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AGENDA
TOWN BOARD MEETING
TOWN OF GLENVILLE
18 GLENRIDGE ROAD
February 1, 2023
7:00 P.M.
www.townofglenville.org

Supervisor:
Christopher A. Koetzle
Council Members
Sid Ramotar
Deputy Supervisor
Michael Godlewski
James M. Martin

1. Invocation
2. Pledge of Allegiance to the Flag.
3. Roll Call
4. Town Council Reports
5. A Public Hearing at 7:00 PM or as soon thereafter as possible, at which time it will hear all persons interested in the proposed contract with the Village of Scotia to provide fire protection and emergency medical services to the Town of Glenville Fire District No. 4 for a term of three years.
6. Privilege of the Floor
7. Resolution appointing Amanda Gonzalez-Barone to the Glenville Town Board.
8. Supervisors State of the Town
9. Resolution authorizing the Supervisor to enter into an agreement with the Village of Scotia to provide fire protection and emergency medical services to Town of Glenville Fire District No. 4 for a three-year term, commencing January 1,2023 and ending December 31, 2025.
10. Resolution appointing Lynn Walkuski to position of Executive Secretary II.
11. Resolution appointing Tammy Stocker to the position of Principal Account Clerk II.
12. Resolution appointing Catherine Visco to the position of Information Processing Specialist II.
13. Resolution appointing James Pangburn to the position of Building Inspector.
14. Resolution adopting the revised Town of Glenville Procurement Policy and Procedures.
15. Resolution authorizing the Supervisor to into an agreement with LaBella Associates for proposed Alplaus Sidewalk Engineering Services.
16. Resolution approving the minutes of the Regular Town Board meeting held on January 18, 2023.
17. New Business:
 1. Discussion of proposed cannabis overlay district.

ADD ON

1. Resolution appointing Town Planner 1, Nicholas Chiavini, as the Town of Glenville's Fair Housing Officer.

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Jeffrey A. Siegel, Attorney for the Town

RESOLUTION NO. 7

Moved by:
Seconded by:

WHEREAS, Town Law section 64 (5) provides that in the event of a vacancy in an elected position in the Town, the town board is authorized to appoint a qualified person to hold office until the commencement of the calendar year succeeding the first annual election at which the vacancy may be filled; and

WHEREAS, due to the resignation of Town Councilwoman Gina Wierzbowski, such a vacancy exists on the Town Board; and

WHEREAS, in consideration of such vacancy, the Town Supervisor and Councilman Sid Ramotar reviewed and met with three applicants qualified to fill the vacancy, and hereby recommend Amanda Gonzalez-Barone be selected to fill the vacancy on the Town Board;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby appoints Amanda Gonzalez-Barone of 6 North Holmes Street, which is within the Village of Scotia, to the fill the vacant position of Member of the Town Board of the Town of Glenville for a term of office commencing immediately and ending December 31, 2023.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 1, 2023

Sponsored by: Christopher Koetzle, Town Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 9

Moved by:
Seconded by:

WHEREAS, the Village of Scotia and the Town of Glenville have been parties to a three-year agreement to provide fire protection and emergency medical services to the Town of Glenville Fire District No. 4 pursuant to Town Law and Opinions of the State Comptroller permitting; and

WHEREAS, the most recent agreement between the Village and the Town was for a term from January 1, 2020 through December 31, 2022; and

WHEREAS, the Town and Village Boards believe it is in the best interests of the Village and the Town to continue to have the Village provide such services to Town Fire District No. 4 for a three-year term, commencing January 1, 2023 and ending December 31, 2025 by extending the existing agreement; and

WHEREAS, the Town and Village Boards understand the constraints of managing municipal budgets under the state tax cap restraints and wish to recognize those restraints in their new agreement; and

WHEREAS, the Town Board conducted a public hearing on February 1, 2023, pursuant to a notice duly published, at which all members of the public had an opportunity to be heard on the issue of the proposed fire protection and emergency medical services agreement between the Village of Scotia and the Town of Glenville Fire District No. 4; and

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville in its capacity as the Board of Fire Commissioners for Fire District No. 4, hereby authorizes the Supervisor to enter into an agreement with the Village of Scotia to provide fire protection and emergency medical services to Town Fire District No. 4, on the terms and conditions contained in the proposed agreement, a copy of which is on file in the office of the Town Clerk, for a term commencing January 1, 2023 and providing that the Village be paid the sum of \$500,061 for contract year 2023, \$512,500 for contract year 2024 and \$522,500 for contract year 2025.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 1, 2023.

Sponsored by: Christopher Koetzle, Town Supervisor
Submitted by: Anthony Tozzi, Director of Planning

RESOLUTION NO. 10

Moved by:
Seconded by:

WHEREAS, Lynn Walkuski has been employed in the Planning Department of the Town of Glenville since 2015 with the title of Executive Secretary I; and

WHEREAS, since 2019 there has been considerable turnover in the Planning Department, with the retirement of two long-time employees and the return to private sector employment of the Director of Community Development; and

WHEREAS, Ms. Walkuski has played a vital role in maintaining departmental operations, including serving as the sole Planning Department employee for several weeks in summer 2022 during a period of employee transition; and

WHEREAS, in November 2022 the Town hired Anthony Tozzi as Director of Planning; and

WHEREAS, since his hiring Mr. Tozzi has been impressed with the departmental knowledge and work performance of Ms. Walkuski and recommends that Ms. Walkuski be promoted to the title of Executive Secretary II; and

WHEREAS, the Town Comptroller advises that the recommended promotion can be absorbed within existing 2023 budget appropriations;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby provisionally appoints Lynn Walkuski, 11 Lillian Drive, Glenville, New York to the position of Executive Secretary II, effective February 13, 2023, at an annual salary for the Over 5 Years step of \$56,875.63 and benefits as determined by the agreement between the Town and the CSEA Town Hall Unit.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 1, 2023.

Sponsored by: Christopher Koetzle, Town Supervisor
Submitted by: Craig D'Allaird, Commissioner of Public Works

RESOLUTION NO. 11

Moved by:
Seconded by:

WHEREAS, Tammy Stocker has been employed by the Town of Glenville for over 22 years and has held the title of Principal Account Clerk since 2018; and

WHEREAS, in recent years the duties assigned to Ms. Stocker have expanded from solely handling the administrative functions of the Highway Department to now handling administrative functions for the entire Department of Public Works, including the Water, Sewer, and Facilities Departments; and

WHEREAS, Ms. Stocker has excelled in her new role and proved invaluable to the operations of the Department of Public Works; and

WHEREAS, in recognition of her work, the Commissioner of Public Works recommends that Ms. Stocker be promoted to the title of Principal Account Clerk II; and

WHEREAS, the Town Comptroller advises that the recommended promotion can be absorbed within existing 2023 budget appropriations;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby provisionally appoints Tammy Stocker, 157 Droms Road, Glenville, New York to the position of Principal Account Clerk II, effective February 13, 2023, at an annual salary for the Over 5 Years step of \$58,129.37 and benefits as determined by the agreement between the Town and the CSEA Town Hall Unit.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 1, 2023.

Sponsored by: Christopher Koetzle, Town Supervisor
Submitted by: Anthony Tozzi, Director of Planning

RESOLUTION NO. 12

Moved by:
Seconded by:

WHEREAS, Catherine Visco has been employed by the Town of Glenville for 23 years and currently holds the title of Information Processing Specialist I; and

WHEREAS, for many years Ms. Visco has been a primary point of contact for members of the public coming to Town Hall and is well-known to residents and staff alike for her positive disposition and willingness to help in any situation; and

WHEREAS, in recent years Ms. Visco has been reassigned from handling the administrative functions of the Water Department to now handling administrative functions for the Building & Codes Department; and

WHEREAS, Ms. Visco has performed admirably in her new role and continues to maintain her enthusiasm for helping Town residents despite being simultaneously tasked with learning new procedures and regulations which are unique to building and code enforcement operations; and

WHEREAS, in recognition of her work in the Building & Codes Department, the Director of Planning recommends that Ms. Visco be promoted to the title of Information Processing Specialist II; and

WHEREAS, the Town Comptroller advises that the recommended promotion can be absorbed within existing 2023 budget appropriations;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby provisionally appoints Catherine Visco, 232 Hetcheltown Road, Glenville, New York to the position of Information Processing Specialist II, effective February 13, 2023, at an annual salary for the Over 5 Years step of \$50,789.13 and benefits as determined by the agreement between the Town and the CSEA Town Hall Unit.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 1, 2023.

Sponsored by: Christopher Koetzle, Town Supervisor
Submitted by: Anthony Tozzi, Director of Planning

RESOLUTION NO. 13

Moved by:
Seconded by:

WHEREAS, James Pangburn has been employed by the Town of Glenville since February 20, 2018 as Deputy Building Inspector; and

WHEREAS, in his nearly five years as Deputy Building Inspector, Mr. Pangburn has performed ably and continues to enroll in trainings and seminars to expand his knowledge base to better serve the residents of the Town of Glenville; and

WHEREAS, the Town has been without a Building Inspector since a retirement in June 2016; and

WHEREAS, the Director of Planning recommends that Mr. Pangburn be promoted to the title of Building Inspector in recognition of his work, continuing education, and experience in his current role; and

WHEREAS, the Town Comptroller advises that the recommended promotion can be absorbed within existing 2023 budget appropriations;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby provisionally appoints James Pangburn, 6 Wagon Wheel Lane, Glenville, New York to the position of Building Inspector, effective February 13, 2023, at an annual salary for the Over 4 Years step of \$75,285.61 and benefits as determined by the agreement between the Town and the CSEA Town Hall Unit.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 1, 2023.

Sponsored by: Christopher Koetzle, Town Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 14

Moved by:
Seconded by:

WHEREAS, the Town of Glenville continues to regularly seek grant opportunities from various federal and New York State agencies; and

WHEREAS, numerous federal and state agencies providing local government grants now require language concerning Minority- and Women-Owned Business Enterprise (M/WBE) and/or Section 3 Business Participation to be included in the procurement policies of local government grant applicants; and

WHEREAS, the Director of Planning and Town Comptroller recommend incorporating model language concerning Minority- and Women-Owned Business Enterprise (M/WBE) and/or Section 3 Business Participation into the Town of Glenville Procurement Policy and Procedures to meet the grant requirements mandated by various federal and New York State agencies;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby adopts the following updated procurement guidelines:

**TOWN OF GLENVILLE
PROCUREMENT POLICY AND PROCEDURES
(REVISED FEBRUARY 2023)**

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law (GML) §103. The only personnel with purchasing authority in the Town of Glenville are department heads, the Town Supervisor, and the Town Board. Such personnel shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

As a general rule, if a contract involves a substantial amount of services such that services are the focal point and the acquisition of goods is incidental, it will be considered a contract for public works. Conversely, if services or labor are only minimal or incidental to the acquisition of goods, it will be considered a purchase of supplies contract or a purchase of equipment contract.

Guideline 2. This guideline is contingent on sufficient, unencumbered budget appropriations being available prior to making a purchase or entering into a contract.

All estimated purchases of supplies or equipment at a price of:

- a. Less than \$2,000 left to the discretion of the department head.

- b. Greater than \$2,000 but less than \$6,000 requires a written/fax quote from two vendors, plus approval of the department head and Town Supervisor.
- c. Greater than \$6,000 but less than \$20,000 requires a written request for proposals (RFP) and written/fax quotes from three vendors, plus approval of the department head and Town Board.
- d. Greater than \$20,000 in the fiscal year shall be formally bid pursuant to GML §103.

All estimated public works contracts at a price of:

- a. Less than \$6,000 left to the discretion of the department head.
- b. Greater than \$6,000 but less than \$20,000 requires a written RFP and fax/proposals from two contractors, plus approval of the department head and Town Supervisor.
- c. Greater than \$20,000 but less than \$35,000 requires a written RFP and fax/proposals from three contractors, plus approval of the department head and Town Board.
- d. Greater than \$35,000 shall be formally bid pursuant to GML §103.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery or the proposed public works project.

The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 3. The acquisition of professional services such as obtaining insurance and obtaining architectural, accounting, auditing, engineering and additional legal services are not required by state law to be subject to the requirements of these guidelines. The Town Board of the Town of Glenville directs, however, that in each instance where professional services are required, the purchaser shall obtain proposals from three providers, if possible, when the reasonable estimate for the cost of the services exceeds thirty-five thousand dollars (\$35,000).

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgement shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6. Minority- and Women-Owned Business Enterprise (M/WBE) Business Participation Procurement and Contracting: In an effort to affirmatively increase procurement and contracting opportunities for minority- and women-owned business enterprises, the Town will solicit MBEs and/or WBEs as part of its procurement process, when appropriate. Solicitation may be undertaken via advertisements in minority publications or direct outreach by letter or email to identified State-certified M/WBEs, or by working with a clearinghouse. The Town's established purchase/contracting thresholds will apply. For purposes of the above, the M/WBE must be certified by Empire State Development (ESD) through the Division of Minority and Women Business Development (DMWBD). The Town will keep documentation of M/WBE solicitation in its records and any responses thereto.

Guideline 7. Section 3 Business Participation in Procurement and Contracting: For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the Town will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 businesses in the procurement of goods and services pursuant to its Section 3 Participation Plan. Solicitation may be undertaken via advertisements in local publications encouraging Section 3 participation, or direct outreach by letter or email to identified Section 3 businesses or individuals included on the Department of Housing and Urban Development's Section 3 Businesses Registry. The Town's established purchase/contracting thresholds will apply. The Town will keep documentation of Section 3 solicitation in its records and any responses thereto.

Guideline 8. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- (a) Emergencies.
- (b) Sole source situations.
- (c) Goods purchased from agencies for the blind or severely handicapped.
- (d) Goods purchased from correctional facilities.
- (e) Goods purchased from another governmental agency, which include those made under state and county contracts.
- (f) Goods purchased at auction.
- (g) Acquisition of professional services.
- (h) "Piggybacking" purchases made from federal, state, or political subdivision contracts pursuant to GML §103(16).

Guideline 9. This policy shall be reviewed annually by the Town Board at its organizational meeting.

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board decision on February 1, 2023.

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Craig D'Allaird, Commissioner of Public Works

RESOLUTION NO-15

Moved by:

Seconded by:

WHEREAS, the Town of Glenville seeks an engineering firm with surveying capabilities to survey lands adjacent to roadways for a ROW and to provide the design and layout of a sidewalk installation on Alplaus Avenue; and

WHEREAS, on January 6, 2023 the Town issued a Request for Proposals (RFP) seeking such services; as more particularly set forth in the RFP; and

WHEREAS, the RFP requires proposals be delivered to the Town of Glenville Town Clerk no later than 11:00 am on January 24, 2023; and

WHEREAS, the Town timely received proposals from three (3) firms interested in providing the requested services; and

WHEREAS, in accordance with the RFP, the Town of Glenville Review Committee reviewed the proposals and recommended that the contract be awarded to LaBella Associates as the lowest responsible bidder; and

WHEREAS, the Town has considered that Michael Carr, Chairman of the Town of Glenville Planning Board, is employed by LaBella Associates but the Town understands that Mr. Carr will receive no direct or indirect benefit from the award of the contract to LaBella Associates;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby accepts the proposal from LaBella Associates in the amount of \$34,000.00 to provide survey, design, and layout services for sidewalk installation on Alplaus Avenue, with said expense charged to capital project HH-045 Safe Routes to Schools.

Ayes:

Noes:

Absent:

Abstention:

Motion Carried/Defeated

Town Board decision on February 1, 2023.

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO. 16

Moved by:
Seconded by:

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on January 18, 2023 are hereby approved and accepted as entered.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on February 1, 2023

Sponsored by: James Martin, Councilman
Submitted by: Anthony Tozzi, Planning Director

RESOLUTION ADD ON NO. 1

Moved by:
Seconded by:

WHEREAS, the Town of Glenville has been awarded the NYS Office of Community Renewal (OCR) Community Development Block Grant (CDBG) Microenterprise grant funds, hereinafter the "Grant"; and

WHEREAS, the Microenterprise grant is a \$300,000 award with 15% set-aside for project administration and delivery to provide small businesses a maximum grant of \$35,000 for purchasing equipment or expanding their footprint, and provides for payment up to 90% of total project costs for start-up or expansion activities with a 10% equity match requirement; and

WHEREAS, the CDBG Grant Program is federally funded through the Housing and Community Development Act of 1974 and requires recipients of federal funds to comply with the provisions of the Fair Housing Act, including the appointment of a Fair Housing Officer; and

WHEREAS, the Town of Glenville has not yet designated a Fair Housing Officer.

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby appoints Town Planner I, Nicholas Chiavini, as the Town of Glenville's Fair Housing Officer.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 1, 2023.