

REGULAR MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
JULY 16, 2014
AT THE GLENVILLE MUNICIPAL CENTER
18 GLENRIDGE ROAD, GLENVILLE, NEW YORK

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

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

Present: Supervisor Christopher A. Koetzle, Councilmen James M. Martin, Sid Ramotar and Councilwoman Gina M. Wierzbowski

Absent: Councilman John C. Pytlovany

Also present - Jason Cuthbert, Comptroller

Supervisor Koetzle announced that there were three add on resolutions on the agenda regarding the extension of Sunnyside Road, Sunnyside Gardens and Arbor Lane water district.

Town Council Reports:

Councilwoman Wierzbowski – “NYS Department of Transportation is going to be holding an informational meeting in connection with the Alplaus Avenue bridge rehabilitation program. The meeting will be held on Wednesday, July 30th at 7:00 PM at the Schenectady County Glendale Home in the Community Room, 59 Hetcheltown Road.”

Councilman Martin – “Attended the Planning and Zoning Commission meeting, the featured project was that Applebee’s Restaurant was approved. We should see ground breaking there by the fall. They discussed the proposed change to the zoning to allow electric fences and they have a recommendation that that be subject to site plan review.”

Supervisor Koetzle – “Item No. 5 on the agenda is a public hearing to consider a zoning map amendment application to change the zoning of 41, 43 and 47 Saratoga Road from “Professional/Residential” to “General Business” so as to allow for the expansion of the Capitaland GMC/Subaru Dealership at 37 Saratoga Road.”

Supervisor Koetzle opened the public hearing at 7:05 PM

Tom Andress, ABD Engineers and Surveyors, representing Capitaland – “The proposal we have before you tonight is to change three (3) lots that are owned by Capitaland approximately 3.3-acres total. Each of them has a small residential house on them. They are in the Professional Residential Zone. The Capitaland Motors that is immediately adjacent to them to the south, there existing Subaru/GMC Dealership which is in a General Business Zone. The desire for Capitaland is to take the Subaru portion of the GMC Subaru and put that into a separate building. This is something, unfortunately a lot of the dealerships are being asked to do by the automobile manufacturers to have a standalone building for each product. They had purchased these a number of years ago and were looking at this Board considering changing those three (3) lots, which are adjacent to the existing building in the General Business Zone to General Business. The Professional Business does allow some intensive uses. It does allow medical, dental, professional office (anything from insurance to engineer, real estate office, etc.). One of the other uses that is allowed in that zone is daycare. The General Business has those uses but it also allows retail, but more importantly there is a very specific use under special use permit so there is a whole other review that goes forward for an automobile dealership. This would allow the property that they own to be combined, they would take they wouldn’t keep that separate, those three lots would be combined with their existing property.

I know one of the concerns always is traffic, unfortunately I go every day to

the physical therapy facility across the street because of a car accident and I know it is difficult to get in and out of Route 50. Comparing some of the uses that would be allowed in the Residential/Professional, again medical/dental could put approximately 30,000 sq. ft. of building on there without any issues they could probably put more than that. That would generate about 75 cars in the AM and 112 in the PM. A regular office would be approximately 50 cars in the AM and PM. The new car sales with the 12,500 sq. ft. office that we are showing generates 25 cars in the AM and approximately 33 in the PM. These are all based upon the Institute of Traffic Engineering (ITE) standards so they would vary depending upon each dealership and the actual use. They are used in comparison and I think one of the important points we just wanted to let this Board know is that from a traffic generation standpoint this generation for this specific use is anywhere from a quarter to a third to a half of what you could actually have for generation for a use that would be allowed in that zone.

Specific to Capitaland, which is the reason that we are asking for this zoning, is their morning hours are pretty much nil. For the AM peak of the adjacent road, Route 50 it's almost nothing, they do have a PM and some of that is drive-by people turning in and some of it is new traffic. Their biggest generator of traffic is on Saturday.

Capitaland is looking to put on approximately 30 new employees and I believe the average salary is almost \$50,000. The zone change is just the beginning of this proposed project.

Tom Siatkowski, owner of adjacent lot at 49 Saratoga Road – “My step-mother has a life estate on that property. They went through and surveyed it just after my father passed away. My main concern is that property is on an artesian well, it is not tapped into the town water or sewer system and I am concerned with all of the building this water supply is going to be disrupted. There is a creek that runs through the properties that is used by Buhmaster and Horstman (local farmers) use to water their fields. It is the bumper property between the project and Return. Capitaland did approach us about purchasing the land. They never came back with a legitimate offer. I do agree with the engineer as far as the traffic is concerned because there is no business in the dealership during the morning. According to the property line, it's literally ten (10) feet from my father's garage. There is a section of woods that a portion of will come down and they will be keeping the back section. My main concern is that if they are in there doing work on cars my step-mother is almost 80 years old and she is going to have to listen to all of this noise. My major concern is that the property value is going to drop significantly with them putting in this dealership. That's my main concern about the whole thing is with the property value and the destruction of the natural aquifer that runs through there. My father was told some thirty (30) years ago that he could supply half of Glenville with water because it is an artesian well. If that is polluted we would be forced to tie into the town water.”

Supervisor Koetzle – “Do you own all of the trees between the Return...

Mr. Siatkowski – “Yes, 4.4-acres. My step-brother owns a house in return and he bought an acre off of my father about ten (10) years ago and at that time there was six-acres and now I think it is either 3.8 or 4.8-acres left which is all part of the woods and the creek. The property line is not a straight run, it cuts at an angle. I am concerned that the property will depreciate significantly. I know what it is worth now and proceeding into the future what it will go down to. I will be left with this residential house next to a dealership that I won't be able to do anything with because nobody is going to want to buy it. Who is going to want to live next to a dealership?”

Lisa and Craig Reylea, 2 Miracle Lane – “We have a lot of the same concerns. Obviously the traffic being one of them. We look out our window and see accidents happening constantly so any increase in traffic is going to be a huge problem especially at peek time. We will wait for up to fifteen (15) minutes to get out. We are very much concerned about the noise and the lights. It looks like there are a lot of trees but when the leaves come off you can see straight through and all the way back and it is not that far away. We have some serious concerns about that. We are also very concerned about property value. We are very close, only one house away again we will be living

almost immediately next door to a car dealership.”

Craig Reylea – “Our other concern is the buffer. In the fall you can see through. Something like an evergreen would be preferable enough to block the view and the lights as well.”

Nick Piccirillo, 8 Miracle Lane – “Looking at the initial proposal I think my property borders the northern point of the proposed property right at the creek. I am all for economic development. I have three (3) concerns, I think they are modest and can be addressed and I think if I were making this proposal I would want to address them. Number one is noise, we can hear alarms going off from our residence and all of my neighbors can hear them too. It happens frequently, I would say two (2) to three (3) times a month. Sometimes alarms go off. I am not saying this should be down to zero but noise is a fact. I can hear them from my property, inside my property with all of the windows and doors closed. An attempt to minimize that would be helpful particularly now with this proposal. As you knock down more trees I can see the GMC Dealership in the winter time, not in the summer because I do have a buffer zone for my back yard over to the creek that borders the property. I can see the lights because they point in my direction so when you are building the new property simply by pointing lights downward and using a modern lighting system on the new property and upgrading on the old property because trees are not coming down. Those are just modest changes that can be made to reduce the lighting because we can see it. Some of the other neighbors have complained because they can read a newspaper in their backyard because the lighting is so strong. I think the third thing is a buffer zone. The only buffer is between the proposed property and Mr. Siatkowski’s property, who spoke earlier. I would that the buffer zone be extended along the entire northern portion of that property that would go right up against a creek. In my case I am going to maintain my own buffer so I am not asking for anything that I am not currently doing on my own property. Depending on how the layout looks, fifty (50) to one hundred (100) feet is not un-doable. So those three things, something to address the noise currently, modernizing the light and maintaining an adequate buffer 50 to 100 feet then I think my concerns would be addressed.”

Tom Culver, 36-38 Saratoga Road – “We have been there for approximately twenty (20) years. We have has a history of dealing with the owner, he has not been a model neighbor. We have had problems with lighting. We came walking one evening, in the winter, from the rear to the front of our house and it was blinding. You couldn’t see unless you put your hand up over your eyes. We drove across the street and the general manager said it is kind of obnoxious, we want to be good neighbors, and we will work on it. Nothing was done, after a period of time my wife went over and talked to the owner, he said he was working on it and again nothing was done. Another period of time, about 1½ months I walked over, a salesman met me in a room and asked if he could help me. I told him who I was and who I was there to see. I was told he was not there. We finally had to get the town involved in it. I am the one that can read a newspaper 400 feet in my backyard at night. They are better even though they still brighten up the front of both of our houses. The last two (2) meetings there has been no representation from Capitaland Motors. I am all for economic development but if someone has to babysit them and watch to make sure it is done just so you don’t burn the neighbors out of there.”

Jim Towne, Capitaland's Attorney – “A couple of historical things. First of all with respect t the aquifer, twenty-three (23) years ago when we first came to the town for this proposal Glenville Environmental Conservation asked us not to put in a body shop because they were concerned about the aquifer. With respect to the lighting, I am extremely concerned and we will look into your contentions. I will tell you that when we did this, 23 years ago we were required by the Town Planning Board to put in lighting that would not have any ambient lighting leaving the property because of Pedrick’s next door. We hired an engineer with the approval of the Planning Board from RPI, someone who was an expert in lighting and he tested it. The only problem that we had with this test site was coming from the Jewelry Store. The night we did the testing someone pointed that the lights on the property so the test had failed. When those were turned off we were about 30% of what the required maximum was. I don’t know what has changed in the interim but I will get you an answer.

With the respect to the water issue, the berm, there was a question about 10' off a garage it is actually a 50' buffer. The owner has really bent over backwards to keep noise down, there are no exterior speakers. I will look into the issue with respect to the alarms. It may be when the person delivers parts at 2:00 AM he miss punches the code. Other than that I think it is a good development and especially in light of the fact that they could put up a 30,000 sq. ft. office building which would vastly negatively impact upon traffic. We have got to do something with these lots. Believe me having to spend all of this money because some manufacturer in Japan or in Detroit wants us to split the dealership is not anybody's idea of how to spend money or capital but that is what they require and that is what we have to do."

Supervisor Koetzle closed the public hearing at 7:27 PM.

Supervisor Koetzle – "Item No. 6 on the agenda is a public hearing to consider a proposed local law that would amend Chapter 170 (Section 270-108C) of the Code of the Town of Glenville that would eliminate multi-family dwellings as a use allowed by site plan review within the "General Business" zoning district."

Supervisor Koetzle opened the public hear at 7:28 PM

Tony Dorazio and Sandy Lannon – "My family has been for the last 68 years serving the Glenville community as operators of Wayside Hardware our retail business. My sister and I have both retired and have put up our property for sale. We have a parcel of property adjacent to the high school which is about 6.7-acres. We currently have interest from a developer and his bank and they both deem that this property is best used for multi-family dwellings. In addition to that we own 1.4-acres on the other side of Birch Parkway which we sold and was developed by Bob Bosity between 2007 and 2009. This now houses sixteen (16) very successful middle to upper level apartments, all of them rented with a substantial waiting list. So it is well proved that this type of development works and is successful in that particular area. We are obviously concerned with property value and our ability to market it in the event the amended changes go into effect but we are also very concerned about what is best for the Town of Glenville and we know that multi-family units bring people into the town, bring in a considerable amount of revenue and truly don't require much in terms of service from the town. There is no street plowing and their typically privately owned businesses so they don't require any kind of tax benefits or adjustments to tax like we sometimes hear of larger corporations getting in and getting tax relief this doesn't typically occur with these multi-unit dwellings. Additional our piece of property is located on the opposite side of the majority of the Town of Glenville, obviously near the high school so if we were to develop this with multiple units (apartments) there's no interference with potential retail because it is not an area that is retail. It is a property that is bordered by the Village of Scotia but it is in the Town of Glenville. It's not going to pose a problem on that end of Glenville and it would really be more attracted to people in the Village of Scotia as opposed to people in the corridor of Freemans Bridge Road or Route 50 or anything like that because we have new businesses going into Corporation Park a 300 plus employees, is being build there now. Many of the school employees have the possibility of rental there. The track record that the apartments show right now proves that this is a useable thing. There is a need for this. Our concerns are that if this amendment goes into effect it will be more difficult for marketing and I don't think that it is truly doing justice to the Town of Glenville. I feel that middle to upper scale apartments, like these apartments that Mr. Bosity has constructed, attract a caliber of person. They don't attract a low income family, they bring a different type of person into the community.

I referred to the old master plan, I guess there are possibilities of a new master plan being put in. One of my concerns is maybe it might be a little bit more prudent to establish the new master plan and see which direction you would all like the Town to go and then make any final decisions as to how the zoning amendments should be handled."

Supervisor Koetzle closed the public hearing at 7:33 PM.

Supervisor Koetzle – "Item No. 7 on the agenda is a public hearing to consider a proposed local law that would amend Chapter 270 (Section 270-108C) of the Code of the Town of Glenville establishing a one-step site plan review in certain instances

and for a select group of land uses.

Supervisor Koetzle opened the public hearing at 7:34 PM.

Supervisor Koetzle – “It would amend combining preliminary and final site-plan review in certain instances that includes changing tenancy where there is an intensification of use as defined in Section 270-113. Additions to existing buildings will not exceed 25% of the original building. Expansion of existing uses in which there are no building additions but rather expansions or modifications to parking, driveways, landscaping, storm water management and bed and breakfast establishment, any accessory apartments, any churches, synagogues or other religious uses and institutions except within the Suburban Residential district where a two-step plan process will still be required.

So it is those seven items that would be amended from a two-step to a one-step process.”

No one wished to speak; Supervisor Koetzle closed the public hearing at 7:36 PM.

The following people spoke during privilege of the floor:

Peter Looker, 1965 Amsterdam Road, Mr. Looker posed the following question – Let’s say that the zoning law says that I can bring a light into this room to see where my feet are going. I had to do so in a manner according to law to not reflect upon adjoining peoples face and shall be shielded (projected downward). Now I show the police officer on my way in my light in my hand, aiming down and give him the details as to the type of light, how many lumens it projects onto the floor as well as the size of my arm and the height of my arm and hundreds of other documents related to my visit here. He says okay go in. Now I aim my light into people’s eyes and constantly all night long, every night, even though the law states that that glare shall be confined to my foot print so that nearby people aren’t significantly impacted. Should I be able to appeal this, should anybody in this room be able to appeal this even though the police officer said I can bring my light in hear holding it in my hand. Should we change the law next month so that I, who can’t even aim a light according to the law can now carry an electric taser into a room for my safety even though law presently prohibits my having a taser in this room? If I’m a big corporation, a big corporate citizen according to the Supreme Court should I be exempt from the laws and common courtesy that normal living citizens and local small companies have to abide by? That was for Old Dominion.”

Supervisor’s Comments

Supervisor Koetzle shared the following information:

Gina and I attended the Pashley DARE Graduation. It’s a great program and I want to express my appreciation to the Board and the Police Department and Officer Dunbar for all of the work they have done this year.

We had a lot of meetings with the Department of Environmental Conservation (DEC) about water on Sunnyside Road. We had a positive outcome on that. More news coming on the potential of the cleanup of the source site.

Both of our custodians are retiring, one has already retired and the other one is retiring soon. We have reached out to the Burnt Hills/Ballston Lake School District to talk about potentially shared services with the custodial staff. We have also talked to some private firms about possibly coming in and doing contract work for maintenance. We may be taking up a resolution in August.

I met with our lighting folks again in regards to our Town Center lighting plan. We are looking at solar lighting. Right now what we are struggling with is, can we have assurances that solar street lights on a State road meeting their standards will continue to work in December, January and February as it will in July and August. We have to make

sure we do our homework on that one. With the fact that the sidewalk project will be done in the fall, DOT would like us to do the lighting before that so we are really looking at a crunch of the fall.

Congressman Tonko's office and the Town of Glenville hosted a "Sewer Summit". It was well attended, there were about twenty-three people here from the Town of Ballston, the Town of Glenville, the Congressman's office, EFC, USDA, HDR all government agencies. We talked about the possibility and funding source for bringing sewers up Route 50 from Price Chopper all the way up into Ballston.

I attended several ribbon cuttings: Subway in the old Pizza Hut building, Glenwyck ground breaking on Dutch Meadow, Mohawk Honda and the Mohawk Tap Room in the Village of Scotia. On July 24th at 11:00 AM Ellis Medicine at the Socha Plaza and Richmor is doing the groundbreaking at the County Airport (all at 11:00 AM)

I secured a meeting with County Waste to discuss the Bulk Pickup Program. I will communicate the disappointing way it was implemented this year and maybe have some ideas about how to address the 2015 pickup.

You all have the financials from Jason. Revenues overviews are not included as most major non-property tax revenues have not been addressed yet. We do not have our water and sewer fees yet because the bills just went out. Franchise fee has not been paid, Metroplex sales tax second quarter is not in, so those revenues are not in those numbers yet. A few key expenses that we should note overall for the first two quarters of 2014 is that our expenses are up only .4% or \$26,000 over the same period of 2013. However in 2013 we paid for a police car and a front end loader so if we deduct those expenses out that would result in an overall increase of 2.4% over the period last year. That 2.4% increase is made up of two components, one is total wage payments which included salary overtime, longevity in all pay lines. We are up 2.4% or \$62,000, this increase is fully contributed to the payouts of retirements. If we didn't have that we would have essentially flat as far as total wages. The second component of employee wage increase 3.3% over last year or \$54,000 most of that was due to a 12% increase in NYS Retirement. So it goes back to that tax cap. Our tax cap is being eaten up almost entirely by benefits and pay, retirement and health insurance. That's a strong problem for us going forward. Other items to consider with nine months into mortgage tax year finish our overall mortgage tax revenue are tracking low below last year. We expect to end this year about half a million dollars down from \$803,000 so about \$300,000 down right now from last year. The 2015 tax cap base is projected to be 1½% which equates to \$140,000 in new spending next year. The problem with that is we are already being told by our health insurance carriers that we are going to have about \$120,000 in new health insurance increases. So essentially the entire cap is being eaten up in health insurance increases which we can't control.

The message is that we are tracking very well with spending where we can control spending. But we are having problems where it's health insurance, retirement and payouts to retired personnel. Budget time will start shortly in August.

I touched on the sidewalk and lighting beautification effort in Town Center. We are out of compliance with ADA on our sidewalk. DOT has come in and said we are so significantly out of compliance they are going to help us get into compliance and they are going to pay for much of the project. As you know we committed \$130,000 which is the local cost of this project. I have been working with the County, I placed letters to County Legislatures on this matter. We are asking the County to step up and be a partner with DOT, be a partner with the Town of Glenville because it is our contention that the biggest beneficiary of improving our commercial corridor is the County. Because the County is the one that is going to get the sales tax increase when people come into this town center and start purchasing their goods here. Particularly because we are a commercial corridors right on the border of Saratoga County where we could start pulling residents from Saratoga County into Schenectady County. So it is our contention that they should share that \$130,000 cost that we had to pay to make these sidewalks possible in our town center. Metroplex has committed \$90,000 towards our lighting project but not the sidewalk project. We are asking the legislature to do that. I got a letter back from

Chairman Jasenski asking a lot more questions. I have had conversations with him, I think I have answered all of his question but we still have not heard from the legislature. I sent a letter to all of our representatives asking them to call on the Chairman with their support for this project and to introduce a resolution that would bring the County into partnership with the State and the Town. I have not heard back from any of them. I did speak with County Legislature's Buhrmaster and Socha. They are doing this on Hamburg Street, Upper Union Street, they are doing it in front of the library in the City so now we have Rotterdam, Niskayuna and the City all getting that kind of help it's time the Town of Glenville got the same attention. We are the largest town, we are a town that they just simply can't ignore and it is time that they step up and invest in the Town of Glenville again.

Supervisor Koetzle moved ahead with the agenda items.

RESOLUTION NO. 131-2014

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Ramotar

WHEREAS, the Water and Sewer User Fee Roll of the Town of Glenville has been approved for collection as of June 1, 2014; and

WHEREAS, such warrant for Water District #11 totals \$1,674,084.24 including water rents receivables, Special Contracts and Sewer,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby accepts such roll.

Ayes: Councilmen Martin, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: Councilman Pytlovany

Abstentions: None

Motion Carried

RESOLUTION NO. 132-2014

Moved by: Councilman Martin

Seconded by: Councilman Ramotar

WHEREAS, the *Schenectady County Environmental Advisory Council's* (SCEAC) membership is in part comprised of representatives from local municipal environmental conservation commissions; and

WHEREAS, SCEAC has a broad mission to provide advice and recommendations on a variety of environmental matters to the Schenectady County Legislature, and

WHEREAS, Glenville presently has no representation on the Schenectady County Environmental Advisory Council; and

WHEREAS, Dan Hill, a member of Glenville's Environmental Conservation Commission, has expressed interest in serving on the Schenectady County Environmental Advisory Council;

NOW, THEREFORE, BE IT RESOLVED, that the Glenville Town Board hereby appoints Dan Hill, 541 Sacandaga Road, Glenville, NY, to represent Glenville's Environmental Conservation Commission on the Schenectady County Environmental Advisory Council, effective July 16, 2014 – December 31, 2014, and further thanks Mr. Hill for his ongoing volunteerism and service to the Town of Glenville.

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

Motion Carried

RESOLUTION NO. 133-2014

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

WHEREAS, the Town Board of the Town of Glenville, New York, retained The Bonadio Group, Certified Public Accountants, to complete an independent audit of the Town's financial statements for the fiscal year ending December 31, 2013; and

WHEREAS, the audit of the Town's financial statements for the fiscal year ending December 31, 2013 was completed on June 24, 2014 and was presented to the Town Board on July 3, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby approves and formally accepts the Town of Glenville independently audited financial statements for the fiscal year ending December 31, 2013, prepared by The Bonadio Group, Certified Public Accountants.

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

Motion Carried

RESOLUTION NO. 134-2014

Moved by: Councilman Ramotar
Seconded by: Councilwoman Wierzbowski

WHEREAS, pursuant to Section 2019-a of the Uniform Justice Act, the Town Board of the Town of Glenville is required to examine the records and docket of the Town Justice Court, or cause same to be examined and a report thereon submitted to the Board, and enter in the minutes of its proceeding the fact that they have been duly examined and that the Fines therein collected have been turned over to the proper officials of the Town; and

WHEREAS, the Town engaged The Bonadio Group, Certified Public Accountants, to conduct the audit for the period of January 1, 2013 through December 31, 2013, as required by law;

NOW, THEREFORE, BE IT RESOLVED, that the records of the Town Justice Court for the Town of Glenville for the year January 1, 2013 through December 31, 2013 have been audited by the Town of Glenville pursuant to Section 2019-a of the Uniform Justice Court act, and it is further

RESOLVED, that the Fines therein collected have been turned over to the proper officials of the Town, as required by law, and it is further

RESOLVED, that said audit report, together with a copy of this Resolution, shall be filed with the New York State Office of Court Administration.

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

Motion Carried

RESOLUTION NO. 135-2014

Moved by: Councilman Ramotar
Seconded by: Councilman Ramotar

WHEREAS, the Town of Glenville recently experienced staff turnover in both full-time positions within its Assessor's Office; and

WHEREAS, the Assessor's Office performs highly specialized technical and administrative duties instrumental to Town governance; and

WHEREAS, Carol Corbett, recently retired after 29 years of Town service as Real Property Appraisal Technician and on occasion as Acting Assessor, possesses specialized and technical knowledge which would prove valuable for newly hired staff in the Assessor's Office; and

WHEREAS, Ms. Corbett has offered to work in a limited, part-time basis through December 31, 2014 to ensure the smooth operations of the Assessor's Office during this transitional period;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby authorizes the Supervisor to hire Carol Corbett, residing at 4 York Road, Glenville, as a part-time Real Property Appraisal Technician for the performance of administrative functions in the Assessor's Office at an hourly rate of \$20.00 per hour, effective June 1, 2014 for a period ending December 31, 2014, with no additional benefits over and above those collected as a retired Town of Glenville employee, and with total compensation not to exceed three thousand dollars (\$3,000.00), to be paid from budget line 01.00.1355.1001.

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

Motion Carried

Discussion...

Jason Cuthbert, Comptroller – "When we budgeted for the retirement payouts at the end of the year or the start of this year, we put all of the money in contingency codes just to make sure that when people left the money was there. So now that retirements are taking place that's where you will see the money moving. In the adult activities the sick, vacation time, cash out and straight time/overtime that was for the maintenance time helper at the Senior Center who retired. You will see in the highway department there will be some monies moving around and that is for a recent retirement and in the water department the \$44,000 that is for retirements. One item is a little unusual, not done in the past, is the Town Justice contractual court security. Our police officers worked the court security, basically the police department is just eating that, it's part of the Town Outside Village Fund even though the court is the Town General Fund so we are just allocating the expense properly. The police department is just basically charging the court for that service. None of these amendments require any new money, this is all just moving existing monies around, no fund balance appropriations."

Supervisor Koetzle – “On the back page, Capital Projects, we just talked about it. We allocated \$133,000 for Town Center improvement sidewalks out of Town Wide, that’s going to come back in a variety of ways. We do have the increased revenue, we have \$43,000 gift in donation, and we have \$90,000 increase in revenue money from Metroplex that we are hoping to receive. So there are offsets to the \$133,000. DOT needed up to move forward on this or the project wouldn’t have gotten done.”

Councilman Martin – “We are doing this under an association with DOT that leads to a significant cost savings if we were to venture out on this on our own.”

RESOLUTION NO. 136-2014

Moved by: Councilman Ramotar
Seconded by: Councilwoman Wierzbowski

WHEREAS, there are accounts as described and funded in the 2014 Adopted Budget which are anticipated to exceed budgeted appropriations; and

WHEREAS, there are sufficient funds within the 2014 Adopted Budget to fund these accounts without appropriation of additional fund balance;

NOW, THEREFORE, BE IT RESOLVED, that the Glenville Town Board hereby authorizes the following amendments to the 2014 Adopted Budget:

TOWN GENERAL FUND

Increase Appropriation Codes

01.00.1110.4001 – Town Justice-Contractual Court Security, by \$22,000
01.00.1330.4000 – Tax Collection-Contractual, by \$3,715
01.00.1355.1001 – Assessment-Personal Services Part-Time, by \$3,000
01.00.1380.4000 – Paying Agent, by \$1,000
01.00.1680.4500 – Computers-Fees for Services, by \$5,600
01.00.7510.4200 – Historian-Utilities, by \$3,000
01.00.7620.1002 – Adult Activities-Straight Time Overtime, by \$841
01.00.7620.1012 – Adult Activities-Sick/Vacation Time Cash Out, by \$7,862

Decrease Appropriation Codes

01.00.1355.1000 – Assessment-Personal Services, by \$3,000
01.00.1930.4700 – Judgments & Claims, by \$1,000
01.00.1990.4600 – Contingent Account-Miscellaneous, by \$39,177
01.00.7510.4000 – Historian-Contractual, by \$3,000
01.00.7620.1000 – Adult Activities-Personal Services, by \$841

TOWN OUTSIDE VILLAGE FUND

Increase Appropriation Codes

02.00.1990.4600 – Contingent Account-Miscellaneous, by \$19,500
02.00.3620.4500 – Safety & Building Inspection-Fees for Services, by \$1,500
02.00.8140.4000 – Stormwater MS4-Contractual, by \$1,000

Increase Revenue Code

02.00.2802.0000 – Interfund Revenue-Court Security, by \$22,000

HIGHWAY FUND

Increase Appropriation Codes

04.00.5110.1012 – General Repairs-Sick/Vacation Time Cash Out, by \$15,774
04.00.5140.4001 – Brush & Weeds-Contractual-Property Maintenance, by \$1,000
04.00.5142.1010 – Snow Removal-Meal Allowance, by \$1,500
04.00.5142.1012 – Snow Removal-Sick/Vacation Time Cash Out, by \$15,774

Decrease Appropriation Codes

04.00.1990.4600 – Contingent Account-Miscellaneous, by \$31,548
04.00.5151.4300 – Insurance, by \$1,500

Increase Revenue Code

04.00.1589.0000 – Property Maintenance Fees, by \$1,000

SEWER FUND

Increase Appropriation Code

40.09.1380.8000 – District 9, Fiscal Agent Fees, by \$6,586

Decrease Appropriation Code

40.09.9710.7000 – District 9, Serial Bond-Interest, by \$6,586

WATER FUND

Increase Appropriation Code

50.11.8330.1012 – District 11 Purification-Sick/Vacation Time Cash Out, by \$43,500
50.11.8340.4000 – District 11 Transmission-Contractual, by \$4,000

Decrease Appropriation Code

50.11.1990.4600 – District 11 Contingent Account-Miscellaneous, by \$43,500
50.11.8340.4100 – District 11 Transmission-Supplies, by \$4,000

CAPITAL PROJECTS

Increase Appropriation Code

57.00.5410.4000 – Town Center Improvements Sidewalks-Contractual, by \$133,000

Increase Revenue Codes

57.00.2705.0000 – Town Center Improvements Sidewalks-Gifts & Donations, by \$43,000
57.00.2706.0000 – Town Center Improvements Sidewalks-Grant from Other Governments, by \$90,000

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

Motion Carried

RESOLUTION NO. 137-2014

Moved by: Councilman Ramotar
Seconded by: Councilwoman Wierzbowski

WHEREAS, Mr. Larry Lewis, the owner of certain real property, offered the Town of Glenville seven acres (more or less) of an eight acre vacant parcel at 50 Edmel Road that is contiguous to Indian Meadows Park for dedication to the Town of Glenville for town park purposes as shown on a survey map of such parcel prepared by Raymond Koch, Surveyor, dated December 16, 2013; and

WHEREAS, the Town Board at their regular meeting of July 16th, 2013 authorized acceptance of such parcel with a limit of \$500 authorized to be paid for proportional 2013 tax debt on the property, and

WHEREAS, the 2013 proportional tax debt is approximately \$950.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby approves payment of 2013 proportional tax debt on the donated property and authorizes the Comptroller to pay an amount not to exceed \$1,000 to the County of Schenectady from account number 03.00.7110.

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

Motion Carried

RESOLUTION NO. 138-2014

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, a zoning map amendment application has been submitted by CapitaLand Realty, LLC to change the zoning of 3 parcels at 41, 43 and 47 Saratoga Road from *Professional/Residential* to *General Business*; and

WHEREAS, the purpose of the zoning map amendment is to allow for the expansion of the Capitaland GMC/Subaru dealership; and

WHEREAS, this proposed zoning map amendment constitutes an “Unlisted Action” in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}); and

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

WHEREAS, both the Glenville Environmental Conservation Commission (GECC) and the Planning & Zoning Commission (PZC) recommended that the Town Board find no significant adverse environmental impact associated with this proposed zoning map amendment, and that the Board issue a SEQRA “Negative Declaration;” and

WHEREAS, the Town Board has reviewed, among other things, the materials submitted with the application, the recommendations of the GECC and PZC and the comments of those appearing at the public hearing on this matter and has considered the relevant portions of the Town’s Comprehensive Plan and other relevant factors,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville finds:

- This project is consistent with existing development in the area which includes primarily commercial development along Route 50 and residential development in neighborhoods that abut the Route 50 commercial uses.
- This project will not substantially alter existing air quality, ground water quality, surface water, solid waste production, traffic levels, and noise levels.
- There are no known important historical, archeological, architectural, or aesthetic resources that will be impacted by this project.
- This proposal is consistent with the *Land Use Plan* of the *Town of Glenville Comprehensive Plan* which calls for general business and/or residential uses along the front of this property and suburban residential uses to the rear of the property.

BE IT RESOLVED, that the Glenville Town Board hereby determines that the proposed zoning map amendment by CapitaLand Realty, LLC will not result in a significant adverse environmental impact; and

BE IT FURTHER RESOLVED, that the Glenville Town Board hereby issues a

SEQRA “Negative Declaration” (attached) for this application, based on the findings.

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

Motion Carried

Discussion...

Councilman Martin – “I would like to say that we heard everybody here tonight. I think that they are all very important issues but I think they are best dealt with at the time of site-plan review by the Planning Board dealing with issues of lighting, buffer, noise and traffic. I think it is an excellent point about traffic that would be allowed if it were to develop under the zoning as it exists now. I would like the minutes of this public hearing forwarded onto the Planning Board so in the event that the people can’t make it their comments are seen by the Planning Board. I would strongly suggest that the nature of the buffer... words in planning and zoning have meanings and buffer is an important word. It is not just a dimensional requirement but what happens in that dimension is very important. I would encourage the applicant to take the issues very seriously, I’d like to see a quality buffer. In response to the comments that we heard address the lighting, this is the 21st century, I can’t believe we are having lighting issues. We can downcast these lights and keep the light wash on the property line. All that said these are site-plan issues.”

Councilwoman Wierzbowski – “I just want to thank all of the residents for coming. We also want to hear from the residents when we have projects. Your opinions do matter.”

Supervisor Koetzle – “What was brought up here tonight was obviously very important and I agree with all of it. It is a site-plan review issue. Really what is before this Board tonight is the question does the change in zoning fit with the character of the area, the community? That’s really the only question we have before us, that’s the only thing we can rule on. We can’t pre-determine what the lighting is going to be, you can’t pre-determine what the noise is going to be, traffic, and that is for the Planning Board. When you look at this and you look at the map and the commercial corridor on a state highway you see growth around the town. There are natural areas where residential and commercial start to come up against each other but when you look at the area, what else is around it and you look at the fact, this is my understanding, this is a requirement, if this doesn’t happen not only do we lose a brand, we lose Subaru brand, we lose jobs, tax revenue, sales tax. Not only do we have the thirty new jobs, which cannot be ignored, but we would lose jobs if we don’t go forward. I think that weighs heavily on my decision. I am absolutely in support of the site-plan review of making sure that there are buffers. We have good communication with the Planning Board and you will be a part of that process as a community. But tonight I look at this and I believe it is in keeping with the character of the community and I think it is an important development for the greater good of the town. So I do support the zoning change.”

RESOLUTION NO. 139-2014

Moved by: Councilman Martin
Seconded by: Councilman Ramotar

WHEREAS, a zoning map amendment application has been submitted by CapitaLand Realty, LLC to change the zoning designation of 3 parcels along Route 50 from “Professional/Residential” to “General Business;” so as to allow for the expansion of the CapitaLand GMC/Subaru dealership at 37 Saratoga Road and

WHEREAS, the three (3) parcels, totaling 3.35 acres, are located along the

west side of Route 50, adjacent to and north of the current CapitaLand GMC/Subaru dealership (37 Saratoga Road); and

WHEREAS, the tax map numbers for these parcels are as follows: 30.6-1-6, 30.6-1-7 and 30.6-1-8; and

WHEREAS, this zoning map amendment is being requested to allow for the expansion of the CapitaLand GMC/Subaru dealership in an area where commercial development and redevelopment is already occurring; and

WHEREAS, pursuant to New York State Town Law and the Code of the Town of Glenville, a public hearing regarding the proposed zoning map amendment was held by the Town Board on July 16, 2014; and

WHEREAS, the Town Board has considered the relevant portions of the Town of Glenville Comprehensive Plan, the existing Zoning Map, the uses of adjoining properties, the impacts or potential impacts on adjoining properties, development trends, comments at the public hearing and all other material and information submitted to the Town Board on this matter,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby finds and determines,

- The area to be rezoned is shown on the Land Use Plan in the *Town of Glenville Comprehensive Plan* as located on the boundary line between General Business, Industrial and Suburban Residential. The Board notes that the *Comprehensive Plan* was adopted in 1990, nearly ¼ of a century ago. As such, the *Plan* is in need of revision or a total rewrite, the preliminary task of updating the Plan was initiated last month. Upgrading 3 parcels immediately adjacent to the “General Business” district and opposite a “General Business” district and “Research/Development/Technology” district in terms of land use types and intensity – reasonably reflects the nature of development pressure that exists in this area.
- The proposed zoning map amendment is reasonably compatible with neighboring land uses, particularly the commercial/retail/automotive uses immediately south, Pedricks Greenhouse, Mayfair Paint & Glass, CapitaLand GMC/Subaru, T.J.’s Flightline Pub, Monroe Muffler Wendy’s, and others.
- This rezoning represents an extension of the adjacent “General Business” zoning district to the south and east and is consistent with the Research/Development/Technology zoning district to the east on Schenectady County Airport property. A “Professional Residential” zoning district will continue in existence to the north between the newly expanded “General Business” district and the entrance to Return. Given these set of circumstances, this zoning map amendment should not have a deleterious effect on nearby land values.
- As discussed above, the potential impact of this rezoning on nearby land values will be minimal given existing land uses nearby. The rezoning should not significantly impact the character of the neighborhood. The rezoning will make these 3 properties available for commercial use, but any new retail will be subject to site plan review and approval and/or conditional use permit process. Furthermore, any new development will be required to meet all required setbacks and landscaping/buffering requirements of the Town of Glenville Zoning Ordinance.
- This rezoning is reasonably compatible with the “Purpose” section of the Town of Glenville Zoning Ordinance (Article I), which articulates, in part, that the Ordinance has been “... crafted to encourage certain types of development in areas where the land is well suited for such development, and/or where such development has already occurred, and/or where infrastructure is available to support both the type and intensity of the proposed uses.” Given the evolution of commercial development in the surrounding area, particularly immediately south and east, and considering that public sewer has been installed in the area to be rezoned since the time of adoption of the *Comprehensive Plan*, the Board

believes that this extension of the “General Business” district for these 3 properties is warranted.
and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville hereby approves the proposed zoning map amendment that would change the zoning of three (3) parcels (identified by tax map numbers 30.6-1-6; 30.6-1-7 and 30.6-1-8 on the west side of Route 50 from “*Professional/Residential*” to “*General Business*”.

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

Motion Carried

RESOLUTION NO. 140-2014

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town Board of the Town of Glenville is proposing to amend Section 270-19B(5), of the Zoning Chapter of the Code of the Town of Glenville to the remove multi-family dwellings from the list of permitted uses allowed with site plan review use in the *General Business* districts; and

WHEREAS, these zoning amendments constitute an “Unlisted Action” in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act [SEQRA]); and

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

WHEREAS, both the Glenville Environmental Conservation Commission and the Planning & Zoning Commission recommend that the Town Board find no significant adverse environmental impacts associated with these proposed zoning amendments, and both further recommend that the Board issue a SEQRA “Negative Declaration;”

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville hereby finds and determines:

- These revisions alter the location where multi-family housing is to be developed, but they do not directly result in any development or physical alterations to the land
- This action will not impact 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.
- This action will not create a conflict with the town’s Comprehensive Plan or Zoning Ordinance, or any other land use policy document (i.e. Town Center Master Plan and the Freemans Bridge Road Master Plan). Rather, this action modifies and clarifies some of the development standards for multi-family housing.

AND, BE IT FURTHER RESOLVED, that the Glenville Town Board hereby determines that the proposed amendment to the Town of Glenville Zoning Ordinance will not result in a significant adverse environmental impact; and

BE IT STILL FURTHER RESOLVED that the Town Board hereby issues a SEQRA “Negative Declaration” (attached) for this application, based on the above findings:

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

Motion Carried

RESOLUTION NO. 141-2014

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town Board of the Town of Glenville has been considering a Local Law to amend Chapter 270, “Zoning”, Section 270-19B “General Business” of the Code of the Town of Glenville with respect to uses permitted by site plan review; and

WHEREAS, this Town Board has held a public hearing on July 15, 2014 at 7:00 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; and

WHEREAS, the Town Board of the Town of Glenville hereby finds and determines that:

- “General Business” zoned property is better suited for commercial purposes rather than residential uses and that multi-family housing can still locate within “Multi-family” zoning districts or “Planned Development Districts” where water and sanitary sewer services are readily available.
- The proposed amendments do not conflict with the Town of Glenville Comprehensive Plan, Town Center Plan, Freemans Bridge Road Master Plan or any other adopted land use plan or policies.
- Given the relatively minor nature of the zoning amendment, the adoption of this amendment will not negatively impact land values, nor will they result in incompatible neighboring land uses.
- The proposed amendments will not adversely impact any particular neighborhood’s character.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville does hereby establish a local law to amend the Code of the Town of Glenville to adopt Local Law No.2 of 2014, an amendment to Chapter 270, “Zoning”, Section 270-19B “General Business” as set forth below:

Uses permitted by site plan review:

[Amended 4-5-2006 No. 3-2006]

(1)

Retail businesses.

(2) Uses permitted by site plan review:

[Amended 4-5-2006 by L.L. No. 3-2006]

(1)

Retail businesses.

(2)

Offices.

(3)

Personal and general services.

[\(4\)](#)

Public and private clubs, fraternities and lodges.

[\(5\)](#)

Multifamily dwellings.

[\(6\)](#)

Museums.

[\(7\)](#)

Libraries.

[\(8\)](#)

Day-care centers.

[\(9\)](#)

Shopping centers.

[\(10\)](#)

Indoor and outdoor recreation facilities.

[\(11\)](#)

Human services/social services offices.

[Added 8-18-2010 by L.L. No. 5-2010]

[\(12\)](#)

Hotels, motels, bed-and-breakfast establishments, tourist homes and boardinghouses.

[\(13\)](#)

Residential dwelling units within the same building as any other use permitted within this district, provided the residence(s) is (are) not located on the ground floor.

[\(14\)](#)

Personal wireless service facilities.

[\(15\)](#)

Commercial recreation facilities, including health, tennis, racket, swimming, and similar clubs.

[\(16\)](#)

Laundromats.

[\(17\)](#)

Microbreweries and microwineries.

[Added 7-18-2012 by L.L. No. 3-2012]

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 Martin, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: Councilman Pytlovany

Abstentions: None

Motion Carried

RESOLUTION NO. 142-2014

Moved by: Councilman Martin

Seconded by: Councilman Ramotar

WHEREAS, the Town of Glenville is proposing a local law to amend Chapter 270 (Zoning), Section 270-108C (*Site Plan Review Procedures*) of the Code of the Town of Glenville, regarding the approval of site-plans; and

WHEREAS, this zoning text amendment constitutes an “Unlisted Action” in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}); and

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

WHEREAS, the Glenville Environmental Conservation Commission and Planning and Zoning Commission both recommended that the Town Board find no significant adverse environmental impacts associated with these proposed zoning text amendments, and that the Board issue a SEQRA “Negative Declaration;”

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Glenville makes the following findings:

- The proposed amendments will not trigger any new development or physical alterations to land in the Town of Glenville. Rather, these amendments seek to simplify the site-plan review process. In particular, the amendments are meant to combine the preliminary and the final site-plan review into a one-step process in certain instances and for a select group of land uses.
- This action will not impact 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.
- This action will not create a conflict with the Town’s Comprehensive Plan or Zoning Ordinance, or any other land use policy document.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville hereby determines that the proposed amendment to Chapter 270 (*Zoning*), Section 270-108C) (Site Plan Review) of Code of the Town of Glenville Zoning Ordinance, regarding the approval of site plans, will not result in a significant adverse environmental impact; and

BE IT STILL FURTHER RESOLVED that the Town Board of the Town of Glenville hereby issues a SEQRA “Negative Declaration” (attached) for this local law.

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

Motion Carried

RESOLUTION NO. 143-2014

Moved by: Councilman Martin
Seconded by: Councilman Ramotar

WHEREAS, the Town Board of the Town of Glenville has been considering a Local Law to amend Chapter 270, “Zoning”, Section 270-108C “Planning and Zoning Commission Review” of the Code of the Town of Glenville to add a new paragraph 3 to subsection C and to re-number the previous paragraphs accordingly; and

WHEREAS, this Town Board has held a public hearing on July 16, 2014 at 7:00 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; and

WHEREAS, the Town Board of the Town of Glenville hereby finds and determines that:

- Streamlining the review and approval process is healthy for the business climate within the town of Glenville and that a one-step site plan review process will expedite business approvals, save time and money thereby improving the economy and creating jobs within Glenville.
- The proposed amendments do not conflict with the Town of Glenville Comprehensive Plan, Town Center Plan, Freemans Bridge Road Master Plan or any other adopted land use plan or policies.
- Given the relatively minor nature of the zoning amendment, the adoption of this amendment will not negatively impact land values, nor will they result in incompatible neighboring land uses.
- The proposed amendments will not adversely impact any particular neighborhood's character.
- **NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville does hereby establish a local law to amend the Code of the Town of Glenville to adopt Local Law No. 3 of 2014, an amendment to Chapter 270, "Zoning", Section 270-108C "Planning and Zoning Commission (PZC) Review" as set forth below:

I C. Planning and Zoning Commission (PZC) review. The Planning and Zoning Commission's review involves a two-step process: preliminary site plan review and final site plan review. A public hearing is conducted during the final site plan review phase.

(1) Preliminary site plan review.

- (a) Following the GECC's review and recommendation, the applicant will be directed to appear before the PZC for preliminary site plan review. During this phase of the review, the PZC evaluates the site plan application to ensure compliance with the provisions of this article. During this meeting the PZC may also direct the applicant to make amendments to the site plan based on the review factors detailed in § **270-107** of this article. The PZC may also
- (b) Should the PZC find that the applicant has demonstrated compliance with the provisions of this article, or should the PZC conclude that compliance is feasible without the necessity of major revisions to the site plan, the PZC will then schedule a public hearing on the site plan application, said hearing to be conducted as part of final site plan review at the PZC's next regularly scheduled meeting.
- (c) Any amendments required of the applicant must be made, and new maps submitted to the Town Planning Department, no later than 10 days prior to the date of the public hearing/final site plan review.

(2) Final site plan review and public hearing.

- (a) Following a favorable determination by the PZC on the preliminary site plan review submission, the applicant is to appear at a public hearing to be held at the next regularly scheduled meeting of the PZC, not later than 62 days following the GECC's referral of the application to the PZC. At this time the PZC will consider the application and any amendments thereto, as well as comments raised at the public hearing. The PZC is to be guided by the provisions of § **270-107**, Review factors, of this article, in rendering its decision
- (b) Following the hearing, the PZC will have 62 calendar days in which to

render its decision to approve, approve with modifications, or disapprove the application. If the PZC is satisfied with the application following the hearing and final site plan review, it may render its decision on the evening of the hearing.

- (c) The sixty-two-day period in which the PZC must render its decision may be extended upon mutual consent of the applicant and the PZC.

(3) Combining preliminary and final site plan review

- (a) Changes in tenancy where there is an intensification of the use, as defined in Section 270-113.
- (b) Additions to existing buildings in which the overall footprint of the existing building or buildings on the property does not exceed 25%. It is acknowledged that an increase in building footprint, up to 25%, may include changes to or an expansion of parking areas, driveways, landscaping, storm water management facilities, and other site features.
- (c) Expansion of existing uses in which there are no building additions, but rather an expansion or modifications to parking, driveways, landscaping, storm water management facilities, and other site features.
- (d) Bed and breakfast establishments.
- (e) Accessory apartments.
- (f) Churches, synagogues, rectories and other religious uses and institutions, except within the "Suburban Residential" district where a two-step site plan review process will still be required.

- (4) All approved site plans shall be stamped, dated, and signed by the PZC Chairman prior to any building permits being issued for the property in questions.

- (5) There may be occasions when certain site plan review applications, due to the complexity of the project and/or work demands upon Town staff at the time of the application, will need to be forwarded to an outside consultant and/or the Town-designated engineer for review. In these instances, the applicant will be responsible for full payment of the bill for review of applications by the consultant/engineer.

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

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

Motion Carried

RESOLUTION NO. 144-2014

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

WHEREAS, by Resolution No.1-2014, adopted January 8, 2014, the Town Board of the Town of Glenville set the dates and times of Town Board meetings for calendar year 2014; and

WHEREAS, due to scheduling issues, the Town Board finds it necessary to revise Resolution No. 1-2014 to change the Town Board Meeting schedule for the month of August 2014 as follows: August 6, 2014 – Special Town Board Meeting and Work Session; August 13, 2014 – Regular Town Board Meeting, both meeting to commence at 7:00 PM and to be held at the Glenville Municipal Center;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville will meet at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on August 6, 2014 at 7:00 P.M. for the purpose of conducting a “Special Session” of the Board and Work Session and the Town Board will also meet August 13, 2014 at 7:00 PM for a regular Town Board meeting.

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

Motion Carried

RESOLUTION NO. 145-2014

Moved by: Councilman Martin
Seconded by: Councilman Ramotar

WHEREAS, a local law that would amend Chapter 270-52 (Zoning) of the Code of the Town of Glenville is being introduced at the request of the Town of Glenville Economic Development and Planning Department; and

WHEREAS, the proposed amendment to Section 270-52 (Fences) would expand the allowed usage of electric fences to authorize their use on “Research/Development/Technology” –zoned properties within the Glenville Business and Technology Park.

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, August 13, 2014 at 7:00 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 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 Martin, Ramotar, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: Councilman Pytlovany
Abstentions: None

Motion Carried

RESOLUTION NO. 146-2014

Moved by: Councilman Ramotar
Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED that the **Monthly Departmental Reports** for June, 2014 as received from the following:

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

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

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

Motion Carried

RESOLUTION NO. 147-2014

Moved by: Councilman Martin
Seconded by: Councilman Ramotar

BE IT RESOLVED, that the minutes of the regular meeting held on June 4, 2014 are hereby approved and accepted as entered.

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

Motion Carried

RESOLUTION NO. 148-2014

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

WHEREAS, the Town Board of the Town of Glenville has been considering extending town water service along the Sunnyside Road, Arbor Lane, Havenbrook Drive, Greenway Drive and Westwood Lane due to the risk of environmental contamination of the ground water in that area; and

WHEREAS, Mark L. Kestner, PE has served as an engineering consultant to the Town Water department and is thoroughly familiar with the Town's water system and the environmental issues in the Freemans Bridge Road area; and

WHEREAS, Mark L. Kestner, PE is duly qualified to prepare the maps, plan and report required by section 209-a of the Town Law in order to schedule a public hearing to establish such proposed water district extension;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Town Supervisor to enter into an agreement with Mark L. Kestner, PE, Inc. for the preparation of the maps, plan and report necessary for the public hearing for the proposed water district extension described above at a total cost not to exceed \$11,250 including expenses, to be charged to the General Fund and

BE IT FURTHER RESOLVED that if the Town Board shall establish such water district extension, the cost of said maps, plan and report shall be deemed to be a part of the cost of such improvement, and the Town General Fund shall be reimbursed the amount paid therefor.

BE IT STILL FURTHER RESOLVED that this resolution is subject to a permissive referendum as required by section 209-b of the Town Law.

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

Motion Carried

RESOLUTION NO. 149-2014

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

WHEREAS, the Town Board of the Town of Glenville has determined to proceed pursuant to Article 12-A of the Town Law to establish an extension to Water District No.11 of the Town of Glenville to include real property described by section, block and lot number and consisting of 122 parcels in the vicinity of Sunnyside Road listed in the Map, Plan and Report on file with the Town Clerk; and

WHEREAS, a map, plan and report dated June 30, 2014, prepared by Mark L. Kestner Engineering fully describes the proposed extension; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to, and in accordance with, the provisions of section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR Part 617) the Town Board of the Town of Glenville hereby makes the following determinations and classifications with respect to the proposed extension of Water District No. 11 in the Town of Glenville in the area of Sunnyside Road.

1. The Town Board of the Town of Glenville hereby determines that the action is subject to SEQR.
2. The Town Board determines that the action does not involve a Federal agency and that while the New York State Department of Environmental Conservation is an interested agency, it is not directly involved in the environmental review process for the establishment of the district extension, nor is any other agency.
3. The Town Board hereby makes a preliminary classification of the action as a Type 2 action.
4. The Town Board hereby determines that it is, and will be, the lead agency with respect to review of the water district extension formation for the Town of Glenville.

A public hearing with respect to the establishment of an extension to Water District No. 11 for the area of the Town of Glenville around Sunnyside Road shall be held on August 6, 2014 at 7:00 PM at the Glenville Town Hall, 18 Glenridge Road, Glenville, New York.

The Town Clerk of the Town of Glenville is hereby directed to publish a notice of said public hearing in the Daily Gazette and to give notice thereof to the Schenectady County Department of Economic Development and Planning, the New York State Department of Environmental Conservation, the Village of Scotia and to other municipalities, boards and agencies entitled to notice thereof; and.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent by the Town Clerk to the Town Planning and Zoning Commission, the Zoning Board of Appeals, the Building and Code Inspector, the NYS Department of Transportation, and the NYS Department of Environmental Conservation.

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

Motion Carried

RESOLUTION NO. 150-2014

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Ramotar

WHEREAS, the Town Board of the Town of Glenville has determined to proceed pursuant to Article 12-A of the Town Law to establish an extension to Water District No.11 of the Town of Glenville to include real property described by section, block and lot number and consisting of 110 parcels in the vicinity of Sunnyside Road listed in Appendix A attached hereto; and

WHEREAS, a map, plan and report dated June 30, 2014, prepared by Mark L. Kestner PE Consulting Engineer PLLC 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. The Town Board believes it to be in the best interest of the residents of the proposed district to add an Extension to Water District No. 11 from an existing 12"main at the intersection of Freemans Bridge Road with Tryon Avenue, down Tryon Avenue to Sunnyside Road and along Sunnyside Road to the Village line and also connecting from Sunnyside Road, down Arbor Lane to Havenbrook Drive, down the full length of Havenbrook Drive to Westwood Lane and from Westwood Lane to Greenway Drive, along Greenway Drive back to Havenbrook Drive.
2. The real property to be included in the extension is described by section, block and lot numbers in Appendix A attached hereto.
3. The improvements proposed are the installation of 8" water main, together with fire hydrants, valves and tees, as well as service lateral connections for each of the parcels of real property along the route described in "1" as indicated above.
4. The amount proposed to be expended for the extension is approximately \$2,000,000.00 to be borne entirely by the State of New York.
5. While the improvements may benefit other users in the future, no portion of the cost this extension will be attributable to Water District No.11.
6. The estimated annual cost to the typical property is:
 - a. District: \$0.00
 - b. O & M: \$45.81
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 water district extension is financing by the State of New York and/or financing by the Town of Glenville with debt service payments made by the State of New York.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Glenville will hold a public hearing on the establishment this extension to Water District No. 11 on August 6, 2014 at 7:00 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 Water district and to consider any environmental impacts that may arise therefrom; 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 August 6, 2014 public hearing date.

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

Supervisor Koetzle asked for a motion to adjourn; Moved by Councilman Martin; Seconded by Councilwoman Wierzbowski, everyone being in favor the meeting was adjourned at 8:40 PM.

ATTEST:

Linda C. Neals
Town Clerk