on the morning of November 14th to inform them of the Board's decision. I told the reporter that the public ought to know what the Board intends to do before the Board considered the budget amendment on Wednesday and that the Board was desirous of giving the public as much opportunity as possible to comment on the decision during the privilege of the floor at the November 20th meeting. That was a full weeks notice that that was going to occur. The Board also passed a resolution at that meeting calling for a public hearing for a local law to amend the salary for the supervisor to reflect the change. The local law process provides for the opportunity of further resident comment at a public hearing that will be held obviously tonight.

The Board has provided the public opportunity to comment on this proposal over the past month and has scheduled an additional public forum above and beyond the requirement that was held on December 2nd to answer all questions relating to the local law. The public's input opportunities are summarized as this; November 20th, privilege of the floor, December 2nd, opened community forum with a question and answer period; December 4th public hearing to be continued to December 18th board meeting, once the public hearing is held and closed the law will take effect in 45 days barring a permissive referendum.

It is important to note that I and the Board, held also opened to the public who was well noticed and invited three (3) budget forums prior to the budget submission this past fall. Where although the direct proposal was not discussed the challenge of the coming retirements were in fact and that the new models will be explored across all departments as they happen in 2014. It was not appropriate for me or any member of

this Board to discuss an individual or any employees' potential or possible plans for retirement in a public forum but to the extent possible I and this Board shared any potential for significant retirements in 2014. We shared the information that we could as soon as we could but it was not going to be the policy of me or this Board to talk about an individual in a public forum for campaign or political cover. That wasn't going to happen, it never will happen as long as I am Supervisor. We acted in the most appropriate matter possible.

Now, that addresses the timing issue and why it is what it is. I want to take a minute to just go over the restructuring proposal because I think when we talk about the merits of this proposal that's what most people are interested in learning about. The preliminary budget, as we talked about, has a 2014 as adopted had for Jamie MacFarland, Director of Operations full-time salary of \$84,200, it had me at \$19,152. I think we all understand that elected officials can work an hour or they can work eighty hours. What the Board controls is not the time, the Board controls the compensation so we really shouldn't be talking about part-time or full-time. Also in my budget, that has been there for the past four (4) years is a part-time position for a confidential secretary. Over my past term it has been filled roughly less than half of the time. It has always been in the budget and frankly it is hard to find someone that is willing to work for \$10,000 but right now that is the budget. That sums up to \$113,352. our proposed restructure would essentially flip this. We are going to take away the raise that Jamie was going to get and so my proposal is to have Jamie as part-time and then I propose to go to the 2013 salary of Jamie.

The Board said well okay but where is the savings. We have some savings on social security and pension and we have some savings in what Jamie would have made if he stayed on in 2014. We can administer the office without administrative support, we will make this work, and we will figure it out. So our savings is \$16,000. So I thought it would make a little bit of sense to figure out well how did we get here, how has it been done. Some people have made comments about, well your fundamentally changing the way government works and that's really not the case when you look historically at the position. I want to go back to when Clarence Mosher was supervisor and he made \$14,000 plus considered part-time pay but in talking to Mr. Mosher and people he worked with typically worked 50 to 60 hours a week. Now he was a retired individual and this worked perfectly for him. Then we went to the Quinn years. Supervisor Quinn brought in an administrator. The administrator had a salary starting at \$90,000 and that administrator took on many of the duties. We also had Jamie MacFarland who was making at this time \$55,000, doing human resources, parks, IT and Senior Center and a few other things. So when you add this administration up it was \$177,000. It worked for that administration but it is not working for us. So we eliminated the administrator and Jamie, the first year, stayed where he was and then in 2011 he started where he is today. So the past administration had three (3) people and what we had is two (2) people. One of these jobs got reallocated.

So, what we are asking is to allow the flip of salaries. This would essentially go back to having the supervisor position as a full-time position and keeping Jamie in a part-time position for a variety of reasons. Jamie performed many jobs that will never, ever, ever become a part of a supervisor's role or an administrator's role. That's a critical point, that is something we have to realize that these jobs are going to go somewhere at some point. I will get to that in a minute as to where those jobs may ultimately end up.

Let's talk about operating costs because I think that's also critically important when we look at this proposal as we compare it. This factor was looked at by the Board when we proposed this change. We looked at the budgets in similar towns and how Glenville operates. Glenville generally operates its departments across the board at lower levels than other towns. Just for this purpose tonight we are going to look at the supervisor's office, if you look at similar towns around us in particular; Clifton Park they have a full-time supervisor at \$95,000, he also has an additional \$110,000 for his staff. Guilderland another town very similar to us has a full-time supervisor at \$109,000 and he also has an additional \$50,000 for support staff in his office. Bethlehem has a full-time supervisor at \$110,000 with an additional \$52,000 for his

support staff. Rotterdam has a part-time supervisor, who is retired, has a pension and is also a professor at a college and has an additional \$95,000 for support staff. Then you have Glenville where we would ask to do this for \$102,000 which is below many of the towns similar to our situation. In Clifton Park, Colonie and Guilderland employ directors of parks at compensations that range from \$55,000 to \$90,000. What these figures don't include that does include in Glenville is administrator of parks, HR and IT. So even if Jamie were to come on board at \$19,000, the Rotterdam, director of parks, part-time is at \$30,000.

I think it is important to look at that comparatively speaking because I think it puts it in prospective of what we are trying to do and the things we are still trying to achieve going forward. What we are doing in this proposal is the same thing we have been doing across the town for the past four (4) years, every time there is a vacancy in a department we try and find a way to save money and gain efficiencies and I think this kind of spells that out.

Some have asked why do we need to keep the Director of Operations on at part-time and that would not necessarily be the position but why would Jamie MacFarland need to stay on part-time? As I stated before about 25% of our staff are eligible to retire in 2014. Additionally we have another eleven (11) employees who may leave the town if the county's dispatch center opens as planned this year. That creates an additional challenge as we try to restructure much of the dispatch work that will stay within the town. All total about one-third of our workforce will be impacted this year. This is a year where we need stability in our top management team. This proposal keeps the top management team intact, only suggests swapping out the director of operations pay and the supervisors pay, gains significant operational efficiency and saves money. This proposed structure allows the Supervisor to focus on the operational changes ahead along with the Board, ensures the policies of a strong economic development and fiscal stability policy stay in place well into the future, restores the natural duties and responsibilities as granted by state law, back to elected supervisor and eliminates the extra layer of government that a hired town administrator created.

That's the proposal with the savings and the efficiencies. I want to take one more moment just to address a few things that keep coming up from a few people. It's important because if a few people keep asking the question then maybe many of you have the same question and it surrounds the job description. I for a while now have said that the job description is very clearly spelled out in the state law, Section 52; now let me get into some of the highlights so the people understand what the role of the supervisor is in a suburban town because there seems to be some confusion about that. It reads simply: The supervisor shall be the chief executive officer of a suburban town and the head of the administrative branch of the town government. He shall be responsible for the proper administration of town affairs, law enforcement and the maintenance of peace and order in the town. He shall appoint at his pleasure and remove a director of finance who shall assist the supervisor in preparing the preliminary budget and all capital budgets. And if any in administration of other fiscal operations in the town to which the supervisor is directly responsible. On the basis of estimates submitted by him or to him by departments, agencies and officers of the town prepare annually the preliminary budget and submit it to the town board and be responsible for the administration of the annual budget after the adoption by the town board and be responsible for recommending any modifications, transfers and anything between appropriations in such budget during the fiscal year. That is the CFO Law. Bring removal charges against appointed heads and deputy heads of any department of the town for a hearing. Approve a transfer of personnel in and amongst agencies and departments of the town. Provide for the direct and internal organization with an individual town departments or agencies. Keep the town board informed, generally, concerning town affairs of the financial condition and future needs of the town and to make such recommendations as may seem to him desirable. Having to perform the functions and duties the supervisor will have, all those functions, powers and duties specifically granted in this article.

That's the description; it clearly states CEO, CFO responsible for daily

administration of the town.

In 1993 the Town Administrator was created in the Town Code. I just want to read the difference between the Town Supervisor and the Town Administrator. This was adopted on 2/3/1993, Chapter 5 of the Code of the Town of Glenville. Just a few brief passages:

The Town Board specifically desires to act by local law in order to establish the position of Town Administrator and to delegate certain powers and duties to that office and to provide for the appointment. The Town Board recognizes the Supervisor is the chief executive officer of the Town of Glenville, a suburban town and is the head of the administrative branch of the Town government. The Town Board further recognizes that it is the legislative branch of the Town of Glenville. The Town Board recognizes the powers of the Supervisor and the powers of the Town Board are not being transferred to the Town Administrator. This chapter does not attempt to make such transfer or in any way diminish the powers of the Town Supervisor and the Town Board but rather intended to delegate the powers to the Town Administrator subject to the supervision and control of the Town Board and the Supervisor.

Duties and responsibilities – There shall be established a position of Town Administrator for the Town of Glenville who should directly be responsible in coordination with the Supervisor. The Town Administrator shall perform such delegated duties as may be assigned by the Town Board. By resolution the Town Board may assign, modify, and revoke certain administrative duties of the Town Administrator.

Section 5.7 – Without divesting the Supervisor of his/her inherent administrative and statutory functions of the Town Board of its inherent legislative and statutory functions, as may be provided by law, and without curtailing, transferring or diminishing the powers of any elected official of the Town of Glenville, the Town Administrator shall be responsible for the day-to-day administration of Town government. Among the powers and duties that may be conferred upon the Town Administrator are:

Assist the Supervisor in the day-to-day administration of Town government.

At the direction of the Supervisor, coordinate and integrate the administrative and managerial activities required of Town office, department, boards, commissions and committees.

Perform administrative and managerial analyses of the operations and activities of the various Town offices...

...coordinating with the Supervisor, implement methods and procedures for improving the operations and activities of Town offices, departments, boards, commissions and committees.

Assist the Supervisor in directing supervision of personnel, labor relations and the human resources of the Town.

Work with all employees of the Town to provide for efficient administration of Town government.

The local law goes on with assist the Supervisor in carrying out his responsibilities and proper administration of Town affairs. Assist the Supervisor in bringing removal charges against appointed heads and deputies. Assist the Supervisor in making recommendations for the transfer of personnel. Assist the Supervisor in providing for the direction of internal organization of departments and finally assist the Supervisor in keeping the Town Board informed generally concerning the affairs and the financial condition of the Town.

Section 5.8 – Nothing contained herein shall permit or authorize the divestiture from any elected official of the Town of Glenville or the Town Board of any of their functions, powers and/or duties that are granted.

The history of that position was brought out in 1993. I did a little research and found a former Supervisor, Wayne Wagner wrote a letter to the editor, now it seems to be a common theme, and this Supervisor had a problem with the editors at the

Gazette because he was responding to an editorial that they wrote against him. It was on January 26, 1994, Wayne Wagner, a new Supervisor at the time wrote:

The Town Administrator is another bureaucrat. The Town Administrator comes between the department heads and an elected official. The Town Administrator comes between the people and the elected officials. The Town Administrator is not needed when you have a strong, effective elected Supervisor. State Law is very clear the Town Supervisor is the chief executive officer.

He did conclude that he could do this job at salaries that were shown before because he is fortunate enough to be semi-retired and own a few businesses.”

I am neither semi-retired or own any businesses so I don't have the same situation he had.

He then dismissed the Town Administrator and took on the role himself.

So we fast forward a little bit and come to the March 21, 2007 of the Town Board when the Town Administrator was reauthorized. I just want to read a quote from the minutes of that meeting. And just to point out that Administrator, that \$90,000 of new spending did not go through a public hearing, it did not go to the people for comment. It fundamentally changed the way we do business in this Town and the way this government acts but it did not go to public comment.

Here is the quote for then Supervisor Frank Quinn – “One of the key things I think I can speak for all of our Board members is we are in effect reactivating the position of chief operating officer. If you will picture in your minds eye a 16 million dollar operation with 14 departments and no COO and no CEO. So you have got 14 departments reporting to the Board of Directors who are obviously part time and therefore to improve the synchronization, communication, coordination, and activities is what we are doing with this position.

For people who have asked this question a couple times over, the Supervisor has the responsibility for these duties. The Town Administrator would insert this into the organizational chart to take some of those duties. We eliminated Town Administrator four (4) years ago and we asked Jamie to help with some of those duties. Jamie is now leaving, we have two (2) options we can re-insert a Town Administrator, a COO position at, I would submit to you, additional costs, you saw the higher cost that was created previously or as this Board desirous we can put the elected official back directly in line with the people, at a lower cost and restore the duties of Supervisor. The key point in this if we decide to go with hiring someone new, we are adding a layer and we are not diminishing the Supervisor's role. All we are doing is hiring someone to assist, in place of me being here. It is that simple. There is nothing more I can do to make it any clearer than that.”

Supervisor Koetzle opened the public hearing at 8:10 pm

Frank Quinn, 1886 Ridge Road – “Thank you for the Monday night meeting, it was a good idea and a good idea to extend the public hearing.

As you know I had the job for four (4) years and I was on the Board for four (4) years before that. Given the facts that we know from all of the different meetings and you are about to pass this resolution if not tonight then at a later date. This changes the duties, it changes the specific daily duties of the Town Supervisor, Director of Operations duties, you changed the pay accordingly which obviously makes sense, you give the Town Supervisor tasks and duties without providing a written job description, one that specifies for those tasks and duties, for job performance. I don't know anyone that hires anybody for a fulltime position that doesn't do that. If we had those both the board and the citizens would have criteria to evaluate the performance. How do you have a chief executive with all these new duties that were spelled out before as you saw without a job description, that doesn't make sense?

The Board gives the job to an elected official. Now this is a guaranteed job because this elected official is elected for four years so you can't fire him, you can't discipline him for the next four years. You give the Town Supervisor's job to a man who by his own administration and admissions I should say, is unemployed, has no prior training or supervisor experience. Many of these areas he just mentioned has responsibility for totally unionized work force and given a salary of \$83,000 which for four years because you can't fire him or anything else as an elected official means you are giving it to him for \$332,000 guaranteed. So to me if you go through with this, if you vote this tonight or the next time without making certain critical changes; i.e. job descriptions, written tasks, conditions and standards for all of these jobs you listed tonight, if you don't have your own new town policies and procedures to govern the jobs and the tasks that need to be done and job performance what you are really doing is giving the Town Supervisor a big fat beautiful Christmas present. A guaranteed four year job without a job description, without performance standards, this board will not be, in my opinion, effectively performing its fiduciary responsibilities for the citizens. I recommend strongly you make those changes. You can amend anything that you have in front of you in many ways. You could make those amendments and do all of the things I was talking about. You could also keep your Director of Operations because we all know in the budget it is a wash. We are not talking about big savings because with or without the Director of Operations that's a wash. Give the citizens a chance put it out to vote and put it out there for the people."

Kate Toombs, 108 Marson Avenue – "When I first came to Glenville I was surprised that the Supervisor's position was not full-time but as I've worked in different volunteer capacities I've come to recognize that in fact it's the dedication of various employees who are not elected that has allowed the Supervisor to maintain that part-time position. I think Jamie MacFarland has been a bargain for the Town at \$83,000. I think we will have a hard time replacing him. He comes to that position not as a fresh employee but he came to that position after more than twenty (20) years of employment with the Town. He had tremendous continuity, he has been in similar lower positions through numerous administrations, time of turmoil and because he was not an elected official I believe he brought stability to human resources and within the departments. I look at this and I do think a referendum should be had. I really don't have a problem with Chris Koetzle doing this job for a year but I think it required a more detailed survey or consideration of what parts of the job should be elected and what part is better to carry over. If we had a new supervisor every four (4) years and our CEO was turned over every four (4) years I just can't imagine what that would create great turmoil within the Town employees. I would ask that the Board go forward with the referendum, have a period of study and greater consideration of what parts of the job require greater stability versus the responsiveness to the day to day needs of our Town's people."

Judy Rightmeyer, 18 Velina Drive – "I have lived in the Town of Glenville for fifty (50) years so I am very dedicated to this Town. I have a problem with the process. I have a problem with how this happened and I to believe there should be a referendum so that the people in the Town of Glenville can make that choice. I also have a problem that the information wasn't available on line for people to see what this resolution was. I went on line to the Town of Glenville's website to try to find the resolution to find exactly what we were talking about. I was actually at the information meeting on Monday and they said the agenda would be on there, which it was but there was no resolution. I called the Town Clerk, I had a hard time getting through, I finally did and she emailed it to me but I didn't get it until about 10 minutes before this meeting. The resolution itself does change and it calls for a full-time Town Supervisor so the information that you shared about part-time/full-time, this law if it is enacted will make the Town Supervisor's position full-time. It adds a new chapter to the Code of the Town of Glenville and I think whenever we add a totally new chapter to our Town Code that we should have the people in this town have a voice on whether they want it so I totally believe there should be a referendum. I also have a little issue with the minutes, the last minutes that are posted on the website for this Town Board meeting is June of this year and that's a problem. How can we as the town be able to make good choices if we don't know what is happening all of the time at the meetings. That is something that needs to be corrected. The information that you shared about the full-time and the salaries for those other towns, just for a point of reference, the Town of Glenville is the

smallest town of all of those that were shared by about 4,000 to 5,000. If you look at the population, the one that comes closest is the Town of Rotterdam that is 29,000, this is from the 2010 census information, and their density is 800 people per square mile and the Town of Glenville is 500 per square mile.”

Michele Draves, 38 Country Fair Lane – “First thing I have a problem with is the number, you keep saying \$16,000 - \$113,000 minus \$102,000 I see \$11,000. I don’t see how we are going to save \$16,000 because we are going to have to pay Jamie a pension and health benefits and then we will have to add in health benefits for you when you become a full-time employee. Then when you were preparing full-time supervisor salaries you seem to forget that there is a full-time supervisor in Schenectady County. You are comparing us to Saratoga and Albany Counties and their median income is about \$20,000 more than us here in Glenville. In Glenville the median salary is \$52,300, even in Niskayuna where their median salary is \$70,800; Mr. Landry only makes \$53,800 so why are we going to pay our supervisor \$83,000 when we make only \$52,000. It just doesn’t make sense to me at all. We have all of these inconsistencies and it seems that nobody is comparing us to other towns in Schenectady County. We are going to all of a sudden have an \$83,000 a year supervisor. I understand your points about needing more time to do the job; I just don’t see where we are saving any money. It seems to me it is going to cost us more money and our tax bills are going to go up. Our median income is lower than these other towns and the numbers just don’t add up. I am not seeing the numbers when you write down the numbers, it seems to me you are not adding on any job responsibilities based on the information shared on Monday. We are just quadrupling your salary and giving you health benefits and it doesn’t seem right to the residents of the Town of Glenville. I don’t get to quadruple my salary without taking on additional responsibility so I don’t think we should quadruple your salary. If you are going to become full-time I understand that you would obviously need a raise and benefits but not four (4) times as much. I don’t think that is right for the residents of the Town and if that is what is going to happen then obviously we will be starting our plan as democrats for four (4) years from now.”

Andy Tomko, 5 Drott Drive – “I have lived here for about forty (40) years, I don’t have a problem with any of the numbers, that’s not the issue, it’s process, number one, number two it’s experience of the candidates. Jamie did a great job and it was mentioned that he was here for twenty-seven years so he had a lot of experience. When we have a new supervisor, the supervisor I agree that Jamie could come on and switch and train you in all the different facets that are going to extend the job. Right now when I listened to the Board members over the last couple of meetings, everyone works a lot more than eight (8) hours a week, you get called all time of day or night. I don’t understand why we have had a town manager twice; there was a reason why the Town Supervisor and the Town Board hired a person for \$90,000 and again done a second time. I think the job is overwhelming. If you guys go forward with this I just want to make sure that we don’t see something a year from now or two years from now saying that it’s overwhelming. We are a growing town, it’s a great town. You guys have done a good job but be careful that you are not reaching for too much and grabbing that brass ring and you are going to find out that it is real heavy once you grab it.”

Kathy Bern-Smith, 24 Lillian Drive – “I am concerned with process; I think the basic approach is why are we rushing into this. In Niskayuna they took a year. Supervisor Landry announced the proposal in 2000 and created a citizen committee to look into the change. You can do the same thing here. I agree with others who have said this should go to public referendum. Let the people vote. I am very concerned that this public hearing was not notice appropriately, the legal notice that appeared in the paper made not mention of time, date or location for this public hearing. I don’t believe the articles that appeared in the paper announcing it satisfy that requirement. Town law is pretty specific when it comes to announcing a public hearing. I am really concerned that the Town Attorney is not here this evening to answer these questions. I know you read his statement; it’s not the same as him being here.”

Mark Raven, 1 Tryon Avenue – “You offered two (2) options tonight for what might be done, let me give you a third option. That would be to retain Mr.

MacFarland at the part-time position and for the Board and Mr. MacFarland with his experience conduct a thorough series of interviews and a very, very tight job market and find yourself another good individual to fill the position that has been held by Mr. MacFarland and done so well for so long. That way the five (5) of you, Supervisor and the Town Board members, would all remain part-time employees, would all have roughly the same compensation and that person would get a full years worth of training from Mr. MacFarland. I do recognize the Board and I am quite supportive of the fact that you extended the public hearing. I think that is a wonderful thing to do. I think the way you handled this by informing the media up front in November and tonight's presentation I think again fine efforts, things that need to be done for people. I will make one point, there are a number of gentlemen here this evening who are veterans of our military, I thank you for your service to our country. You all are also public servants. The five of you, when you ran for election for public office, knew what you were getting into or maybe not, there is a lot of work but you knew that this was to be public service to your community. This is not a career. I personally do not care one iota what you do in private industry provided the fact that it be legal, that's my one concern and I expect that it all is. I know we have got somebody up the road in Halfmoon who is no longer supervisor who maybe had a little problem with that according to allegations brought forth in our criminal system. I am not asserting that's the case here but you are public servants and if you are multi-millionaires or unemployed you knew what you were getting into, you knew the game. There is not an individual in this room who is working for someone else, who can say my financial situation is such that it has gone either to the negative because I have got unexpected costs, medical issues or I am not making as much money or I have been laid off or I am doing more work therefor you have to pay me more. Nobody in this room working for somebody else and a lot of people who run their own businesses don't have that opportunity. I thank you very much for your service and I hope you'll remember that."

Steve Marsh, 109 Huston Street – "In ready through the local law, paragraph 6.3 talks about the savings in salaries and benefits, I think I would like to suggest that we have a summary of what the Board believes those savings to be in salaries and benefits. We've seen the raw numbers for salaries but the true cost of any employee to an organization is salaries and benefits so I would like to suggest that. Looking at paragraph 5, it says a special election shall be held no sooner than 60 days but it doesn't give an end date, it doesn't have a requirement that it should be sooner than 60 days but shall not be more than 120. It leaves the possibility open that this could go on and on and on, when I think the Town would like to see some closure about this. It also talks about a valid petition, I tried to look on the website and I am no internet hero so my search skills may not be the best but I couldn't find the definition of what constitutes a valid petition, what the criteria is. If the criteria isn't posted how the public supposed to know how to submit the petition to make it valid. How did the criteria for determining this petition to be valid or invalid, may conform or vary to the other petitions previously required for submission to the Town. It says that the Town Clerk shall make the determination; I would like to suggest that there be an inclusion that the Town Clerk has to make that determination within a certain amount of time. This is an issue that apparently concerns a lot of people and I think it would be appropriate to put that in there. Is the decision of the Town Clerk final? Is there or should there be some kind of mechanism for appeal by the public or review by the public or review by somebody. Again I don't know if this is the normal process for reviewing petitions. I would like to offer some suggestions; I would like to suggest that the Town create a page on the Glenville website dedicated to this issue because of the amount of concern of the public; I would like to suggest that on this page the total amount of savings proposed are posted, I would like to suggest that the page include what is called FAQ's or frequently asked questions and base those questions on the questions that the public has submitted. Not just questions that people think might be answered. I suggest we put an end date into the resolution, list the criteria for a valid petition, put a time limit on how long the Clerk has to determine the validity and finally I suggest amending the local law to remove the condition for the petition and go directly to the vote."

Cathy Bryson, 346 Church Road – "Are you waiting until the 18th to vote on this or are you voting on this tonight?"

Supervisor Koetzle – “No we are not voting tonight.”

Ms. Bryson – “I attended Monday evening; I thought it was very informational, thank you for that. I was confused about the fact that a position was being removed and yet a job description wasn't different etc. Gina pointed out that it is fundamentally the same job so in thinking about that I realize that one of the things that Mr. MacFarland had was the 20 years of experience, and some very specific skill sets. I then wondered if Supervisor Koetzle was overseeing all of that. I would feel comfortable with this but should that position be removed, which I am assuming you are also proposing...should that position be removed or things reallocated my concerns related to the election and looking at candidates during election would be the following skill sets. When I looked at your LinkedIn profile I did not notice any work experience related to directly overseeing employees or managing a number of employees. Usually people list how many employees they have directly supervised, how many departments they have supervised and also very importantly are the union contracts that work within our town and Civil Service Law that applies to all of these employees. I'm confident that Mr. MacFarland had those skill sets and the knowledge of those areas specifically, and I think by removing that, although I realize that he can advise you, that is a concern of mine. With the process and the timing of events it doesn't appear transparent unfortunately, and I think that when you are a public representative you need to make sure that there's no appearance that you may have been trying to mislead people or leave out information and unfortunately the way that this has played out in terms of timing and specifically it disturbed me that I knew you took a leave of absence in September and you are still on leave of absence with your employer but what that means is that from September until today this has been opened and it is an open situation and that makes me feel that you don't have a current full-time salary. Unfortunately that plays into how this is playing out and how people perceive the situation.”

Supervisor Koetzle – “I will address these comments later because they are not a fair or correct characterization.”

Kurt Semon, 181 Droms Road – “I would like to first address comments by the previous gentleman regarding the petition. It might be advisable for the Town Clerk to possibly pre-approve the wording of the petition or to provide an example, just a recommendation. There were two (2) issues at play here but since we are here today only one remains. Should we hire a full-time town manager to assist the Town Supervisor or make the Town Supervisor a full-time position?. This is a practical as well as a political question and how we got here today is irrelevant in answering this question. Supervisor's responsibilities are constitutional a referendum can't change that. The question is about the division of work load between a supervisor and an assistant. There are arguments for both schools of thought but one has a guarded general wider support than the other by both sides of the fence. We do have full-time republican supervisors; we do have full-time democrat supervisors as we note in Niskayuna. We are surrounded by many examples all of which appear to cost more than in this plan. Also Supervisor Koetzle does not tell us he wants to be a full-time supervisor in addition to other private and public full and part time employment that appears to be in Niskayuna. He wants to serve the Town full-time, he wants to serve one (1) master and that is us the residents of Glenville. Boil down this debate is quite simple; I support the measure which in fact does come with permissive referendum.”

Emil Jarczynski, 23 Spring Road – “I was remembering back to the first newspaper article that came out on this subject. At the time looking at it, it seems to me what a good idea. As I have learned in my career, thirty (30) years with a major corporation, when there is a change, when a key staff member leaves you need to react to be able to fill that, to fulfill your responsibility, stay on budget, stay on schedule, and deliver your deliverables. It seemed to me such a perfect solution. The duties all stay in the same office. The Supervisor takes on more responsibilities, the fellow with the experience stays on to help with the transition, those guys have a good solution and it still makes sense to me. The thing I couldn't understand is all of the uproar that went on. I think maybe it is too simple of a solution but to me it seems to work and what has to filter through my own experience do I really know this team, how well are they doing?

We did have a personal experience with the Town. I recently got married; my wife had a question when she moved here. She called the office and got a very courteous response, very timely and she said "that's a lot better than the city I came from, I never would have had that same experience". So I think we have got a good solid administrative team in place, I think they have a fine solution and it still makes sense to me."

Jim Martin, 30 Bancker Avenue, Town Board elect - "I think people who reviewed my qualifications during the campaign, if you happened to do, are aware of my experience in local government. I've worked over thirty (30) years in community and economic development both as a private consultant and as a public employee. I've been a department head of twelve/thirteen people both where there has been a mix of union and non-union, so I understand union contracts, I understand all that goes on with labor negotiations. I have had grievances made against me as a department head, I've taken town residents, unfortunately, to court over alleged violations of Town Code and it's not a pleasant experience. In my particular situation I worked for the Town of Queensbury which is remarkably similar to the Town of Glenville, growing suburban township, almost the exact same population, rule and nature, density issues were brought up, I heard that mentioned earlier, remarkably similar and in that situation we did have a full-time supervisor and I witnessed first hand how that operated. There were complaints made, I was also the zoning administrator, not a popular position some times, probably second only to the tax assessor. I had people in my office that said "I am very angry; I want to go see the Supervisor", let's go right on upstairs and do that. You allow that kind of interaction when you have a supervisor in the building. I just don't understand the resistance here. I've consulted communities across the state, some have Village Managers, Town Managers, City Managers, what have you and that is in fact a bureaucratic layer, it is a barrier to the elected officials. I don't see in terms of the aspect of this proposal, I don't see this as being anything but a positive, taking the Chief Elected Official of this community and putting him in this building as least forty (40) hours a week and if he is not here he is probably out with a constituent with a business proposal or something like that nature on behalf of this community. I don't see where this is a down side because we are public servants and the closure we as public servants can be to the people the better off the residents of this Town will be, not this Town, the residents of this Town. Secondly, I think a point has been made that has not been emphasized enough this is restoring what always was. I think the idea of putting in that bureaucratic block or that barrier is not effective. I have seen in my work first hand, very bad, very poor Village Managers, Town Managers, City Managers, it's not the be all, end all."

Dave Lindsey, 14 Red Coach Drive – "I want to address a couple of concerns as I was listening, one person suggested that there might be upheaval four years from now if another Supervisor is elected. I couldn't disagree with that more; Supervisors and Mayors are elected and defeated all of the time without upheaval, it's part of the democratic process if the person is doing a good job as clearly this Board and Supervisor are, if they are not doing a good job they are not reelected and the new people come in and run things differently. As far as the interview process goes I believe we have had a four (4) year interview and a few weeks ago they were chosen to keep their positions. Four (4) years is a long time to have an interview and it went pretty well. If you look at the Moody's rating the NYS Comptroller's rating as to how the Town is being run actually one of the best in the State. As far as the process goes I've been at all three (3) of these, I haven't been to all of them but this is the third one and if certain people haven't been there for all of them shame on you. As far as the repeal process, why would we need a repeal process, it's called election day. You either like them or you don't, if you don't like them don't vote for them if you do like them keep them in office."

No one else wished to speak; Supervisor Koetzle suspended the public hearing until December 18, 2013 to be reconvened at 7:30 pm and held at the Glenville Municipal Center, 18 Glenridge Road, Glenville, NY.

Kurt Semon, Glenville's VFW Post 4660 – "Glenville's Community VFW

Post 4660 is proud to announce that we participated in this years "VFW Voice of Democracy Audio Essay Contest" and that tonight we take great pleasure in honoring three (3) high school students who demonstrate, resolve and confidence in reflecting on this years theme "Why I Am Optimistic About Our Nations Future".

It is best to paraphrase from the contest's website. The good will of the Veterans of Foreign Wars reaches far beyond the realm of veterans helping veterans in fact direct involvement with America's youth and communities has always been, always will be a VFW priority. Each year nearly 40,000 high school students from across the country enter the VFW Voice of Democracy Audio Essay Competition to win a share of 2.2 million dollars in educational scholarships and incentive awards. Knowing that a democratic society needs nourishing the VFW established the Voice of Democracy Program in 1947 to provide students nine (9) through twelve (12) the opportunity to express themselves in regards to democratic ideals and principals. The national first place winner wins a \$30,000 scholarship paid directly to the recipients in American University, College or Vocational Technical School. Other national scholarships range from \$1,000 to \$16,000 and the first place from each state wins an all expense trip to Washington D.C. All entries must be submitted to their local VFW Post for initial review and an evaluation of originality, content and delivery. Each Post will then forward one winner for every fifteen (15) entries to be submitted to the next level of review and evaluation which in our case is VFW NYS Departments. The VFW Post 4660 was pleased to accept forty-five (45) entries, allowing us to send three winners to the next level of review. In addition they will each be awarded a medal, a certificate and modest cash prize of \$300, \$200 and \$100 for first, second and third place.

Glenville's VFW Post 4660 is a small but active post of veterans helping veterans in our community. There is one thing that could assist us greatly in that mission and that is more veterans helping more veterans in our community. We welcome new membership. We meet on the second Tuesday of each month at East Glenville's Fire House and you can find us on the web at www.vfwpost4660

The awards were presented to the following students: 3rd place Lisa Humphrey; 2nd place Aubrey Compilla and 1st place Erin Sausal.

The following people exercised the privilege of the floor:

Scott Bryson, 346 Church Road – Mr. Bryson asked the Board to do what it takes to allow B & H Auto to continue to operate in their current location.

He also talked about Joey Budka and the access to the property that he purchased. He stated that his house borders that road. He is closer than anyone else to the work that Joey Budka did creating an easement in to his property. He spoke about the culverts that he installed and stated that no damage was done to the creek. He informed the Board that he would be the only one affected by those culverts. Every one else down stream is getting the overflow from the pond. He stated that the culverts did no harm at all. A couple of board meetings ago he had heard a complaint regarding gunshots. He informed the Board that he heard the shots also but that they were coming from a neighbor that was having a party with fireworks and just having some fun. He said the gunshots did not come from Mr. Budka's property. Mr. Bryson stated that Mr. Budka is on his property, they have been great neighbors, and there is no loud music. Creating that access road and enjoying that property has not been an issue at all. He stated that he did not know Joey Budka until he moved in and I like him, he has been very respectful of our family and our property and there is no house clearer to all of this stuff you hear going on, on Church Road. He stated that rumors and hearsay are dangerous and that is why I am here tonight. There is no house closer than mine and that is not going on.

Mr. Bryson further stated that when Mr. Budka had his property surveyed a couple of weeks ago, he bought it, and he has a right to have it surveyed. I showed him the stakes on my property when I had my property surveyed. Unfortunately for Mr. Budka the property has been perceived as public space. People walk their dogs, ride bikes and go hiking and hunting for years. It's his property, he purchased it. He is not

breaking any laws.

Thomas Fonda, 795 Sacandaga Road – Mr. Fonda stated that he had a building permit that was signed by Joey Budka. I have no problem with Mike Budka but I do have a property adjacent to his property. The building permit says 8 cars with licenses and 4 cars without licenses. All I have asked him was to not let this property become a junkyard like his Dad's was down on Route 5 by the Navy Depot. There are now 23 cars parked in all different directions. I believe that this knocks down the value of my home.

Supervisor's Comments:

Supervisor Koetzle shared the following information:

I have talked with the staff about getting the strategic plan together and presenting them to department heads and liaisons so that we can work on that at our next work session. I would like to really get some clarity on where we are going in 2014 regardless of anything else that is happening.

I will be attending the Local Government Council through CEG. They are putting together a legislative agenda for the towns. Right now some of the items include mandate relief, more CHIPS money and asking to include any emergency spending to be removed from the tax cap. Those are the legislative items that the Association of Towns is currently looking at. If you have any others that you would like to add I can bring those to the meeting we are going to have a working session on the 10th to finalize that agenda.

I met with Small Business and Economic Development Committee (SBED) and one of the items on that agenda was the REDI funding. We were talking about what to do with that and that would be part of the Strategic Plan.

Councilman Pytlovany has been working with the Chief and the Court Justices, Gretchen put out a memo about what kind of an impact it is going to have on the court system if the Unified Communication Center (UCC) system is taken out. So we started to take those steps to look at reorganizing all of that.

On November 25th I met with Superintendent McGrath to discuss possible opportunities for the school and the town to work together on some projects. They are going to be vacating their building that is in our town, the Hosteter Building, began to talk about what we could probably do with that property and help develop and market the property for them. The last thing that we want is an empty building sitting there because once it goes empty it's already in rough enough shape, I took a tour of it and it's only going to get worse. We have additional meetings coming up on that.

We had a meeting with Mayor Kastberg on some ideas for 2014 on where we could work together as a town and a village.

It looks like a lot of cooperation all around here with local governments and that's important.

I ask you to think about the Strategic Plan and at the next work session we will talk about it and see if we can get started with some of these ideas on paper. Also check with your committees for 2014 to fill any vacancies.

I want to thank everyone for their comments this evening. I would like to respond to some of the comments that were made this evening. I am not unemployed. I don't know where this comes from. I am not going to sit here and go into my personal. I had someone ask if my wife has health insurance through her employer. I am not going to do that.

I was elected CEO of the Town of Glenville, no referendum can change that, no salary can change that, no saying you are working 20, 30, 40, 60 or 80 hours

can change that. My qualifications are clear. I stood in front of this community three (3) times now, I told this community why I was qualified, what my visions are for this community, what I would do on their behalf. I believe for the past six (6) years I have delivered on everything I promised. Nobody ever questioned my integrity, nobody ever questioned what my intentions were, nobody ever wondered what I was really doing with an ulterior motive. That's every one's right to do but I ask that it be based on fact, I ask it to be based on something that is real.

What we are doing here tonight and I can address a lot of these questions tonight:

No we are not paying pension costs to Jamie after he retires; if he comes back he is no longer in the pension system.

This is not an extension of my duties at all; I am not taking on Jamie's duties. This has been a clarion issue for some time now. We are working with Jamie on trying to transition those duties that I talked about earlier, human resource, IT, parks, senior center, never were the duties of the Supervisor and nobody's suggesting that they are going to become the duties of the Supervisor. That's part of the very reason why we need Jamie through the transition as we figure out where these go.

Niskayuna was already addressed by another speaker that the Supervisor is paid through the County as well, and he makes \$100,000 between the two jobs but that was already addressed.

Retain Mr. MacFarland as a part-timer through the year so he can train me. That is really up to Jamie MacFarland it's not up to the Board, that's not up to me. If Jamie wishes to retire he has every right to retire. If he wishes to come back in the position we are offering him, he has every right as well to do that.

Referendum – This Board supports a referendum, nobody has anything against a referendum. In order to get to referendum we have to pass that local law first, and then we can do a referendum, that's how it works. A lot of the technical questions asked by Mr. Marsh are answered in Town Law. We can bring them out and put them on the website if we need to but Town Law is already there.

The question about Director of Operations being removed – there just would not be one. As I stated earlier and I don't want to read it again but it was created to assist the Supervisor in doing his job, there is not going to be a Director of Operations going forward. We are saying we don't need that. I read the comments from the previous Supervisor who said you do not need this position if you have a strong and effective full-time Supervisor.

Checking out my LinkedIn is good and all, but I am not a social media person so I don't pretend that that's my resume or anything like that. It is a quick thumbnail sketch of who I am but it doesn't have everything on there.

It was asked of me what is my work experience regarding union contracts and working with departments. I have all of that and I presented that during three (3) campaigns. Again, as this gentleman said this might be too simple of a solution. This is my job; this is the job you elected me to do. Seventy percent (70%) elected me to do this job, that doesn't change. Nothing we do, go to referendum, does not change my roles and responsibilities, my legal roles and responsibilities invested in me by the State of New York. Nothing changes that. I am telling the people of Glenville that I am willing to give you everything I have without any other job to get in my way. I am telling you that I am not like the other Supervisors, I am not retired, I don't have a pension, I don't work for the County, I don't have other sources. I am telling you that if you want me to work for you giving you everything I have, which I would love to do, I am asking you that. I need to feed my family; I need to make a living. Everybody can say well it should be this or it should be that or it should be this, that's all fine, I am saying the people of Glenville had no problem paying the Director of Operations that money, the people of Glenville, under the Quinn administration paying a Town Administrator that are only

there to do the job of the Supervisor. So, I am not sure where all of these issues are coming from. The people of Glenville said I was qualified; they elected me as their CEO and CFO. They didn't say, Chris, we are electing you only and only if you get \$19,000 and only if you work part-time. Now you could argue that I didn't say to the people of Glenville that if I am elected I want to be full-time, because it wasn't known at the time.

It has been a tough few weeks; it has been a tough few weeks for my wife. I am here to serve the Town, I ran a good campaign, I never lied to the people of Glenville, I never told them that I am something that I'm not. It was brought up that what will happen in four (4) years when a new Supervisor comes in and all of this turmoil is going to happen. We have a President of the United States that has a four (4) year term, he is the CEO of this country and when he is elected or unelected this country continues because democracy is in place. We have the Governors of every state of this nation who are elected to four (4) year terms, run much bigger organizations than us. We have cities and villages and towns, in fact towns this size, forty-two (42) of them across this state are now run like this and not one of them has collapsed from an election. I do not understand and as I say it's hard not to take it personal. I have got thicker skin and I'm not taking it personal but I do not understand where this becomes so confusing and all of the issues that are continuing to rise up about my qualifications. Mr. Lindsey you said it best; we had an election, I presented myself to the people, they overwhelming chose me and this Board and I am going to continue to do the best I can do for this Town. I believe the best that we can do for now is to eliminate the middle man, put the Supervisor back in direct contact with the people and let me go to work for the Town and if the people of the Town don't want it than I am fine with that too. Let's get past all of these ancillary issues that are not real, that are manufactured and let's just get on with the business of running the Town.

Councilman Pytlovany – "I do have some comments that I would like to make after listening to everything for the past few weeks.

First of all I agree it is lousy timing. I think we have done everything we could to explain how that happened and how we got there. With the notion of Supervisor Koetzle getting a \$60,000 raise, if he was to continue in the private sector with his job and gave a part-time part to the Town and we raised his fee to \$83,000 then I would say we gave him a \$63,000 raise, that's not the case. We are looking to have a Supervisor here forty (40) hours a week that can answer directly to the people. They can come in here 8:00 am to 4:00 pm or 7:00 am to 3:00 pm or probably longer hours than that and be able to speak directly to the Supervisor. That is really what we are looking for and what it should be. This is going to streamline the process for the residents in the Town of Glenville to be able to access the Supervisor. As far as Jamie MacFarland goes, he has been a tremendous employee for the Town of Glenville. He has certainly helped out on this Board immensely. We are going to miss Jamie there is not doubt about it but as been stated earlier all of us on the Board have careers, this is not our career. All of us have had careers in other sectors, personally I was with the Village of Scotia Police Department for twenty-nine (29) years. I served as PBA President for six (6) year, I negotiated contracts for the Scotia Police Department twice I then became through the ranks the Chief of Police for twelve (12) years with the Scotia Police Department. On the flip side now, I was negotiating on the Village of Scotia's behalf for three (3) contracts. I have been involved in the hiring of last four (4) officers, sat on the committees for the Glenville Police Department. We are here to assist the Supervisor in what ever expertise we have and I think that is the way it should be. I am proud to be able to say that I am a part of this Board; I think we work well together and I think we are getting a lot of good things done for the Town of Glenville. I can't wait to have this all in place and have this behind us."

Supervisor Koetzle moved ahead with the agenda items:

RESOLUTION NO. 208-2013

Moved by: Councilman Boulant

Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville is being offered, as a donation from Larry and Ricki Lewis, a 7+ acre undeveloped, wooded parcel (tax map # 15.15-1-26.111) that abuts the eastern property line of Indian Meadows Town Park, approximately 1,000 feet north of Edmel Road; and

WHEREAS, the Town's acceptance of the donated parcel would result in an expansion of Indian Meadows Town Park; and

WHEREAS, acceptance of donated property constitutes an *unlisted action* in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}); and

WHEREAS, the Town Board of the Town of Glenville has assumed SEQRA Lead Agency in this instance; and

WHEREAS, on November 25, 2013, the Glenville Environmental Conservation Commission recommended that the Town Board find no significant adverse environmental impacts associated with this donation of property, and further recommended that the Board issue a SEQRA "Negative Declaration;"

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby determines that the acceptance of a 7+ acre parcel of land being donated to the Town by Larry and Ricky Louis will not result in a significant adverse environmental impact; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville hereby issues a SEQRA "Negative Declaration" (attached) for this action, based on the following findings:

- This action will not result in any land disturbance or impact to the environment. In contrast, this action will result in the preservation of this property as open space within Indian Meadows Town Park, with possible future use of the property for passive recreation (i.e. hiking, cross-country skiing, bird watching, etc.).
- Since there will be no physical alteration to the land as a result of this property donation, there will be no impact to air quality, groundwater quality, surface water quality, traffic levels, noise levels, solid waste production, etc.
- This action will not result in the removal of vegetation or fauna, nor will it impact significant wildlife habitat areas. In fact, this action will prevent any private development of the property and instead will preserve it as open space, with possible future use for passive recreation, within Indian Meadows Town Park.
- This action will not impact agricultural, open space, recreational, historical, aesthetic, or archeological resources.

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

Noes: None

Absents: None

Abstentions: None

Motion Carried

RESOLUTION NO. 209-2013

Moved by: Councilman Boulant

Seconded by: Councilman Pytlovany

WHEREAS, a local law that would amend Chapter 270 (Zoning) of the Code of the Town of Glenville is being introduced at the recommendation of the Town of

Glenville Economic Development and Planning Department; and

WHEREAS, there are essentially three zoning text amendments being proposed, which can be summarized as follows: 1) establish that agricultural activities/farms, roadside produce stands, and bike paths will be permitted by-right within the "Riverfront Recreation/Commercial" zoning district; 2) allow the height of cell towers to be increased by up to 10% without the need for site plan review, per recently adopted federal law; 3) correct a conflict regarding the regulation of auto repair facilities within the "Research/Development/Technology" zoning district; and

WHEREAS, New York State Town Law and the Code of the Town of Glenville require a public hearing by the Town Board before an amendment to zoning regulations may be adopted;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby schedules a public hearing for Wednesday, December 18, 2013 at 7:30 p.m., or as soon thereafter as the matter can be reached, at the Town of Glenville Municipal Center, 18 Glenridge Road, Glenville, NY at which time and place it will hear all persons interested in amendments to Chapter 270 (Zoning) of the Town of Glenville, as noted above; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and she hereby is directed to prepare the proper notice of said hearing in accordance with law and to publish same at least 10 days prior to the date of the public hearing.

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

Motion Carried

RESOLUTION NO. 210-2013

Moved by: Councilman Boulant

Seconded by: Councilman Pytlovany

WHEREAS, a zoning map amendment application has been submitted by the Town of Glenville to change the zoning designation of 13 parcels along Route 50 from "Professional/Residential" to "Community Business;" and

WHEREAS, the 13 properties, totaling 12.03 acres, all front the west side of Route 50, from the second parcel south of McDonald's to and including the vacant property on the southwest corner of Route 50 and Oak Hill Drive; and

WHEREAS, the tax map numbers for these parcels are as follows: 22.11-3-17.1, 22.11-3-18, 22.11-3-19, 22.11-3-20, 22.11-3-21, 22.11-3-22, 22.11-3-23, 22.11-3-24, 22.15-1-36, 22.15-1-35, 22.15-1-34, 22.15-1-33 and 22.15-2-43; and

WHEREAS, the zoning map amendment is being offered, in part, in reaction to a proposal that would result in the construction of a 6,000 sq. ft. retail building at 233 Saratoga Road, and in part to increase the commercial development potential of these properties in recognition that there already exists "Community Business" zoning immediately south of the properties under consideration for rezoning as well as more intensive "General Business" zoning immediately north and east of 233 Saratoga Road; and

WHEREAS, New York State Town Law and the Code of the Town of Glenville require that a public hearing by the Town Board be held before a zoning map amendment may be adopted;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby schedules a public hearing for Wednesday, December 18, 2013 at 7:30 p.m., or as soon thereafter as the matter can be reached, at the Town of Glenville Municipal Center, at which time and place it will hear all persons interested in a proposed zoning map amendment, as described above; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and she hereby is directed to prepare the proper notice of said hearing in accordance with law and to publish same at least 10 days prior to the date of the public hearing.

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

Motion Carried

RESOLUTION NO. 211-2013

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

WHEREAS, the Town of Glenville Building and Code Enforcement staff regularly inspect sites located throughout the Town and require reliable transportation to perform Town duties; and

WHEREAS, staff currently utilize two vehicles to perform work duties, one being a 2000 Chevrolet Cavalier which has reached the end of its useful life; and

WHEREAS, the Commissioner of Public Works and the Building Inspector have developed a Request for Proposals intended to yield suitable replacement options for the 2000 Chevrolet Cavalier; and

WHEREAS, the Commissioner of Public Works and the Building Inspector may also utilize contract pricing made available by the State of New York to purchase a replacement vehicle for Building and Code Enforcement staff; and

WHEREAS, funding for a replacement vehicle in an amount not to exceed eighteen thousand dollars (\$18,000) is available within the approved 2013 budget appropriations;

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Public Works is hereby authorized to purchase one vehicle to be used by the Building and Code Enforcement department, provided that said replacement vehicle meets the requirements stated in the Request for Proposals, and also provided that the total cost does not exceed eighteen thousand dollars (\$18,000), with the expense for said vehicle charged to account 02.00.3620.2000 (Equipment) in the approved 2013 budget; and

BE IT FURTHER RESOLVED, that upon purchase of the new vehicle for use by Building and Code Enforcement staff, the 2000 Chevrolet Cavalier being replaced is deemed surplus property and is eligible for disposal in the most cost-effective manner as determined by the Commissioner of Public Works.

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

Motion Carried

RESOLUTION NO. 212-2013

Moved by: Councilman Pytlovany
Seconded by: Councilman Boulant

WHEREAS, in order to maintain a safe and efficient fleet of vehicles to meet the public safety needs of the Town, the Police Chief wishes to purchase one marked replacement police vehicle to replace a marked police vehicle that has reached its end of useful life; and

WHEREAS, the purchase of said vehicle is provided for within the approved 2013 budget appropriations; and

WHEREAS, the State of New York is in the process of establishing state contract pricing for police vehicles with said pricing expected to be released prior to December 31, 2013; and

WHEREAS, State General Municipal Law §103 (3) permits a municipality to make a purchase through any county within the state pursuant to County Law §408 (2) provided that such purchases are determined to result in cost savings after considering all factors, including service and delivery charges and providing that the purchase can be made on the same terms, conditions and specifications as the county with the contract; and

WHEREAS, the Chief of Police has determined that the Glenville Police Department will be best served by purchasing a Chevrolet Caprice model, which will result in cost savings to the Town after consideration of all applicable costs and factors,

NOW, THEREFORE, BE IT RESOLVED, that the Chief of Police is hereby authorized to purchase one marked police vehicle utilizing state contract pricing, including through options available to the Town under State General Municipal Law §103 (3), at a total cost not to exceed thirty seven thousand dollars (\$37,000), including all necessary equipment, with the expense for said vehicle charged to account 02.00.3120.2000 (Equipment) as set forth in the approved 2013 budget.

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

Motion Carried

RESOLUTION NO. 213-2013

Moved by: Councilman Ramotar
Seconded by: Councilwoman Wierzbowski

WHEREAS, a vacancy exists in the position of Deputy Tax Receiver – Part-Time; and

WHEREAS, the Town of Glenville advertised such vacancy and received nine applications for the position; and

WHEREAS, an interview panel comprised of the Receiver of Taxes, Supervisor, town board liaison, and staff reviewed the qualifications of the interested applicants, performed interviews, checked references and have arrived at a unanimous recommendation for appointment to this position,

NOW, THEREFORE, BE IT RESOLVED, that Shannon Roszell, 1 Glenwood Drive, Glenville, NY, 12302, is hereby appointed to the position of Deputy Receiver of Taxes – Part-Time effective December 9, 2013, at the pay rate of \$14.25 per hour, without benefits.

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

Motion Carried

Discussion...

Supervisor Koetzle – “What I want to point out is there has been a lot of talk about process, process, process and speed and how quick. This Board has gone out of its way to invite the public into this process. For four (4) weeks now we have given the public four (4) opportunities, two (2) of which were not required by law, not compelled to do but this Board wanted to make sure we did everything we could to get as much input from the residents as possible. Holding this public hearing opened is an example of that. Having a question and answer public forum where many of the critics of this proposal did not come to ask questions. We have gone out of our way, called in the media a week before this Board was even going to consider a budget amendment asking them to publish it immediately is another example of trying to invite the public into this process. We have nothing but try to open this process up. It’s a little disconcerting that people have still asserted that we are rushing and moving fast, this has been four (4) weeks now. The next board meeting will be two (2) more weeks that will be six (6) weeks that we have discussed it. If we take action then we have another one hundred and five days ahead of us. I don’t know how slow some people want to move but we have moved a pretty slow pace and I think we have been deliberative about this, I think we have been open about this, I think we have talked about this incessantly and it comes down to what we pointed out. I wanted to point that out because we have been getting hit on it. The editorial in the Gazette has been...quite frankly I just call it like it is, it’s very unfair in their assessment and I must say I was pretty surprised that there was no coverage from the Gazette from the Q & A when they are the ones that said they didn’t have any opportunity to learn about the proposal. I just think we have got to really ratchet it down here and start working together on this and moving forward together. It is time to move forward for the Town.”

Councilwoman Wierzbowski – “I would like to thank everybody that came and everybody that stayed until the end of our meeting. I find it a little frustrating sometimes when people and they want to hear and they have their say and before any of us can begin to respond and address their concerns they leave. I don’t think that is fair to the rest of the people that are here and I don’t think it is fair to the Board. We listen and I can speak for myself personally, every time I sit in this seat you put me here. I am not here because I did something fancy, I am not here because I’m rich, I am not here for any other reason that I got the majority of the votes. I was elected by the people of this Town and it is my job to listen and I do that every single time I sit in this seat. When I was first elected some one told me when you are considering a proposal go with your gut and if you don’t think you are going to be able to put head down at night and sleep soundly after you voted on something then you shouldn’t vote for it. I can honestly say whether it is something small like buying a car for the building department that they obviously need or something that’s big enough to have people come four (4) weeks in a row for us to hear them they are equally as important to me because not only did you put me here but you put us in charge of your money. It’s not my money, it’s your money. Everything we do is subject to review by you, every two years because we have staggered terms. So going forward from here I would just like to say that...in the interest of trying to move on I guess I will just finish by saying I appreciate that you have all engaged in the process, I appreciate whether you supported it or not, whether you had criticisms or not that you have come forward because quite honestly some of the things that have been said especially at the public meeting the other night were great questions and were thoughtful and people really care. I want to see people care about what happens in our Town so if that means that we have to have a public referendum than I support that. If that is what the people want then that is what we are going to do.”

Councilman Ramotar – “I appreciate the fact that everyone has come out here again but I do want to point out that the people that are concerned , that really have sincere questions to ask us. You don’t have to wait for a public hearing, you don’t have to wait for a town board meeting just come and talk to us. If we hear the same people day in and day out come here to make a statement so we can be in the Gazette I don’t think you really care. Come and talk to us tomorrow because you don’t have to wait for a meeting.”

Councilman Boulant – “I have been side by side with you for six (6) years. Elected for four (4) and you brought me into the fray when you got your first term and we started SBED (Small Business and Economic Development) together. I don’t think there is anybody here besides your wife that knows you any better than me. I remember that Jamie has played referee with us a couple of times but in the end it was always about the residents.

I really appreciate the folks that came and stayed because what you haven’t witnessed over the last four (4) years is the majority of those people that got up and spoke besides from a few that really just got engaged because there was some turmoil, it’s the same folks that stand up and say the same thing and it’s all about agendas. It has nothing to do with what we are doing, how we are going about it, whether it’s right for the residents or not, it’s what’s good for them. Ironically after they say their piece they get up and leave and quite frankly those people were the 30% in the election, they are the ones that lost. They can’t give it up and it’s like Sid says, I have a business in this community, my door is open all of the time. I never see anybody stop and ask questions, please engage us, come to these meetings, we want this. It gets boring meeting, after meeting, after meeting when no one attends except staff members. This is good for us. We want the input. We appreciate your support and if it goes to a referendum, we are not afraid of it. That’s all part of the political process.”

Councilman Pytlovany – “I would also like to thank everyone that stayed and just because I’m the fourth one to say that doesn’t mean it’s any less sincere. I really do appreciate everyone that stayed.”

Councilwoman Wierzbowski – “I think what Alan said was very telling as far as some of the individuals that got up and spoke. One of them, Michele Draves, said, and if this doesn’t illustrate perfectly our point “we are going to come after you in four (4) years as Democrats”. Now, if that doesn’t tell you that this has been politicized I don’t know what does. I sit here, I’m a registered Republican but I am not a Republican when I sit in this seat I work for you.”

RESOLUTION NO. 214-2013

Moved by: Councilman Boulant

Seconded by: Councilman Pytlovany

WHEREAS, a local law, being proposed as Local Law No. __ of 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 continue the public hearing opened on December 4th at 7:30 PM with respect to the adoption of said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that this public hearing shall be reconvened 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 18, 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’s continuance to be given as provided by law.

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

Motion Carried

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 9:40 PM.

ATTEST:

Linda C. Neals
Town Clerk