

REGULAR MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
MARCH 2, 2016
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, Alan Boulant and Councilwoman Gina M. Wierzbowski

Absent: None

Also present were Attorney Michael Cuevas, Deputy Supervisor James MacFarland, Jason Cuthbert, Comptroller and Tom Coppola, Highway Superintendent.

Town Council Reports:

None

Supervisor Koetzle – “Item No. 5 on the agenda is a public hearing to hear all persons interested in a proposed Local Law to amend Section 195-17 of Chapter 195 of the Code of the Town of Glenville to provide regulations for the use of town dog parks.”

Supervisor Koetzle opened the public hearing at 7:03 PM. No one wished to speak; Supervisor closed the public hearing at 7:04 PM.

Privilege of the floor:

Peter Looker, 1965 Amsterdam Road – Mr. Looker gave an update on the lighting and the trespass coming from Old Dominion Trucking. He informed the Board that they did come to his house with a couple of lighting people to observe the lights shining on his property. They informed him that they were going to fix one of them. He asked them to inform the neighbors when they change the one light so they can get feedback from them.

Supervisor Koetzle moved ahead with the agenda items.

RESOLUTION NO. 77-2016

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Boulant

WHEREAS, in 2007, Mark Andersen offered the town a 33 acre parcel located at the intersection of Swaggertown Road with Van Buren Road, commonly known as 414 Swaggertown Road, for the express purpose of a public use park, and

WHEREAS, later that same year, the Town of Glenville accepted Mr. Andersen’s offer, acquired the property, and with the assistance of the Park Planning Commission developed a master plan for the property which includes, among other things, a dog park, and

WHEREAS, to date, the park being developed on the donated land has not been officially named; and

WHEREAS, plans for the dog park have come to fruition with the dog park expected to be open in April 2016, and part of the formal plans for the park include adopting an official name; and

WHEREAS, in making the park land donation, Mark Andersen made one request; that being that memory of his wife, Sandra K. Andersen, be somehow acknowledged; and

WHEREAS, in light of Mark Anderson's generous donation to the residents of the Town which will provide significant green, open space and opportunities for passive recreation, the Town Board is pleased to honor his request,

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby officially names the aforementioned 33 acre parcel **Andersen Park**, and in accordance with Mr. Andersen's wishes, directs that a sign be erected bearing the name of the park in memory of Mr. Andersen's wife, Sandra K. Andersen.

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

Motion Carried

RESOLUTION NO. 78-2016

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Boulant

WHEREAS, the Town Board of the Town of Glenville has been considering a Local Law to amend Section 195-17 "Dogs and Animals" of Chapter 195, "Parks and Recreation" of the Code of the Town of Glenville; and

WHEREAS, this Town Board has held a public hearing on March 2, 2016 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 proposed Local Law amending of the Code of the Town of Glenville as set forth above;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville does hereby establish a local law to amend the Code of the Town of Glenville by adopting Local Law # 4 of 2016, amending Section 195-17 "Dogs and Animals" of Chapter 195, "Parks and Recreation" as set forth below:

CHAPTER 195 – PARKS AND RECREATION

§195-17 In any town park, all dogs and pets must be confined to the immediate area of the owner and restrained by a leash or similar restraint, in such a manner as to not disturb or endanger other park users. Owners are required to pick up their animal droppings. In order to use a dog park in any town park, the dog owner must:

- A. Obtain a permit from the Town Clerk. Permits are free to Glenville town residents and \$50.00 for non-residents. The non-resident permit allows the dog owner to register up to two dogs; the fee for each additional dog is \$25.00. Upon applying for a permit, the dog owner must provide proof that each dog has a current NYS dog license and is current on its rabies and distemper vaccinations. Upon registration the dog will be issued a colored dog tag. Permits are valid for the calendar year and must be renewed each year.
- B. Abide by dog park rules:
 - 1. The dog park is open 8 AM to dusk each day, weather permitting.
 - 2. An owner may bring no more than two registered dogs to the park at any time.
 - 3. Each dog must have a collar and must clearly display both its NYS license and Glenville dog park tag.

4. Dogs must be leashed when entering and exiting the dog park and under the control of the dog owner or a responsible person accompanying the dog; such person must have a leash in hand at all times. A responsible person is defined as a person age 17 or above who is capable of controlling the dog. Children between the ages of 12 and 16 may accompany a responsible person in the dog park. Children under age 12 are not allowed in the fenced area of the dog park.
5. The dog owner or person accompanying the dog must be in the fenced area of the dog park with the dog under visual contact and oral commands when not on a leash.
6. Dog owners are solely responsible for the actions of their dogs.
7. Dogs that have been declared dangerous or aggressive or female dogs in heat are not permitted in the dog park.
8. The dog owner or responsible person must clean up any dog feces dropped by the dog and place it in the proper receptacle.
9. Smoking is prohibited in the dog park.
10. No food or beverage is permitted in the dog park, with the exception of bite-sized dog training treats.
11. The dog owner or responsible person must fill in any holes dug by the dog before leaving the dog park.
12. Large dogs (defined as greater than 30 pounds) must use the large dog area. Small dogs (30 pounds or less) must use the small dog area.
13. Penalties for violations of these rules are as provided in §195-26.

Section 2. Effective date.

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

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, Pytlovany, Boulant, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 79-2016

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Boulant

WHEREAS, Jeffrey Prescott was appointed to the position of Assistant to the Comptroller effective May 21, 2007; and

WHEREAS, since his appointment Mr. Prescott has proven to be an exemplary employee instrumental in the efficient operations of the Comptroller's Office; and

WHEREAS, the title of Deputy Comptroller exists within the Civil Service classification system and mainly differs from the position of Assistant to the Comptroller in the minimum qualifications required and the ability to act in the absence of the Comptroller; and

WHEREAS, Mr. Prescott possesses the experience and educational

requirements necessary for appointment to the title of Deputy Comptroller; and

WHEREAS, the Town Comptroller recommends that Mr. Prescott be appointed to the title of Deputy Comptroller;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby provisionally appoints Jeffrey Prescott of 2 Wyndon Road in the Town of Glenville to the position of Deputy Comptroller effective March 7, 2016, at a starting rate for such title of \$51,339.31 per year and benefits as determined by the CSEA agreement with the Town.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

RESOLUTION NO. 80-2016

Moved by: Councilman Boulant

Seconded by: Councilwoman Wierzbowski

WHEREAS, the Baptist Health Nursing and Rehabilitation Center, Inc. ("BHNRC") and Baptist Health Enriched Housing Program, Inc. d/b/a Judson Meadows ("BHEHP") construction sewer infrastructure, including a pump station on Swaggertown Road; and

WHEREAS, the Swaggertown Road pump station and certain sewer mains have been dedicated to the Town; and

WHEREAS, during the course of the past year, the Town observed discharges of solid or viscous substances from the BHEHP facility into the town sewer system capable of causing obstruction of or interference with the proper operation of wastewater facilities in violation of Section 217-6 C. (4) of the Code of the Town of Glenville; and

WHEREAS, the Town, BHNRC and BHEHP desire to remedy this problem and to prevent obstruction or interference with wastewater facilities and propose to do so by the installation of an impeller at the Swaggertown Road pump station, at the sole cost and expense of BHNRC and BHEHP; and

WHEREAS, the Attorney for the Town, the Town Commissioner of Public Works and Deputy Commissioner of Public Works believe it is in the best interests of the Town to enter into the attached settlement agreement with BHNRC and BHEHP in lieu of prosecution of sewer use violations;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Supervisor to enter into the attached Settlement Agreement and Release which will cover the Town's costs for the impeller and installation thereof at the Swaggertown Road pump station in satisfaction of any sewer violations which may have been committed up to the date of this agreement.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

RESOLUTION NO. 81-2016

Moved by: Councilman Boulant

Seconded by: Councilwoman Wierzbowski

WHEREAS, in 2012 the Town of Glenville issued a request for proposals from certified public accounting firms to complete Audits of the Town's Financial Statements, and

WHEREAS, Bonadio & Co., LLP was awarded the contract for preparation of the 2012 financial statements, with contract including a Town option to award the same firm the contract for 2013 and 2014 at prices included in the firm's 2012 bid proposal; and

WHEREAS, the Town Comptroller recommends entering into a new professional services contract with Bonadio & Co., LLP to complete Audits of the Town's Financial Statements for fiscal years 2015, 2016, and 2017; and

WHEREAS, the 2016 budget for appropriations line 01.00.1320.4500 (Auditor - Fees for Services) contains \$24,000 for the financial statement, single, court fund, town clerk, and tax collector audits; and

WHEREAS, any audit of the court fund, town clerk, or tax collector will be undertaken solely at the Town's discretion;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Supervisor to enter into an agreement with Bonadio & Co., LLP, 6 Wembley Court, Albany, New York, 12205, to provide the audit of the Town's general purpose financial statements and, if required, the single audit for fiscal years 2015, 2016, and 2017, and, if so desired by the Town, a court fund, town clerk, or tax collector audit; and

BE IT STILL FURTHER RESOLVED that the fees for this service covering fiscal year 2015 shall be Nineteen Thousand Dollars (\$19,000) for the financial statement audit, Two Thousand Three Hundred Fifty Dollars (\$2,350) for the single audit or court fund audit, and One Thousand Four Hundred Dollars (\$1,400) for a town clerk or tax collector audit; and

BE IT STILL FURTHER RESOLVED that the fees for this service covering fiscal year 2016 shall be Nineteen Thousand Five Hundred Dollars (\$19,500) for the financial statement audit, Two Thousand Four Hundred Dollars (\$2,400) for the single audit or court fund audit, and One Thousand Four Hundred Fifty Dollars (\$1,450) for a town clerk or tax collector audit; and

BE IT STILL FURTHER RESOLVED that the fees for this service covering fiscal year 2017 shall be Twenty Thousand Dollars (\$20,000) for the financial statement audit, Two Thousand Four Hundred Fifty Dollars (\$2,450) for the single audit or court fund audit, and One Thousand Five Hundred Dollars (\$1,500) for a town clerk or tax collector audit.

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

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 82-2016

Moved by: Councilman Martin

Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville, with the assistance from the Schenectady County Department of Economic Development and Planning, has gathered information and prepared the Schenectady Count Multi-Jurisdictional Hazard Mitigation Plan Update; and

WHEREAS, the Schenectady County Multi-Jurisdictional Hazard Mitigation Plan Update has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Glenville is a local unit of government that has afforded its citizens an opportunity to comment and provide input on the Plan and the proposed actions contained in the Plan; and

WHEREAS, the Glenville Town Board has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED, by the Glenville Town Board that the Town of Glenville adopts the Schenectady County Multi-Jurisdictional Hazard Mitigation Plan Update as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute such actions of the Plan as are contained in the Glenville Annex as available resources will allow.

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

Motion Carried

New Business:

Councilman Boulant – “I would like to discuss, at our next work session, a potential path from the end of the sidewalk in Town Center to Woodhaven. There seems to be a fair amount of residents that would like to walk to the Town Center. With the cost of paving this might be something that would at least get it going and hopefully topcoat it at a later date.”

RESOLUTION NO. 83

Moved by: Councilman Martin
Seconded by: Councilman Pytlovany

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

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

Motion Carried

Supervisor Koetzle adjourned this portion of the meeting at 7:40 PM and entered into Executive Session.

Time being 8:30 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; motion to adjourn; Moved by Councilman Pytlovany; Seconded by Councilman Martin, everyone being in favor the meeting was adjourned at 8:31 PM.

ATTEST:

Linda C. Neals
Town Clerk