

**REGULAR MEETING OF THE TOWN BOARD**  
TOWN OF GLENVILLE  
JUNE 4, 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, John C. Pytlovany, Sid Ramotar and Councilwoman Gina M. Wierzbowski

**Absent:** None

Also present Mike Cuevas, Attorney for the Town, Jason Cuthbert, Comptroller and Kevin Corcoran, Planner.

Town Council Reports:

Councilman Ramotar – “The Senior Center expansion Request for Proposals (RFP) for architectural services are ready to go out. We are welcoming recommendations on what firms to send it to. You can email them to [jmacfarland@townofglenville.org](mailto:jmacfarland@townofglenville.org) by the end of the week. The requests for proposals for professional services are for a 1000 sq. ft. addition to the center.

We will be discussing a resolution tonight to increase the rental fees for the Senior Center.

We will be contacting Landmark Archeology to develop a mitigation plan for the development of Maalwyck Park. We will have a resolution prepared for our next meeting to approve the final stage of the work”

Councilwoman Wierzbowski – “Our annual bulk item pickup will begin on Monday, June 9<sup>th</sup> for two consecutive weeks. We ask the residents to place their items out on the weekend of June 7<sup>th</sup> and keep the items out of the roadways. Please visit the town’s website to track where County Waste has been and where they are going.”

Councilman Martin – “We will be starting our Comprehensive Plan process. I will be contacting you Mr. Supervisor and Kevin Corcoran. Our planning intern is in place so we should start planning internally for a public role out of that by the end of summer or early fall.”

Councilman Pytlovany – “The Annual DARE Golf Tournament is this Saturday, June 7<sup>th</sup>. The weather looks great. It is our major fund raiser for the program and all of the money is used for teaching supplies and gifts for the kids and is not at all involved in any of the salaries.”

Supervisor Koetzle – “Item #5 on the agenda is a public hearing to hear all persons interested in the proposed extension to Water District No. 11 consisting of one parcel located at 48 Swaggertown Road.”

Supervisor Koetzle opened the public hearing at 7:04 pm. No one wished to speak; Supervisor Koetzle closed the public hearing at 7:05 pm.

Supervisor Koetzle – “Item #6 on the agenda is a public hearing to hear to hear all persons interested in the proposed extension to Sewer District No. 9 consisting of one parcel located at 4 Wilson Drive.”

Supervisor Koetzle opened the public hearing at 7:06 pm. No one wished to speak; Supervisor Koetzle closed the public hearing at 7:07 pm.

The following people exercised the privilege of the floor:

Tom Siafkowski, 84 Snakehill Road – Mr. Siafkowski has concerns with the proposed expansion of Capitaland Motors on Saratoga Road. His father owns the buffer property between Capitaland and the Return. Capitaland had approached them a few months ago in regards to buying the property but that did not happen. He is concerned about the natural watershed and the stream and the fact that his father's property has an artesian well on it. If this goes through this will significantly drop the value of my father's house.

Supervisor Koetzle – “The Board will consider calling for a public hearing tonight for July 16<sup>th</sup> and you are welcome to come back at that time and address the board. If the board does consider a zone change then there is going to be a site plan review process done through Planning and Zoning Commission.”

Lisa and Craig Releya, 2 Miracle Lane – “They have basically the same concerns with the proposed expansion of Capitaland Motors. They had no idea this was happening until the article in the paper came out. They are concerned with how this will affect their property value being so close and what recourse they might have as far as their assessment. They asked what kind of barrier or boundary and they are concerned with the traffic increase in the area which is already difficult to get in and out of their roadway onto Saratoga Road.

Supervisor Koetzle – “I wouldn't say that it is definitely going to happen. The Board hasn't really discussed this. I know that I am generally in favor of it. I think Capitaland is a good neighbor, if you are going to have a commercial neighbor. They will certainly go through the process. One of the things that you will have is a site plan review, as I mentioned earlier so we did talk a lot about buffering and I think the other positive that can be taken out of this is that our planner and I have already reached out to DOT. We have a meeting with them next week to start revisiting the traffic count there because what is also coming across the street is the new DHA building in front of the county ice rink. That will be another traffic generator so we want to talk to DOT about re-looking at this intersection because I think it is going to need attention. We do try to get the information out as quickly as possible and the newspaper is the best way to do that.”

Supervisor Koetzle shared the following information:

- In early May - attended the Association of Town's finance school.
- May 12 – met with Department of Environmental Conservation (DEC) regarding Freemans Bridge Road/Sunnyside Gardens
- May 13 – Met with Baptist Health to discuss Phase 2
- May 13 – Met with Oakhill School to discuss improvements to facility
- May 15 – Attended the Unified Communication Center ribbon cutting
- May 21 – Met with a company that provides solar panels for street lights
- May 27 – Presented at a CEG panel about the 28 day process we have for CTDI which is a model for other municipalities on how they can get things done.
- May 27 – Carl Quinlan's retirement party
- May 29 – Carol Corbett's retirement party
- May 28 – Met with Susan Swartz to discuss potential shared services between the school district and the town.
- May 29 – Attended the opening of Freedom Park
- Working with Kevin on three (3) CFA Grant applications that the town will be submitting (potential expansion of the sewer line up Rte. 50 by Price Chopper to the county line; Town Center Plan lighting and Bike path that would go from the Maritime Center along the river to Maalwyck Park)
- Attended the Planning and Zoning meeting last night at their request to discuss our proposal that relates to Freemans Bridge Road rezoning.

Finances: generally we are on track but the one thing I want to flag is the mortgage tax revenue is not coming back. Eight months into the tax year, our revenue is about 30% below last year's figure. We are projecting to end about \$150,000

below budget and we budgeted \$675,000.

We budgeted for 10 staff members to retire in 2014 as of today 4 have retired, 2 more have filed their paperwork. That total of payout of 6 staff members is going to cost the town \$200,000. We have been informally advised that there will be more retirements during the year and those are expected to be \$125,000 to \$150,000. These payouts were budgeted.

I received a letter from Tony Jasenski of the County Legislature on our request to join us in the sidewalk program. It's a three page response with a variety of questions that they have about the project which disappoints me a little because we have been talking about this project for five years that I have been supervisor and the town has been talking about this project for another twenty before that. This is not a new concept, it should not take anybody by surprise and nobody ought to be this far behind that they need three (3) pages of questions and answers on the project. The only questions that the County has to ask itself is, is it important or not to make our Town Center walkable, is it important or not to be ADA compliant, is it important or not to give people who are taking a bus a place to get out, not into a snowbank, not onto someone's lawn but onto a sidewalk? So I am a little bit surprised that we received a response that seems to draw the process out a little bit, but we will respond to them and by resolution tonight we will also move forward as well. This is an important project, the County, the Town and the State should all be in partnership with it, just the Town and just the State without the County makes no sense what so ever.

Supervisor Koetzle moved ahead with the agenda items.

#### **RESOLUTION NO. 113-2014**

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

**WHEREAS**, a vacancy currently exists in the position of Assessor for the Town of Glenville; and

**WHEREAS**, the Town Supervisor, Deputy Supervisor, Acting Assessor, Attorney for the Town and Councilman Ramotar served as an interview committee; and

**WHEREAS**, the Town committee has interviewed several candidates for the position and has determined that William Purtell of 2 Kendall Place, Glenville is the best qualified and recommends his appointment; and

**WHEREAS**, the State of New York Office of Real Property Tax Services has confirmed that Mr. Purtell meets the minimum qualification standards for an appointed sole assessor as prescribed in the Real Property Tax Law and 20 NYCRR 8188;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby appoints William Purtell of 2 Kendall Place, Glenville to the position of Assessor, effective May 30, 2014, for a term expiring September 30, 2019, at a salary of \$56,500 per annum; and

**BE IT FURTHER RESOLVED**, that Mr. Purtell shall receive the benefits afforded to town employees who are not represented by a union, as outlined in the Town of Glenville Employee Personnel Manual, as revised, except that in consideration of his experience, Mr. Purtell shall receive ten (10) days of vacation time upon appointment, with said time to be used within one (1) year; and

**BE IT FURTHER RESOLVED** that immediately upon completion of the Basic Certification Training Program for assessors the salary shall be modified to \$58,000 per annum, with vacation time modified the next following January 1<sup>st</sup> to fifteen

(15) days per year, with all other benefits as stated above.

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

### **Motion Carried**

#### **Discussion...**

Councilwoman Wierzbowski – “Thank you to the residents who took the time and effort to submit their resumes for consideration. It is always very heartening to me when residents want to be involved with our governmental processes and do things for the town over and above what they may do on a daily basis. I think, Judge Moran, due to his prior experience with the Town and with the Village in the situation that we are in where we had a sense of urgency him stepping up and offering his services. It just seems to me the most sense to those of us on the committee. Thank you very much Judge for stepping up, we appreciate it.”

Councilman Pytlovany – “We did receive fifteen (15) resumes and that was awesome. It was a pretty easy decision on our part, I’ve known Dick Moran since 1980 when he was my Sergeant in the Scotia Police Department and I was a new patrolman. I have kind of followed Dick’s career all along here. He was a judge in the Village of Scotia and a judge here in the Town of Glenville. It made it a natural fit that Judge Moran has previously worked with our two (2) court clerks and had worked with our current judge. It will make an easy transition for a position that is for six (6) months.”

Supervisor Koetzle – “I want to thank those fifteen (15) people who applied and I also want to thank Gina, John, Mike Cuevas, Jamie MacFarland and Chief Ranalli for serving on the committee. Our previous terms had overlapped but I never actually met you and I think that is good because I never appeared before you so that is a good thing! I do appreciate very much your willingness to step up and serve the town.”

### **RESOLUTION NO. 114-2014**

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

**WHEREAS,** Town Justice Brian Mercy has advised the Town Board that due to personal family circumstances he must resign from his position as Town Justice for the Town of Glenville effective as of June 5, 2014; and

**WHEREAS,** Town Law provides that in the event of such a vacancy, the Town Board is empowered to appoint a Town Justice for the remainder of the year until a new Town Justice is elected; and

**WHEREAS,** the Town Board appointed a Search Committee co-chaired by Town Board Members Gina Wierzbowski and John Pytlovany to review resumes and interview candidates for Town Justice; and

**WHEREAS,** the Town received and the Search Committee reviewed resumes of fifteen individuals and unanimously agreed that former Town Justice Richard Moran was the most experienced candidate and would most quickly be able to step into the position to begin serving the Town Court; and

**WHEREAS,** the Town Board of the Town of Glenville accepts the committee’s recommendation to appoint Richard Moran as Town Justice to serve until a new Town Justice is elected and takes office at the pro-rated salary established for the

position at the Organizational Meeting;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby appoints Richard Moran as the Town of Glenville Town Justice on the terms stated herein for a term of office commencing June 6, 2014 and ending December 31, 2014.

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

**Motion Carried**

**RESOLUTION NO. 115-2014**

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

**WHEREAS**, the Town of Glenville annually receives funding from New York State for Consolidated Highway Improvement Program (CHIPS); and

**WHEREAS**, in 2014 the Town budgeted \$160,000 for such funding; and

**WHEREAS**, the New York State Department of Transportation via correspondence dated March 19, 2014 reports that the Town has an available CHIPS balance of \$269,334.47; and

**WHEREAS**, the New York State Department of Transportation also reports that the Town has been awarded additional funding of \$23,082.20 under the Extreme Winter Recovery Capital Grant program;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby acknowledges the increase in CHIPS funding for 2014 and accepts the grant award under the Extreme Winter Recovery Capital Grant program; and

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

**HIGHWAY FUND**

**Increase Revenue Code**

04.00.3501.0000 – CHIPS, by \$109,334

**Establish Revenue Code**

04.00.3597.0000 – Extreme Winter Recovery, in the amount of \$23,082

**Increase Appropriation Code**

Increase 04.00.5112.2200 – CHIPS, by \$109,334

**Establish Appropriation Code**

Increase 04.00.5112.2201 – Winter Recovery Projects, in the amount of \$23,082

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

**Motion Carried**

**RESOLUTION NO. 116-2014**

**Moved by:** Councilman Martin  
**Seconded by:** Councilman Pytlovany

**WHEREAS**, the State of New York requires each municipality to establish a standard work day for the purposes of reporting time worked for the members of the New York State and Local Retirement System; and

**WHEREAS**, State Law requires that the standard work day for elected and appointed officials be fixed at not less than six (6) hours per day; and

**WHEREAS**, the Office of the New York State Comptroller has updated its requirements for reporting standard work days of elected and appointed officials to the New York State and Local Retirement System;

**NOW, THEREFORE, BE IT RESOLVED**, that the Glenville Town Board, through the attached forms from the Office of the New York State Comptroller, said forms being RS 2417-A Standard Work Day and Reporting Resolution, and RS 2417-B Standard Work Day and Reporting Resolution Continuation Form, hereby establishes the standard work days for the elected and appointed officials identified therein.

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

**Motion Carried**

**RESOLUTION NO. 117-2014**

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

A resolution requesting the New York State Department of Transportation to perform a highway or bridge betterment project pursuant to Highway Law '10(27) and appropriating funds therefore.

WHEREAS, pursuant to Highway Law 10(27) the Commissioner of Transportation (the "Commissioner") may, upon the request of a municipality, perform for and at the expense of such municipality, any work of construction or reconstruction, including the removal and relocation of facilities, provided the Commissioner deems it practicable to perform such work for such municipality in connection the performance of any work of construction, reconstruction or improvement under the Highway Law; and

WHEREAS, the Town of Glenville is a municipality within the meaning of such section of the Highway Law ("Municipality"); and

WHEREAS, pursuant to Highway Law 10(27) the Municipality, in connection with PIN 180803 RT. 50 ADA COMPLIANCE - SIGNALS, SIGNS, SIDEWALKS, ROUTE 914V (GLENRIDGE ROAD) TO MAYBROOK DRIVE, TOWN OF GLENVILLE, SCHENECTADY COUNTY wishes the New York State Department of Transportation ("NYSDOT") to construct sidewalk south of Glenridge Road described in SCHEDULE A (that describes the "Betterment") annexed to this resolution; and

WHEREAS, there is a substantial public interest in and benefit to the performance of the Betterment, which will be part of the State or municipal highway system and will be available

for use by the general public; and

WHEREAS, NYSDOT has estimated the cost of the Betterment; and

WHEREAS, in connection with the Betterment Agreement and no later than NYSDOT's award of contracts inclusive of the work contemplated by such agreement, the Municipality shall deposit in escrow with the State Comptroller, subject to the draft or requisition of the Commissioner, the amount of the such cost estimate, to be expended by the State Comptroller on the costs of the Betterment so requested and approved or the return of the excess amount thereof, if any, to the Municipality; and

WHEREAS, upon completion and payment of the costs of the Betterment the Commissioner shall determine the costs thereof to be borne by the Municipality, and any excess of the deposit shall be paid to the Municipality on the warrant of the State Comptroller on vouchers approved by the Commissioner; and, in the event such costs exceed the amount of the deposit, the Municipality shall within 90 days of the receipt of notice from the Commissioner pay the amount of such deficiency to the State Comptroller; and

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject Betterment; and be it

FURTHER RESOLVED, the sum of \$133,000.00 is hereby appropriated from Account code 57.00-5410.4000 Town Center Improvements - Sidewalks for deposit with the State Comptroller pursuant to a Betterment Agreement with NYSDOT and expenditure on the draft or requisition of NYSDOT for betterment project costs in accordance with Highway Law 10(27) and such Betterment Agreement; and be it

FURTHER RESOLVED, that the Town Board be and is hereby authorized to execute all necessary agreements or other instruments on behalf of the Town of Glenville in connection with the advancement or funding of the Betterment; and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the State Comptroller and New York State Commissioner of Transportation by attaching it to the Betterment Agreement with NYSDOT, it being understood that upon completion of the Betterment by NYSDOT, NYSDOT shall transmit to this body a statement showing the actual costs and expenses of the Betterment and shall notify the fiscal officer of the amount due from or to be returned to the Municipality, as the case may be, and that any sum due to NYSDOT shall be paid by the Municipality within ninety (90) days after the date of transmittal of such statement, and the funds therefore shall be raised according to law and the terms of the Betterment Agreement, as applicable.

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

**Motion Carried**

**RESOLUTION NO. 118-2014**

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

**WHEREAS,** the Town of Glenville has an established rental policy for the Glenville Senior Center, and

**WHEREAS**, Vicki Hillis, Coordinator of the Glenville Senior Center, has identified a change to the rental policy that appears to be in the best interests of the Center and the community, and further recommends such change be adopted, and

**WHEREAS**, the Glenville Town Board is empowered to amend the rental policy from time to time as it sees fit,

**NOW, THEREFORE, BE IT RESOLVED**, that the existing rental policy for the Glenville Senior Center be amended as follows:

**CURRENT POLICY: SPECIAL RATES FOR WEEKLY RENTALS**

***Non-Profit Only: Any group/organization who commits to one or more evening meetings weekly, will pay \$30 per meeting.***

**NEW/AMENDED POLICY - SPECIAL RATES FOR WEEKLY RENTALS**

***Non-Profit Only: Any group/organization who commits to two or more evening meetings monthly on an ongoing basis, will pay \$30 per meeting.***

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

**Motion Carried**

**RESOLUTION NO. 119-2014**

**Moved by:** Councilman Martin  
**Seconded by:** Councilman Pytlovany

**WHEREAS**, Capitaland Realty, LLC is requesting that the Town Board of the Town of Glenville change the zoning of three parcels on Route 50 (41, 43, and 47 Saratoga Road – tax map #s 30.6-1-8, 30.6-1-7, and 30.6-1-6) from *Professional/Residential* to *General Business* in order to allow for the expansion of the Capitaland GMC/Subaru dealership at 37 Saratoga Road; 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 a zoning map may be considered;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby schedules a public hearing for Wednesday, July 16, 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 a proposed amendment to the Town of Glenville Zoning Map for the three properties at 41, 43, and 47 Saratoga Road; 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 ten days prior to the date of the public hearing.

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

**Motion Carried**

### **RESOLUTION NO. 120-2014**

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

**BE IT RESOLVED**, that the minutes of the regular town board meetings held on April 2, April 16 and May 7, 2014 are hereby approved and accepted as entered.

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

### **Motion Carried**

### **RESOLUTION NO. 121-2014**

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

**WHEREAS**, the Town Board of the Town of Glenville (herein called the "Town Board" and "Town," respectively), in the County of Schenectady, New York, has received a written petition, dated April 29, 2014, pursuant to section 191 of the Town Law, for the extension of Sewer District No.9 (herein called "District") whose petition was signed by the owners of at least one-half (1/2) of the assessed valuation of all taxable real property situate in the proposed District and including the signatures of resident owners of at least one-half (1/2) of the assessed valuation of such taxable real property situate in the proposed District owned by resident owners, all as shown upon the latest completed assessment roll of said Town, and a map, plan and report for the extension of Sewer District No.9 of the Town of Glenville and the construction of a sewer system therein was prepared for the Patriot Square project and anticipated lateral connections along Wilson Drive, including that consisting of sewer laterals including land or rights in land, connections, fill, services, appurtenances and related site work (herein called the "Sewer Improvement") from an existing manhole in Wilson Drive to the subject property is now on file in the office of the Town Clerk of the Town for public inspection; and

**WHEREAS**, pursuant to the Order duly adopted on May 7, 2014, the Town Board has determined to proceed with the establishment of the proposed extension to the District and adopted an Order reciting a description of the boundaries of the extension of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the construction of the Sewer Improvement in the District, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying June 4, 2014, at 7:00 PM, as the time when, and the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, in the Town, as the place where, the Town Board would meet to consider the establishment of an extension of the District and to hear all person interested on the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law ; and

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

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

**WHEREAS**, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising article 8 of the Environmental Conservation Law and, in connection therewith, a duly processed Negative Declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

**WHEREAS**, a Public Hearing in the matter was duly held by the Town Board on said June 4, 2014, commencing at or about 7:00 PM, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed extension to the District;

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

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

Section 1. It is hereby determined that:

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

Section 2. The establishment of the proposed extension to the District is hereby approved, as hereinafter described, and said District shall be designated and known as Extension No. 14 to Sewer District 9 in the Town and shall include the property commonly known as the 4 Wilson Drive.

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

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

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

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

Motion Carried

**RESOLUTION NO. 122-2014**

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

**WHEREAS,** the Town Board of the Town of Glenville (herein called the "Town Board" and "Town," respectively), in the County of Schenectady, New York, has received a written petition, dated May 2, 2014, pursuant to section 191 of the Town Law, for the extension of Water District No.11 (herein called "District") whose petition was signed by the owners of at least one-half (1/2) of the assessed valuation of all taxable real property situate in the proposed District and including the signatures of resident owners of at least one-half (1/2) of the assessed valuation of such taxable real property situate in the proposed District owned by resident owners, all as shown upon the latest completed assessment roll of said Town, and a map, plan and report for the extension of Water District No.11 of the Town of Glenville and the construction of a water system therein having previously been filed in conjunction with the Baptist Health campus project which anticipated and provided for a service lateral connection including land or rights in land, connections, fill, services, appurtenances and related site work (herein called the "Water Improvement") from the existing the water main in Swaggertown Road to the lands of the petitioner known as 48 Swaggertown Road, was prepared and is now on file in the office of the Town Clerk of the Town for public inspection; and

**WHEREAS,** pursuant to the Order duly adopted on May 7, 2012, the Town Board has determined to proceed with the establishment of the proposed extension to the District and adopted an Order reciting a description of the boundaries of the extension of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the construction of the Water Improvement in the District, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying June 4, 2014, at 7:00 PM, as the time when, and the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, in the Town, as the place where, the Town Board would meet to consider the establishment of an extension of the District and to hear all person interested on the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law ; and

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

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

**WHEREAS,** the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising article 8 of the Environmental Conservation Law and, in connection therewith, a duly processed Negative Declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

**WHEREAS,** a Public Hearing in the matter was duly held by the Town Board on said June 4, 2014, commencing at or about 7:00 PM, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed extension to the District.

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

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

Section 1. It is hereby determined that:

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

Section 2. The establishment of the proposed extension to the District is hereby approved, as hereinafter described, and said District shall be designated and known as Extension No. 42 to Water District 11 in the Town and shall include the property commonly known as 48 Swaggertown Road (S/B/L # 30.10-1-25).

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

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

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

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

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

**Motion Carried**

**RESOLUTION NO. 123-2014**

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

**WHEREAS**, the Town of Glenville and the Civil Service Employees Association (CSEA), Town Hall Unit are parties to a collective bargaining agreement for a term expiring December 31, 2012; and

**WHEREAS**, the CSEA filed a grievance on behalf of unit employee Carl Quinlan regarding his hours of work and rate of pay; and

**WHEREAS**, the CSEA recently filed an application with the N.Y.S. Public Employment Relations Board for the appointment of an arbitrator to hear this grievance; and

**WHEREAS**, the parties desire to come to an agreement which would avoid the expense and uncertain outcome of the grievance arbitration;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby authorizes the Supervisor to enter into a memorandum of agreement with the CSEA resolving the grievance of Carl Quinlan by the payment to him of the sum of \$700.00 less appropriate withholding.

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

**Motion Carried**

**RESOLUTION NO. 124-2014**

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

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

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

**Motion Carried**

Supervisor Koetzle adjourned this portion of the meeting at 7:50 PM and entered into Executive Session.

Time being 8:38 PM; Supervisor Koetzle reconvened the meeting and announced that no action was taken during the Executive Session.

Supervisor Koetzle asked for a motion to adjourn; Moved by Councilman Martin; Seconded by Councilman Pytlovany, everyone being in favor the meeting was adjourned at 8:39 PM.

ATTEST:

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Linda C. Neals  
Town Clerk