

REGULAR MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
APRIL 6, 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 John C. Pytlovany, Alan Boulant and Councilwoman Gina M. Wierzbowski

Absent: Councilman James Martin

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

Town Council Reports:

Councilman Pytlovany – “I attended the Scotia-Glenville Parade Committee meeting for the Memorial Day Parade. They applied to the FAA in order to get a fly-over from the National Guard, they did get permission so the Air National Guard will do a fly-over with one of their C-103’s.

I also attended the Traffic Safety Committee meeting and one of the main agenda items of discussion was no parking on Weatherwax Road where the new rope course is going in. I went up to look at the area and I was pretty surprised at how undeveloped and it is basically a dirt road with ditches on both sides. I was rather surprised to see that a rope course was going into that area but what we had to look at was the safety of the people that were going to be using it. The Committee’s recommendation to the Board is to adopt the resolution calling for no parking on the road itself. That anybody attending the course up there would have to use the parking lot and the main reason on that is to allow emergency vehicles to get in and out of the area in case they need to.”

Supervisor Koetzle – “Item No. 5 is a public hearing to consider a proposed local law to prohibit parking of vehicles on Weatherwax Road.”

Supervisor Koetzle opened the public hearing at 7:02 PM

Robert Van Flue, 2042 Waters Road – “I wanted to address this because the signs have to go in, there is no question about that. When the signs go in, you know that it is going to occur and it is going to be a load on the police department when we call, it’s just going to be repetitious over and over again. I wanted to bring up the perspective that I had brought in front of the Zoning Board of Appeals that in reality according to the town’s code, this is an amusement park and it is defined as an amusement park by the State and it is enforced by the health department and he has to get a state permit by the health department, he understands that admitting that it’s a zip line and a zip line is defined by our own state as an amusement park.

The Town’s Code says that it includes the operation of an amusement park, includes the operation of mechanical equipment designed for entertainment exclusive of equipment ordinarily classified as playground equipment, which is exactly what the state law states. It further states that a permit is required from the Town of Glenville, issued by the Town Board.

So I request that you review this as your responsibility and pass your judgement as to whether or not you believe it’s an amusement park according to your code. What that does is it gives you an advantage, you have to then issue a permit for this course to operate once a year. You can deny this permit if there are health issues, you

can get hurt which is your only opportunity for that because other than that it is self-regulated. The zip line people come in and say the cable looked good when I looked at it but in reality if someone dies or someone gets hurt this permit has a condition, according to your code, he has to take out an insurance policy which covers the town. So you could put any condition you want in the permit and the permit indicates what we are discussing right now and you would say we will issue you your permit or revoke your permit if you don't control the road and not have cars parked on the road. If a house catches on fire and the trucks can't get by or if someone get hurt right there and the trucks can't get to them.

Hopefully this will be addressed in the master plan also. It would be an advantage to the town and in your best interest to do this."

Stanley Lee, 130 Johnson Road – "I agree with everything Mr. Van Flue just said. Traditionally there's no enforcement of the codes in Glenville, at least not on Route 5. I have been complaining for years and nothing ever gets done. When cars are parked there, there will not be any policemen up there to tow the cars away. When he came before the boards he said this was going to be the gateway to the Adirondacks well if it becomes the gateway to the Adirondacks you have everyone coming in a motor home with possibly a car behind it, possibly a boat behind it, trucks with boats, and school buses for field trips. If a school bus goes in there they cannot back up the bus, you would have to give them a place to drive up and turn around. I don't know, you approved his parking lot. The first meeting he went to the town said he had to have 60 parking spaces. The second meeting, he said, I did an in house study and he only needed 30 parking spaces. I feel that this is a real concern.

He mentioned that the entrance was first filed to be off Waters Road, the second meeting the entrance was changed to Weatherwax Road. He asked if the Fire Department had ever approved the Weatherwax Road entrance. He questioned the emergency access. This is a very sad situation and it should have never happened. The procedures put in place should be right and they are not."

The speaker did not identify himself – He feels this is a huge safety issue.

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:14 PM.

The following people exercised the privilege of the floor:

Stanley Lee, 130 Johnson Road – Mr. Lee spoke of 2 issues on Route 5, one is the lack of traffic enforcement, needs to be patrolled more too slow people down. He also mentioned the lack of zoning enforcement, west of the old airport – cars, boats, kitchen stove, etc. stored on the property).

Supervisor Koetzle moved ahead with the agenda items.

RESOLUTION NO. 92-2016

Moved by: Councilman Boulant

Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville Public Works Department requires reliable equipment to perform Town duties; and

WHEREAS, for many years the Town has utilized a 1998 Brush Bandit chipper which has reached the end of its useful life; and

WHEREAS, the Commissioner of Public Works recommends the purchase of a new 15" drum style chipper to replace the aged 1998 Brush Bandit chipper to facilitate more efficient operations within the Public Works Department; and

WHEREAS, the Commissioner of Public Works developed a Request for

Proposals intended to yield suitable replacement options for the 1998 Brush Bandit chipper, with bid proposals due by March 24, 2016; and

WHEREAS, a bid submitted by Robert H. Finke and Sons, Equipment, 1569 US Route 9W, Selkirk NY 12158, meets the specifications included in the Request for Proposals and also utilizes New York State contract pricing available through National Joint Powers Alliance contract numbers 031014-BAN and 042815-BAN;

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Public Works is hereby authorized to purchase one 2016 Model 1390XP 15" Drum Style Brush Bandit chipper at a total cost not to exceed forty-one thousand three hundred sixty dollars (\$41,360), with the expense for said equipment charged to account 04.00.5130.2000 as included in the 2016 adopted budget; and

BE IT FURTHER RESOLVED, that upon purchase and delivery of the 2016 Brush Bandit chipper to the Town of Glenville, the 1998 Brush Bandit chipper is deemed surplus property and is eligible for disposal in the most cost-effective manner as determined by the Town Comptroller.

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

Motion Carried

RESOLUTION NO. 93-2016

Moved by: Councilman Boulant
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town Department of Public Works recently issued a bid for the purchase of a 2009 or newer 4x4 Carrier Mounted Telescoping Boom Excavator, and

WHEREAS, the bid opening occurred on March 28, 2016 at 10:00 A.M. at which it was determined that Vantage Equipment, LLC submitted the lowest responsible bid for a 2009 Gradall XL3100 Excavator, meeting all bid specifications, in the amount of One Hundred Twenty Five Thousand and no/100 (\$125,000.00) Dollars,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby accepts the bid of Vantage Equipment, LLC as the lowest responsible bid for a 2009 Gradall XL3100 Excavator in the amount of \$125,000.00 and hereby authorizes the Commissioner of Public Works to complete the purchase of said excavator, with the expense charged to Highway Department account, 04.00.5130.2000 (Equipment) account for payment purposes.

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

Motion Carried

RESOLUTION NO. 94-2016

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Boulant

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 form RS 2417-A Standard Work Day and Reporting Resolution provided by the Office of the New York State Comptroller, hereby establishes the standard work days for the elected and appointed officials identified therein.

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

Noes: None

Absent: Councilman Martin

Abstentions: None

Motion Carried

RESOLUTION NO. 95-2016

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Boulant

WHEREAS, Burnt Hills-Ballston Lake High School participates in a program titled the "Corporate Sponsors Program", the goal of which is to provide students with educational opportunities in a community workplace setting, and

WHEREAS, the Glenville Senior Center affords students such an educational opportunity in the form of an unpaid internship experience, and

WHEREAS, in order to comply with Federal and State Labor Department and NYS Education Department laws and regulations a memorandum of agreement that satisfies such requirements has been developed by the BH-BL Central School District.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Glenville is hereby authorized to sign a Memorandum of Agreement between the Burnt Hills-Ballston Lake School District and the Town of Glenville (attached) to participate in the "Corporate Sponsors Program" thereby affording an unpaid internship experience to a specified high school student while satisfying all local, state and federal legal requirements..

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

Noes: None

Absent: Councilman Martin

Abstentions: None

Motion Carried

RESOLUTION NO. 96-2016

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Boulant

WHEREAS, the Town of Glenville's Andersen Dog Park requires site amenities in order to provide functionality and comfort for the general public and properly registered dogs, and

WHEREAS, the adopted master plan for the site includes benches, a picnic table, a dog waste station and dog park equipment, and

WHEREAS, price comparisons have been made among vendors providing similar equipment to that proposed to be ordered, resulting in Terrabound Solutions having the best pricing structure,

NOW, THEREFORE, BE IT RESOLVED, that the Deputy Supervisor is hereby authorized to purchase benches, a picnic table, a dog waste station and park equipment from Terrabound Solutions, 20020 Hickory Twig Way, Spring, Texas, 77388, as specified in the attached proposal for the listed price of \$7,315, said purchase to be charged to the dedicated park fund 03.00.7110.

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

Noes: None

Absent: Councilman Martin

Abstentions: None

Motion Carried

RESOLUTION NO. 97-2016

Moved by: Councilman Boulant

Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville has an Employee Personnel Manual which details the personnel policies of the Town; and

WHEREAS, Town Board of the Town of Glenville is the empowered to adopt; repeal or amend its personnel policies and is charged with the enforcement thereof; and

WHEREAS, recently a town employee filed a complaint that alleged harassment in the workplace; and

WHEREAS, the aforesaid complaint was investigated by the Attorney for the Town and the Deputy Supervisor; and

WHEREAS, the Attorney for the Town and the Deputy Supervisor summarized the investigation in a confidential report to the Town Board, which included certain recommendations for amendment, revision and clarification of certain personnel policies and procedures;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby adopts the Confidential Report of the Attorney for the Town and the Deputy Supervisor and authorizes the Supervisor to take such steps as are necessary to implement the recommendations for modifications of the Town Personnel Policy Manual and employee training contained therein.

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

Noes: None

Absent: Councilman Martin

Abstention: None

Motion Carried

RESOLUTION NO. 97-2016

Moved by: Councilman Boulant
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville has an Employee Personnel Manual which details the personnel policies of the Town; and

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WHEREAS, the aforesaid complaint was investigated by the Attorney for the Town and the Deputy Supervisor; and

WHEREAS, the Attorney for the Town and the Deputy Supervisor summarized the investigation in a confidential report to the Town Board, which included certain recommendations for amendment, revision and clarification of certain personnel policies and procedures;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby adopts the Confidential Report of the Attorney for the Town and the Deputy Supervisor and authorizes the Supervisor to take such steps as are necessary to implement the recommendations for modifications of the Town Personnel Policy Manual and employee training contained therein.

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

Motion Carried

RESOLUTION NO. 98-2016

Moved by: Councilman Boulant
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville and the Highway Department Employees Association (HDEA) are parties to a collective bargaining agreement for a term which expired December 31, 2012 and a Memorandum of Agreement for the period of January 1, 2013 through December 31, 2018; and

WHEREAS, the Town and the HDEA are also parties to memoranda of agreement with respect to "Snow Removal Services" from 2014 and 2015; and

WHEREAS, the Town entered into a Shared Services Agreement by Memorandum of Agreement with the County of Schenectady by which the County and Town snow plow routes were modified, potentially impacting the prior "Snow Removal Services" MOAs; and

WHEREAS, the Town and the HDEA desire to resolve any such issues without resort to the grievance process and the parties' negotiating teams have reached terms of a tentative Memorandum of Agreement (MOA) resolving any snow plow issues. A copy of the parties' proposed agreement is attached to this resolution,

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby approves the attached memorandum of agreement with the HDEA settling any snow plow services issues for the 2015-16 snow season.

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

Motion Carried

RESOLUTION NO. 99-2016

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Boulant

WHEREAS, the Town Building Inspector has informed the Glenville Town Board of his intention to retire in June 2016; and

WHEREAS, the demands of the Town Building Department require adequate staffing in the department, particularly during the spring and summer months; and

WHEREAS, the Town Supervisor, Deputy Supervisor, and Councilman Martin served as an interview committee; and

WHEREAS, the Town committee interviewed several candidates for a full-time position in the Town Building Department and has determined that Arnold Briscoe of 118 Willow Lane, Glenville is best qualified to meet the needs of the department and recommends his appointment as Assistant Building Inspector; and

WHEREAS, Arnold Briscoe is willing to accept the appointment;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby provisionally appoints Arnold Briscoe of 118 Willow Lane, Glenville, New York 12302 to the position of Assistant Building Inspector, effective May 2, 2016, at a starting salary for such title of \$48,647.05 and benefits as determined by the CSEA agreement with the Town.

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

Motion Carried

RESOLUTION NO. 100-2016

Moved by: Councilman Boulant
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville is making improvements to benefit traffic and pedestrian safety and beautification to the Town Center area through sidewalk installation and lighting improvements, and

WHEREAS, in order to obtain the best pricing for such improvements, and consistent with the town's purchasing policy, improvements exceeding \$10,000 must be publicly bid pursuant to GML 103, and

WHEREAS, the town's engineering consultant on the lighting improvement project, McDonald Engineering, prepared specifications for both a clock tower and poles and light fixtures which were publicly bid, said bid opening occurring April 4th, 2016, at 3:00 PM at the Glenville Municipal Center, and

WHEREAS, although only one bid for each item was received, pricing was consistent or less than pre-bid estimates, and

WHEREAS, John M. McDonald Engineering, P.C., a member of PRIME AE Group, Inc., 7 South Church Street, Schenectady, New York, 12305, has reviewed said bids for conformity with the bid specifications, and, finding such, recommends bid acceptance as outlined in an award recommendation letter dated April 5th, 2016 (attached),

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville does hereby accept the low bid of City Electric Company, 501 West Genesee St., Syracuse, NY, 13204, in the amount of \$224,200.00 for poles and light fixtures as specified, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville does hereby accept the low bid of the Verdin Company, 444 Reading Road, Cincinnati, Ohio, 45202, in the amount of \$27,580.00, for a four-sided clock tower as specified, and

BE IT YET FURTHER RESOLVED, that payment for said purchases be charged to account number 82.00.5182 as budgeted.

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

Noes: None

Absent: Councilman Martin

Abstentions: None

Motion Carried

New Business:

Councilman Boulant – “This whole thing with the zip line and the parking on Weatherwax Road. Some of you folks have known how I feel about this, I’ve spoken a lot about it and behind closed doors I’ve yelled a lot about it. I wasn’t involved in the beginning stages and a lot of this was done not by the town board but by other people in the town. I don’t like it, I’m not happy about it. We are having a hard time figuring out what exactly we can do. I feel your pain, I think it’s a bad idea, I think it should have never happened. We have to deal with what we have. I know that some of the fastening mechanisms of how he is installing and putting this thing together is not what he told people. I don’t quite understand why we are not paying more attention to the process. I just think that you folks should just stay on top of us about this. I think we are going to get to a point where something is going to have to happen and I am going to recommend at some point that yes we do put the no parking signs up there and I think that we have to find a way that when these people park that it is taken care of and that somehow we make the business responsible for making sure these vehicles are not parked on that road. I don’t live there but I know a lot of you folks and the whole thing is a travesty and it should have never happened.”

Supervisor Koetzle – “The issue of the traffic safety on the roads, since we did talk I will tell you I know for an absolute fact that the most enforced road is Route 5. We by far put more resources there than any other road since we have talked. Although we are worried about many roads in the town and we are going to be worried about more roads when the Casino opens and we have more traffic coming down Route 5 and Route 50 and Maple Avenue. We are enforcing as much as we can. The way it was designed was for speed, it appears and that is a problem. We are doing everything we can and we will continue to do everything we can to enforce. I have talked to the

officers and they tell me they set up and as soon as they set up they have caught someone, they could be there 24-7. We are extending all of the resources we have.

We are having what we call "citizens round table" with the Efficiency in Government Committee on certain issues. We had one on zoning, we are having one on codes tomorrow night. I think maybe we could address a public and traffic safety round table, so the people can get a sense of our resources in the police department. As we grow as a community our resources get shifted to Walmart, to the commercial areas. That is something we are struggling with and it is going to get worse with the development down on Freemans Bridge Road.

We are not ignoring it, it is one of the issues at the top of the list with all of the board members. We will continue to stay on it."

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Pytlovany; Seconded by Councilwoman Wierzbowski, everyone being in favor the meeting was adjourned at 7:42 PM.

ATTEST:

Linda C. Neals
Town Clerk